

**Minutes of the Monthly Meeting of Bray Town Council held in the Council Chamber,
Town Hall, Bray on Tuesday 11th December at 7.30 p.m.**

Present:

**Councillor Brid Collins, Cathaoirleach
Councillor John Brady
Councillor Caroline Burrell
Councillor John Byrne
Councillor Anne Egan
Councillor David Grant
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. Liam Bourke, Acting Town Engineer
Mr. Stephen Fox, Executive Engineer**

Apologies:

Councillor Anne Ferris

The Cathaoirleach Bríd Collins opened the meeting by extending the apologies of Councillor Anne Ferris stating that Councillor Ferris was unable to attend due to the fact she was working in her capacity as Cathaoirleach of Wicklow County Council.

1. Confirmation of Minutes of the Meeting dated 13th November, 2007

Councillor Caroline Burrell proposed confirmation of the minutes of 13th November 2007 and Councillor Anne Egan seconded the proposal.

Councillor John Brady proposed a vote of sympathy to the family of Paul Byrne, a young father of one from Mountainview Drive who passed away the previous day. He extended his sympathies to the family, friends and everyone who knew Paul.

Councillor John Byrne added that he'd like to be associated with the vote of sympathy and remarked that the circumstances surrounding Paul Byrne's passing were very tragic.

Cathaoirleach Bríd Collins extended her sympathies also.

2. To Consider Material Contravention of Planning Register Reference 07/125

The Cathaoirleach Bríd Collins requested clarification on this before calling for a vote from the members.

Stephen Fox Executive Engineer outlined the changes to the above stating that the original application included provision for a large non-food retail outlet, which the developers had been asked to remove from their application. A revised application was then lodged which omitted the large non-food retail outlet. The net floor area for the supermarket development is 2,500m², which is in conjunction with zoning requirements.

He stated that the main reason the members were considering the material contravention was in relation to the residential area. Technically the members input into this was to decide whether the development should have a residential element. He added that the residential area will serve as a buffer between the retail areas and should discourage anti social behaviour. He stated that there will be a motor sales outlet at the entrance to the site and a roundabout will be put in place.

The Town Manager, Des O'Brien added that in the main the planning application met all requirements and that the material contravention was in relation to the housing element of the application.

The members raised the following points:

- There was a letter from the residents of Mountainview Drive about the proposed walkway between the two areas – is this in the plan?
- I support this – this is good for Bray and the local area and is long overdue.
- Bray has been left behind in relation to shopping and provision of local services – this is badly needed in the town.
- There were very few objections for such a major development. The vast majority of people who live in the area want this.
- I can understand the objections of the Mountainview residents – they have a valid point.
- I don't support the Mountainview Residents Association when they say they don't want social housing. If planning permission is granted, they will have to take their case to An Bord Pleanála.
- I welcome the discount food store it is a question of choice and competition. This won't have a major impact on Bray town centre.
- [Councillor John Byrne] I propose this would be granted subject to the conditions laid out by Stephen Fox.
- I welcome that the department store element has been taken out of the planning application – I think that it would do damage to the town centre.
- Nowhere else in Bray could provide this facility.
- There should be a protection built in that neither of the stores is turned into a department store at a later date.
- I support housing on this site and I welcome the fact that we'll get social housing here.
- [Councillor Pat Vance] I second the Councillor Byrne's proposal subject to there being no department store and that there be none at a future date.
- I support this development – I hope the people on the Southern Cross Road will have somewhere to shop. I don't think we need a motor sales outlet though.
- We need a playground in this area.
- I support the residential aspect. There will be less anti social behaviour and less security issues.
- We need a new pedestrian crossing on the Southern Cross Road.
- The town is large enough to accommodate this centre.
- We need to address the traffic issue. There are 1,200 houses along with the IDA Business Park on this road. The swimming pool and shopping centre will lead to increased traffic – where will it all go?
- Mountainview have addressed their concerns. I won't be supporting a right of way. I support the social and affordable housing.
- I welcome this – what does Superquinn intend for their existing site in Little Bray? This is a prime site in the town. I'd like the officials to make enquiries about this.
- I have concerns about the proposed access from Mountainview Drive and concerns about the boundary walls between the two sites. I also question the distances between the new houses and the houses in Mountainview.
- I fully support the discount food store on this site. A town the size of Bray should have two to three of these stores.
- I agree about the future use of these stores – we don't want to be draining the town centre of customers.
- I support the material contravention.
- Our town is dying due to lack of proper facilities. Gorey is a much smaller town and they have a Lidl, an Aldi, a Tesco and a Dunnes Stores which all prosper.
- We need retail food stores in the town – people need to buy food at reasonable prices.
- I support social housing – it needs to be incorporated into the private sector – not like Riversdale where the social housing is in its' own block.
- The developers are to be congratulated by putting houses in.
- A major issue will be the traffic.
- For this to work successfully the two roundabouts on the Southern Cross Road will have to be tackled – they will be inadequate. A traffic plan should be in place before development.

- When we are dealing with a material contravention, we usually get a list of conditions. I'd like to request that we have this in future.
- I agree in relation to the access and proximity to Mountainview.
- This is an opportunity to carry out road and landscaping improvements in the area of the Southern Cross Road.
- We have a good application before us, which I support. I urge that we get on with it and let the developer start work.
- The area will act as a good social centre for the residents. I think the Mountainview residents will benefit.
- There should be mixed social housing with private housing.
- This is a great development – the retailers should have no fear, there is no drapery store.
- The housing aspect is fantastic.
- There are no facilities on the Southern Cross Road – not even an ATM.
- I welcome the discount store – this is healthy competition.
- Can we clarify the walkway from Mountainview Drive?

Stephen Fox responded:

- There is no problem with conditioning access to Mountainview – this was just a tentative suggestion for the future.
- Traffic won't impact as much. People on the way home from work will be using the road anyway. The road is not heavily trafficked in the afternoon.
- It is intended to maintain the Superquinn store in Little Bray as a Superquinn Select.
- Everything can be agreed via conditions.

Councillor Anne Egan asked if a condition could be put in place whereby the social and affordable housing be mixed with the private sector housing? Stephen Fox replied that he didn't know if an agreement had been reached with the Housing Department, but that the application was indicative of a mix.

The members raised the following points:

- I'm disappointed that Superquinn is to be downgraded. A lot of people depend on that supermarket for a full weekly shop.
- I agree – the shopping centre could be upgraded, as it's not just Superquinn there.
- I request that we write to Superquinn for clarification.

To Consider Material Contravention of Planning Register Reference 07/125

The councillors took a vote on the motion and voted in the following manner:

	For	Against
Councillor John Brady	✓	
Councillor Caroline Burrell	✓	
Councillor John Byrne	✓	
Cathaoirleach Brid Collins	✓	
Councillor Anne Egan	✓	
Councillor Anne Ferris	<i>Absent</i>	<i>Absent</i>
Councillor David Grant	✓	
Councillor Michael Lawlor	✓	
Councillor John McManus	✓	
Councillor Steve Matthews	✓	
Councillor Ciaran O'Brien	✓	
Councillor Pat Vance	✓	
Total	11	0

The motion was then deemed to be carried.

3. Reports and Recommendations

Wall At Glendale Drive

The Acting Town Engineer, Liam Bourke read out the following report to the members:

“The wall which is approximately 100m long separates the footpath on the road and tennis grounds from the road carriageway edge. The wall built of stone was formerly a property boundary wall that was reduced in height and capped with insitu concrete slabs. The integrity of the wall has disimproved in recent years. In particular the capping has been pulled off the wall which will lead to an acceleration in the deterioration of the underlying wall. Loose capping and stonework is a potential hazard to motorists, cyclists and pedestrians.

The height difference between the footpath behind the wall and the road carriageway edge varies from about 250mm at the southern end to about 500mm at the northern end. There is a narrow cycle lane at carriageway level adjacent to the wall. Due to the narrow space between motorised vehicles and the wall, the wall presents a particular safety risk for cyclists. The normal minimum lateral clearance of fixed objects from the roadway edge should be one metre and in no circumstance should this clearance be less than 450mm.

There is also a line of eight trees about 2,5m from the back of the wall. The roots of one very mature beech tree at the northern end has caused extensive damage to the footpath bitumen macadam surface.

Having regard to all problems outlined, it is recommended that the stone wall be removed and replaced with kerbing and the height of the path reduced to match. At least three of the trees will also have to be removed. The cost of these works, based on the 2007 schedule for civil works and rough estimates for arbourist work is €40,000. An alternative proposal considered was the reduction of the wall to footpath level, recapping and erecting a railing on top. The estimate for this work is about €28,000. However, this measure is not recommended as there would be still a vertical wall up to 500mm high at edge of cycle lane. Also the railing would have to be set back a minimum of 450mm which would permit pedestrians to walk on carriageway side of railing and there would also be an extra cost in addressing the damage done to the existing path by the trees.”

The recommendation of the Acting Town Engineer is to remove the wall and reduce the height of the footpath.

The members raised the following points:

- This is a very long report – can you please circulate to the members.
- [Councillor John Byrne] I propose we put this item back on the agenda.
- These works will be expensive – something will have to be done.
- I agree. €40,000 is a huge sum. Is this the best we can come up with?
- [Councillor Pat Vance] I second that proposal.

4. Notices of Motion

Notices of Motion were not addressed at the meeting.

5. Correspondence

Full Time Fire Service

The Town Clerk read out a letter to the members that was received from Minister John Gormley’s office. This letter was a response to a letter sent on behalf of the Cathaoirleach requesting funding for the provision of a full time fire service for Bray. An extract from the letter states:

“...The provision of a fire service is the statutory responsibility of the local fire authority. In this case it is Wicklow County Council.”

The members responded:

- I'm very disappointed with the Minister saying that there won't be any change in the funding for a full time fire service. There won't be a full time fire service unless we get more funding from central government. We maintain the services we have with our budgets.
- There is no mention of a National Fire Authority, this is our only hope.
- We would need an annual contribution of €2-€3 million – we don't have this, Wicklow don't have this and Wicklow won't have this.
- They are happy to give grants for equipment, training etc but not a full time fire service.
- There was no mention of a National Fire Authority – fire fighters and unions want this. There are currently no criteria to say how fire fighters are trained.
- No county council in Ireland can afford a full time fire service – there is no hope for a full time fire service. We must maintain the campaign for funding. We shouldn't accept this [response].
- I'm very disappointed with this. It's not acceptable. We shouldn't give up the fight.
- I'm disappointed but not surprised. There has been no mention of the Farrell Grant Sparks report. We should write to the Minister to ask if it will be implemented.
- Wicklow County Council hasn't made a proposal to the Department of the Environment, Heritage and Local Government to request funding for a full time fire service and I understand they are not in a position to fund this themselves. Central government need to fund this.
- Minister Gormley knows that Wicklow County Council don't have the money to fund a full time fire service.
- We need to have a look overall at the type of fire service. The public are concerned about the level of protection they have. We need to put an emergency service in place. We need an emergency back up system.
- It's possible that Bray won't get a full time fire service as it's too small, but perhaps a regional full time fire service.
- I have confidence that a National Fire Authority will be set up at some stage. Ministers Killeen and Gormley are keen for this to happen. This is not possible in current funding.
- Six counties out of twenty six have a full time fire service.
- Wicklow County Council has not put any proposals forward for funding – this is very frustrating. There are a number of options that Wicklow County Council could consider but they have made no contact with the Department. The statutory authority is Wicklow County Council.
- The Department have made themselves quite clear on the provision of a fire service.
- The major points of the Farrell Grant Sparks report need to be implemented and a National Fire Authority needs to be set up.
- I'm glad that we have received this letter from the Minister as it clarifies Bray Town Council's position – we are not the Fire Authority.
- If we do get a full time fire service or an improved fire service, we have no funding. Wicklow County Council have no funding. I request that the Town Clerk send a letter to Wicklow County Council.
- I request that the Town Clerk write to the Minister requesting that the Farrell Grant Sparks report be implemented.
- I didn't promise people a full time fire service, I promised to keep it on the agenda.
- There are reports due from Wicklow County Council, the HSE and the Gardai into the fire.

River Dargle Flood Prevention

The Town Clerk read out a letter to the members that was received from Minister Noel Ahern's office at the Office of Public Works. This letter was a response to a letter sent on behalf of the Cathaoirleach requesting funding for the Flood Prevention Scheme. The letter stated that the Minister was not sure a meeting with a deputation from Bray Town Council would serve a useful purpose.

- In 1986 after Hurricane Charlie hit, Phase 1 flood defence was carried out, but not Phase 2. I want to make sure we get funding. I think we should write back to Minister Ahern.
- I'm disappointed with the content of this letter – it's long and contains information we already know.

- The major issues are funding and the flood plains. There should be no development on the flood plain.
- We should be getting flood protection works by right – Phase 2 will increase our flood protection but I can't see this happening [Phase 2].
- We are talking about a 1 in 300 years flood event – what more can they ask for? This council could never provide this kind of protection alone. It is conditioned into the planning application.
- We have to get the best system we can in place. It is good that things are examined closely.
- The OPW is aware of the capacity of the River Dargle to flood Bray.
- I welcome this letter it is very informative. I would be very much in favour of the 1 in 1,000 year return in relation to Seapoint Court.
- This office insisted that the OPW get involved in flood defence as part of their Development Plan. This is only happening due to the efforts of this council.
- I am confident this will happen. I'd prefer if central government paid, but they have never done it. If we get this scheme it will be as a result of the council.
- The people of Little Bray and Seapoint Court need to be protected.
- I welcome this – it only came about by challenging these applications and insisting on the best outcome for the town.
- I'm glad I supported the amendment to the Development Plan – homes will be protected.

'N' District Annual Policing Plan

The Town Clerk read out a letter that had been circulated to the members that was received from Superintendent Michael Lernihan in relation to the above. She reminded the members that the closing date for submissions is 21st December, 2007.

Councillor Caroline Burrell asked if the Gardai have copies of previous Policing Plans that the members can get copies of. The Town Clerk responded that copies would be readily available from the Garda station and suggested that a phone call requesting a copy would be the correct procedure.

Books of Condolence

The Town Clerk informed the members of Books of Condolence received from Fermoy Town Council in memory of Brian Murray and Mark O'Shaughnessy.

6. Any Other Business

AO Smith Site

Councillor John Brady stated that he had asked for a report on the AO Smith site and that nothing has been forthcoming. He added that it was a derelict site where Brian Murray and Mark O'Shaughnessy lost their lives and that the AO Smith site was an accident waiting to happen.

The Town Clerk endeavoured to have a report for the next month and added that she could confirm that both the AO Smith site and the Adelaide Road site were entered on the Register of Derelict Sites. There are heavy financial penalties, once a building has been listed on the register.

Variation To Bray Town Development Plan

The Town Manager, Des O'Brien stated that the variation on the Development Plan had been circulated to the members a few days previously. He added that normally his preference was that the Municipal Policy Committee examine the variation first and then it be presented to the full council.

Mr. O'Brien informed the members that the reason for presenting this variation to the members was due to confusion over the LUAS/busway wording. He added that the LUAS is very important to the town and that the application was under consideration at the moment, with a decision due the following Monday.

The pedestrian bridge could be updated to a transport bridge for the use of pedestrians, cyclists, the LUAS and scheduled bus services. The Town Manager informed the members that the RPA had received a copy of the map circulated to the members and that they (the RPA) were happy with the line.

Mr. O'Brien proposed that this variation be advertised and submissions sought from the public.

Mr. O'Brien informed the members that the Municipal Policy Committee had discussed the proposed variation regarding heights of buildings in the core retail area and the committee were happy with this variation. He added that the Development Plan has served Bray well so far and that these proposed variations were a mid term review.

The members raised the following points:

- [Councillor Ciaran O'Brien] This was discussed at the MPC – I propose that it goes to public consultation and we wait to see what LUAS and Dublin Bus say.
- This will be a huge benefit to Bray with the LUAS, bus and DART.
- [Councillor Ciaran O'Brien] The heights in the town centre are a minimal increase and I propose we go to public consultation.
- [Councillor Pat Vance] I'd like to second this.
- The new maps clarify the line.
- What has been proposed in relation to the heights in the Main Street is a common sense approach.
- Will they be laying the LUAS tracks while development is being done?
- How does it work that you can get three floors at 12 metres?
- Is the LUAS route a twin or single track?
- The change to the heights will be beneficial for the town centre.

The Town Manager responded:

- The tracks will be a contractual matter between the developer and the RPA.
- The heights from floor to floor are 11.2 metres – we got the figures from architects. The new heights will give more room for design.
- The LUAS will be a twin track. There will be a dedicated LUAS line through the Golf Club lands. When it reaches the bridge, it will be a combined bus and LUAS track.
- It is envisaged that the LUAS will terminate at the Quinsborough Road.
- This is very important for the town and a great opportunity for Bray.

To Consider Variation To The Town Development Plan

The councillors took a vote on the motion and voted in the following manner:

	For	Against
Councillor John Brady	✓	
Councillor Caroline Burrell	<i>Absent*</i>	<i>Absent*</i>
Councillor John Byrne	✓	
Cathaoirleach Brid Collins	✓	
Councillor Anne Egan	✓	
Councillor Anne Ferris	<i>Absent</i>	<i>Absent</i>
Councillor David Grant	✓	
Councillor Michael Lawlor	✓	
Councillor John McManus	✓	
Councillor Steve Matthews	✓	
Councillor Ciaran O'Brien	✓	
Councillor Pat Vance	✓	
Total	10	0

* Councillor Burrell had left the meeting before the vote was called for

The motion was then deemed to be carried.

The Cathaoirleach Bríd Collins closed the meeting by wishing a healthy, happy, peaceful Christmas and New Year to the members and the media and that they come back in the New Year well rested.

Councillor Anne Egan also wished everyone present a Happy Christmas.

* * * *

This concluded the meeting.

Signed: _____
CATHAOIRLEACH

Signed: _____
TOWN CLERK

Dated: _____