

**Minutes of the Monthly Meeting of Bray Town Council held in the Council Chamber,
Town Hall, Bray on Tuesday 12th February 2008 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:

**Ms. Christine Flood, Town Clerk
Mr. Sean O'Neill, Town Engineer**

Apologies:

**Councillor Anne Ferris
Mr. Des O'Brien, Town Manager, Director of Services**

1. Confirmation of Minutes of the Meeting dated 15th January 2008.

Councillor Anne Egan proposed confirmation of the minutes of 15th January 2008 and Councillor Caroline Burrell seconded the proposal.

2. To Discuss The Notice of Motion "That an Area Action Plan be prepared for the Dell site and the industrial estates adjoining on the south eastern end of Boghall Road."

The members raised the following points:

- This is a very substantial area of land, however the buildings are 30 – 40 years old.
- It could be designed to be a very striking urban quarter in the town. I would see it as a mixed-use area with access from the Southern Cross Road, Vevay Road and Boghall Road with no through roads, as we don't want rat runs.
- We should get some urban design architects to have a look at this. It might cost a lot but it will be worth it. There will be good payback.
- We need to have a look at this and see which is the best way to develop the area.
- The industrial units from the early 70's are too big for what is required now. We had problems getting other retailers in to the area and had to have a Material Contravention.
- This area needs to be regenerated. The Dell site is just sitting there. We should provide zoning to get people into employment.
- We need to be cautious with this. When Dell announced they were moving to Cabinteely, they wanted to change the zoning in the area. They were told by Bray Town Council and Wicklow County Council that there would be no zoning change. We need to be consistent.
- I have no problems with changes to Pinewood and Beechwood Close. The area needs an injection of money. I am opposed to residential development.
- We need to get the stakeholders to sit down and discuss this area. We need to do this properly and discuss the traffic issues. We need to be able to sustain the area – perhaps we should put it to the Infrastructure MPC?
- I have no doubt that we need to do something, but it's how we do it.
- The area is in disrepair and industrial units are lying empty. I suppose it's a sign of the times.
- When we talk about these sites, residential is always mooted – I'm totally opposed to this.
- The Southern Cross Road was built to alleviate traffic problems on the Boghall Road. The Boghall Road is saturated with traffic and Dell traffic has been lost on this road. We need a traffic plan for the area.
- We need a traffic management plan for the whole town, not just that area.
- We need to be conscious of the traders in Bray, as rezoning will affect them.

- We need to think more completely. If an Area Action Plan is to be done, it needs to be broader than is set out here. Focusing on two industrial estates is not the way to go. We need to think of the impact on the Vevay and other areas. I would like to see more than the Dell site considered.
- We need a plan for the whole area, not just the Dell site.
- When Dell closed, businesses along the Boghall Road and in the town suffered. I don't like seeing vacant premises and turning businesses from Bray. If we have big businesses, it will trickle down to Bray.
- We can't have business coming to the town and just put them anywhere. The objective is to try and regenerate the area.
- We need to get Aldi and Lidl into the town for employment.
- We need to be cautious naming companies in relation to rezoning.
- We mentioned Aldi as they have a site up there.
- If an Area Action Plan is carried out, surrounding areas will be taken into account.
- [Councillor Ciaran O'Brien] I propose that we have a Special Meeting of the MPC in April – we will need terms of reference.
- [Councillor Michael Lawlor] I agree.
- I have no problems with this going to the MPC and asking consultants to have a look at. I'm opposed to residential.
- The IDA and Enterprise Ireland are essential to this plan. We need to get them and the other stakeholders involved from the beginning.
- The IDA's and Enterprise Ireland's record regarding county Wicklow is not great.

The Town Engineer, Sean O'Neill informed the members:

- The Town Plan has zoning for industry. Dell is in the C Zone. As the site is in private ownership, it can be developed as the owners see fit, as long as they keep with zoning requirements.
- It is not a good idea to do an Area Action Plan for a small area.
- Pinewood and Beechwood Close have slightly different zoning – C1.
- In the Development Plan, all industrial zoning is in the south of the town.
- We need to be more active in attracting business to these sites.

The members responded:

- We did a Material Contravention in that area as one building was too big and needed to be halved. The Development Plan states that units have to be a certain square footage. This is why a Material Contravention was needed.
- There are no drastic changes required, just enough to regenerate the area. The buildings are too big.
- Perhaps we can switch the C and C1 zoning? If we got a company the size of Dell in Bray again and they pulled out, it would have a huge impact on the town.

The Town Clerk, Christine Flood informed the members:

- I spoke to the Town Manager, Des O'Brien before tonight's meeting. He is meeting with the IDA on this and other issues in the next fortnight.
- The Enterprise and Development Section of Wicklow County Council may be in a position to give us advice on how to develop the area and attract business to Bray.
- We can prepare a scoping document for the next meeting outlining the recommendations.

3. To Receive an Update on the Recycling Centre

The Town Clerk informed the members that she had spoken to the SEO Environment in Wicklow County Council in relation to the Recycling Centre and that it was confirmed that the lease is due for renewal at the end of the year. She stated that Wicklow County Council are looking at alternative sites for the Recycling Centre and also exploring the option of staying in situ. She added that it was not appropriate to say any more on this, as there were economic considerations to take into account.

The members responded:

- I asked for this to be placed on the Agenda, and I request that it be kept on. We need to tell people where the Recycling Centre is moving to. It has been a tremendous success.
- The officials should be actively looking for a site; the size of the current site is working against it. We need a permanent and larger site.
- It doesn't make sense for people to be driving to the Recycling Centre. The amount of traffic on the Boghall Road has increased. We should look at kerbside recycling.
- A private company has now started a door-to-door glass collection – well done to them.
- We need to encourage recycling. The Centre is successful.
- I'm delighted I supported and opened the Recycling Centre. The neighbours that opposed it are delighted with it. There should be a green waste service there.
- We can make recommendations, but it's run by Wicklow County Council.
- Five Loaves are based in the Recycling Centre and they take clothes. I ask the Town Clerk that they get an extension, as they are only there until May.
- I was told during the week that the officials in Wicklow County Council are thinking of stopping the mobile recycling service. I am totally opposed to this. If people need to use their cars to drive to the Recycling Centre, this will lead to pollution and traffic problems.
- Can we have confirmation that this service is not going to stop?
- Why is Wicklow County Council saying that they are stopping the mobile recycling service? They're not paying to provide this service, we are. Can the Town Clerk make it clear to Wicklow County Council that Bray Town Council makes provision for this in their Budget? It's well used and environmentally more sound that people use this and are not driving to the Recycling Centre.
- The mobile recycling is a great facility. I see people in the area walking to and from it to recycle. People in that area don't have cars, it has to be kept there.

The Town Clerk informed the members that she has asked Wicklow County Council to keep Bray Town Council informed in relation to the Recycling Centre. She stated that she would pursue the issue of the Five Loaves and will let Wicklow County Council know that the mobile recycling service is paid for by Bray Town Council and that it will stay in Bray.

4. To Receive an Update on the Florentine Centre

The Town Clerk informed the members that negotiations are taking place with representatives of the Florentine Centre and Bray Town Council's legal advisors to discuss details of the financial arrangement. She stated that this was more or less complete.

She added that Ballymore Properties want to wait until the end of the month, when a decision from An Bord Pleanála regarding the Compulsory Purchase Order is due. At this point Ballymore will sign on the dotted line. Ms. Flood then remarked that while the finish date of December 2009 might have slipped, there are penalties for failure to construct within a certain timeframe.

The members responded:

- I welcome this update. We have been given so many promises previously and nothing has happened. The town is at a standstill due to one developer. There is no car parking.
- The Holy Redeemer Car Park should have been built by now.
- [Councillor John Byrne] If the developer can give us total commitment by the end of February, we should ask for the land back. We need to put a timeframe on this. If he doesn't meet commitments, I propose we pull out.
- This is not really an update, the status quo is the same. Businesses have closed down due to this fiasco. This is not positive news.
- This situation has been going on for thirteen years. The car park closed down seven years ago. The town is disintegrating. Fourteen shops have closed down due to the lack of parking, this relates back to the closure of the Florence Road car park.
- The HSA needs to be informed of the condition of this site.
- The traders are up in arms. Even in Ballymore start work in a few months, it will be a few years before car parking is up and running. I have a letter here from the retailers that I'd like to read out.

- [Cathaoirleach Bríd Collins] you should have given this letter to the Town Clerk before the meeting, I can't make exceptions.
- If a letter contains information for the members, it should go to the Town Clerk.
- Give it to the Town Clerk and she can read it out under Correspondence.
- All members are behind the retailers.
- This is a most serious issue in Bray. The traders have pointed out issues to be addressed e.g. parking.
- As the only trader sitting at this table, parking is not the only reason that businesses are shutting down. The quality of the shops in Bray is also a problem.
- The Florentine has been an absolute shambles. People want development, not filling in and half a car park – Ballymore own half that land.
- We need a timeframe regarding completion – if it's not completed on time, penalties should be incurred.
- We need to put pressure on Ballymore. When the traders see cranes on site, it will lift the town. I'd ask Ballymore to remove the hoardings on the Main Street and complete the front of the development before doing works at the back.
- In 1994, we thought we were getting the best deal for the town. It would have been completed only for all the objections.
- When Ballymore sign on the dotted line, I hope they are not given too much time to start construction. I hope to see work by the end of March.
- For such a large, global, multinational company to treat the town this way is a disgrace.
- The decline in trade is multifaceted. Parking, the quality of the shops, traffic, and competition outside the town are all an issue.
- We were told they'd start last September and be open for business by Christmas 2009. This won't happen. We need very strict time limits and significant penalties for non-compliance.
- If in the event of this not happening, we have to take the hard decision and go an alternative route. We need to send the message to Ballymore that we won't put up with this.
- We should tell Ballymore that we won't accept any more delays. We need a cut off point. If nothing by April, enough is enough.
- I was at the Retailers meeting and I can understand their frustrations. The Town Council have invested heavily in the town over the past few years e.g. Shopfront Grant Scheme, Town Rejuvenation. We have spent a lot of money.
- We need to be more positive and should be confident.
- I request that the Town Clerk write to Ballymore to reinstate the car park, if the Florentine Centre does not go ahead and ask them to make the site safe.

The Town Clerk responded that she would indeed write to Ballymore Properties in relation to site safety and stated that An Bord Pleanála might decide to extend the period. She remarked that Ballymore might need to wait until the eight week period of judicial review expires. She added that time limits and penalty clauses have been inbuilt to the contact.

The members raised the following:

- If we are writing to Ballymore, can we ask if they are serious in developing in Bray on foot of the article in the Sunday Business Post about them developing a retail centre in Shankill?
- If the site is sold on, is the contact binding on any new owners?
- Shankill is in the remit of Dun Laoghaire Rathdown County Council, it has nothing to do with Bray.
- Penalties should accrue when the agreed date of completion has passed.

The Town Clerk responded that she couldn't answer if the contract was binding or not without legal advice. Councillor John Brady requested confirmation on this.

5. To Discuss The Electoral Area Boundary Committee

The Town Clerk had received a letter from Mr. Martin Vaughan, Secretary of the Electoral Area Boundary Committee in the Department of the Environment, Heritage and Local Government. This letter was circulated to all members on 31st January 2008.

The letter stated that the Minister for the Environment, Heritage and Local Government has established two Committees under the provisions of the Local Government Act 1991 to review local electoral areas in:

1. Dublin and the cities of Cork, Galway, Limerick and Waterford
2. Each county outside Dublin, the boroughs of Drogheda and Sligo and the towns of Bray and Dundalk.

and to report to him no later than 20th June 2008.

These reviews are taking place due to the local elections, which will take place in 2009 and take into account population changes since the previous reviews of 1998.

The letter invited submissions from the members of Bray Town Council, which must be received by 14th March 2008.

The Town Clerk informed the members that the Electoral Area Boundaries take into account the hinterlands. She read the following extract from the terms of reference: *"The number of councillors representing an area as determined above should not be less than 4 or more than 7, provided that in very exceptional circumstances 3 seat local electoral areas may be recommended where otherwise the geographic size of the area would be disproportionately large."*

She stated that this was a general call for submissions and had been advertised in the national papers and that submissions will be accessible on www.electoralareacommittees.ie as soon as they become available.

She asked the members if they wished to consider this call for submissions and make a decision amongst themselves, at which point a submission can be placed on their behalf, or, if the members preferred, they could complete individual submissions.

The members raised the following points:

- It is not an issue that concerns people on a day to day basis. No one in Bray has ever asked me should we do something about the Electoral Boundaries.
- The committee are only making recommendations. The Minister will decide at the end of the day.
- A lot of political parties have tried to change the boundaries over the years and this has backfired at election time.
- We need to look at the Southern Cross Road, half is in Bray Town Council's area and half in Wicklow County Council's area.
- There have been huge population changes and the boundaries need to be updated.
- Bray does need to be looked at, we have two three seater Wards and one six seater Ward. The people of the town need to be served proportionately. We need the best representation for the people of the town.
- Let the Department of the Environment, Heritage and Local Government have a look at and see what comes out of it.
- It is important that the issues of boundaries be reviewed. The last review was in 1998. There hasn't been a massive explosion in the population. Some towns that have had a population increase have not been included.
- The boundaries should be done on natural alignment and the voters need to be kept informed.
- I don't think people outside the administrative area should vote in it.
- The committee should have a public hearing.
- This review should be done nationally after the Census.

- Once the boundaries are decided, Wicklow County Council need to look at the Polling Stations.
- Citizens' voices need to be heard. We need to encourage people to vote.
- We need effective representation.
- If it needs change, lets do it. The Ward system has served the town well. It is a good way to make policy decisions. The Town system may mean that certain areas of the town are not represented.
- We should look for a Polling Booth on the Lower Dargle Road for elderly people. We should facilitate them in their voting.
- There are going to be changes. I hope to keep as community based as possible. Good politicians will get elected, bad ones won't.
- Internal boundary changes will be made. We need to make people aware of these changes and educate them regarding the new boundaries.
- I presume Bray was chosen as we are one of the few twelve seaters in the County.
- Polling booths are our decision.

6. Reports and Recommendations

Temple Vevay Sports Field

The Town Clerk gave the following report to the members:

"In early December Lord Meath's solicitor wrote to the solicitor acting for Wolfe Tone and District Youth Club sending a form of conveyance for signing and sealing in triplicate by the various Trustees of the Club. It is understood that the Trustees of the club met relatively recently with their solicitor, it is expected that he will return the paperwork shortly to Lord Meath's solicitor.

In the meantime the Law Agent has received a further deed extending the term of the original 1966 lease from Lord Meath to Bray Town Council. It contains a nominal rent of €250,000 per year but this is reduced to €1 so long as the premises is used for sporting purposes. The terms of this lease had previously been approved by the Town Manager in 2005.

The Law agent is hopeful of having this matter finalised in 6 to 8 weeks."

The members raised the following points:

- This is very welcome progress. This is an important issue to the people who use it every week.
- The conditions in the changing rooms at the moment are deplorable.
- I urge the Law Department to make sure not to sit on this for too long.
- A site agreement has been drafted to ensure other clubs can use the facility. I ask the Town Clerk to ensure this is so.
- The Committee are voluntary and do great work.
- I am delighted that this has progressed. The delay has not been due to Bray Town Council, Wolfe Tone Youth Club or Lord Meath. The terms of the lease were not upheld.
- I'd like to thank the officials and legal people for all the work that they have done over the years.
- The sooner we have these leases before us, the better.
- If it was a private building, Bray Town Council would place a derelict site notice on it.

Newspaper Adverts

The Town Clerk reported that an advert on the following will appear in the Bray People on Wednesday 13th February:

- Recruitment of Housing Foreman
- Temporary Closure of Public Road
- Disclosure of Donations

and stated that the closing date for submissions on the temporary closure of Parnell Road between the Main Street and the Davitt Road is Friday 29th February at 12.00pm. The proposed closure of this road is from 8:00 a.m. on Monday 10th March 2008 to 6:00 p.m. on

Thursday 27th March 2008. Ms. Flood added that the developer will be asked to facilitate access to the Parnell Road over the Bank Holiday weekend.

The members raised the following points:

- This is a very long time to close a public road, though it is possibly the best time to do so as the schools will be off.
- The schools don't break up until the 14th March. This is an excessive amount of time to have the road closed.
- It is very important that the residents are made aware of this and have access to their homes.
- There has to be pedestrian access at all times.
- We need to dispatch a letter to the residents to forewarn them about this.
- This needs to be discussed with the residents.
- Access will be required during the St. Patrick's Day parade.
- We need a truck to clean the road and have signage on the road so that people are aware and can make alternative arrangements.
- I assume works will take place on the site over the Bank Holiday weekend.
- I presume the road is going to be rebuilt when the cabling is laid in.
- I ask that the contractor erect signs along all access routes to warn of the closure.
- I propose that we put in ducting for services that we might need in the future and do any repairs that may be needed e.g. sewers.
- Clear signage needs to be place.
- I ask the Engineer to continue to have safety barriers left there and request that the road be put back better than the original.

Councillor John Brady raised the issue of the AO Smith site and requested an update on the progress of making it safe.

Councillor John Byrne requested an update on the taking in charge of the laneway in Lauderdale.

The Town Engineer, Sean O'Neill responded:

- I agree about the condition of the building in the Temple Vevay Sports Field, it is due to be demolished and Wolfe Tone Youth Club will use the base to reconstruct.
- We have had a number of complaints from the residents of Parnell Road about the works. Unfortunately, some aspects of the works can not be completed without severe disruption.
- The developer was required to maintain the footpaths but found this difficult. We are facilitating him by closing the road. The ESB is also involved. There are numerous aspects, everything should be completed by the end of the works.
- We probably advertised a longer period that required, to take into account any delays that may arise.
- I will take your comments on board regarding the road.
- We need to survey the area in Lauderdale to be taken in charge in relation to drainage and I will revert when we have our findings.

Councillor John Byrne requested that this be placed on the Agenda of the March meeting.

The Town Clerk informed the members that representatives of the owners of the AO Smith site had met with members of the Planning Department but that there was nothing to put before the councillors. She endeavoured to give a report on this to the councillors when it was complete and added that the Town Manager, Mr. Des O'Brien will be meeting with the IDA and one of the issues is the AO Smith site and the lien held by the IDA.

Councillor Brady remarked that he was glad this was being progressed.

7. Notices of Motion

276. Notice of motion in the name of Councillors John Byrne, Anne Egan, Anne Ferris & John McManus (11/12/2007)

“That a yellow box be provided on Putland Road, at the exit gate from Queen of Peace church car park.”

Report

It is agreed that the traffic queue generated by the signals are a problem for right turning traffic exiting the church car park. It is thus agreed that yellow box junction markings be provided on Putland Road. It will cost approximately €500 to provide and there will be an annual cost of €150 per year to maintain the markings.

Councillor John Byrne stated that this work had been completed and remarked that he hoped this situation continues.

8. Correspondence

Letter from the Traders & Business People of Bray

The Cathaoirleach Bríd Collins, informed the members that the letter from the Traders & Business People of Bray that was referred to earlier in the evening was, in fact, addressed to her but that she did not receive a copy of it.

She stated that as previous commitments prevented herself and the Town Clerk attending the meeting convened by this group on Thursday 7th February, the Town Clerk had written to them and asked for a report, so that she could address any issues that were raised on the night. She added that no response had been received yet.

Councillor John Brady remarked that this letter had been given to him and that he was asked to read it out at the meeting.

The members raised the following points:

- If a letter is addressed to the Cathaoirleach, it should have been given to the Cathaoirleach to read first and then read out.
- It is up to the Cathaoirleach to decide if the members need to hear it. The Cathaoirleach can usually deal with these matters.
- This was not handled properly. The letter should have been given to the Cathaoirleach. However, people have requested a deputation. We should meet with them.
- [Cathaoirleach Bríd Collins] The Town Clerk and I will ask the traders to meet with us. We will accommodate the traders.
- Who are these traders?
- The letter is signed by Shane Rowan.

Fault Reporting on Public Lighting In Bray

The Town Clerk informed the members of an email received from the ESB in response to a number of complaints regarding public lighting repairs in Bray.

The email stated that:

- *“General weather conditions in the period leading up to and since Christmas have led to a abnormally large amount of lights failing.*
- *Bad weather also affects the daily output of staff on the ground.*
- *We have serious difficulties in accessing during normal working hours mainly due to parked cars or heavy traffic.*
- *Some of these lights are also located on dangerous bends or narrow stretches of road and would require a combination of off-peak working and appropriate traffic management in order to be repaired in a reasonable timeframe. The most efficient way for us to organise these repairs are to schedule a number together at a particular time over a given period, perhaps, when appropriate resources are available.*

- For your information, we currently have **67** faults in the Bray Town Council Area of which around **40** are over 10 days old - **20** of these are due to problems such as access, traffic, spare parts on order etc.(some of these will be cleared up this week as a result of early morning starts).
- The total number of lights maintained by ESBC for Bray Town Council currently is approx. **2070** - therefore, the current level of lighting faults is around **3.5%** which is quite normal for the winter period with about **2%** over 10 working days(this is the time by which we would try to have made reasonable attempts to have the lights repaired).

The Town Clerk informed the members that Bray Town Council will continue to liaise with the ESB in relation to repairs to the public lighting.

The members raised the following points:

- This is not acceptable. The service that we are getting now is not as we received previously.
- I request that a listing be kept of faults reported and repairs made.
- The workers predicted that this would happen when the ESB Depot moved from Bray.
- There is no co-ordination between departments, since they have broken up the ESB.
- Do we ring the council or the ESB with the pole number?
- The Engineers feel it is best to go through the council.

9. Any Other Business

Councillor John Brady informed the members at the public meeting convened by the Traders & Business People of Bray, it was proposed that a deputation of the traders be received in the Council Chambers.

The Cathaoirleach responded that she was willing to facilitate the traders. Councillor Pat Vance pointed out that proposals can not be made under AOB.

A spirited discussion ensued, after which Councillor Brady left the meeting.

Councillor Caroline Burrell informed the members that at the entrance to the swimming pool site on the Southern Cross Road, rubble has been left. She stated that up until this point, the contractors had been very conscientious in removing any building rubble and requested that the contractors be asked to keep the area clean.

The Town Engineer responded that the contractors will be asked to clean the road.

Councillor John Byrne remarked that a number of developers are digging up areas in the town and that a tougher policy regarding keeping the areas clean is needed. He added that many accidents were happening as a result of this not happening.

The Town Engineer responded that from May 2008, each site of road works will need a person who is conversant with signing, lighting and guiding to be on site at all times.

Councillor Pat Vance asked for an update on the Swimming Pool at the next council meeting.

* * * *

This concluded the meeting.

Signed: _____
CATHAOIRLEACH

Signed: _____
TOWN CLERK

Dated: _____