

**Minutes of the Ordinary Meeting of Bray Town Council held in the Council Chamber,
Town Hall, Bray on Tuesday 11th May 2010 at 7.30 p.m.**

Present:

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

Also present:

**Mr. Des O'Brien, Director of Services
Ms. Christine Flood, Town Clerk
Mr Stephen Fox, Executive Engineer
Ms Aisling McDonnell, T/Planner**

As the meeting opened, Councillor John Byrne and the members extended a Vote of Sympathy to Nessa Childers MEP and her family, on the death of her mother Rita Childers, widow of the late President Erskine Childers.

1. Confirmation of Minutes of Bray Economic Think Tank Workshop dated 13th April, 2010

Councillor John Byrne proposed confirmation of the minutes of the Bray Economic Think Tank Workshop of 13th April 2010 and Councillor Tracy O'Brien seconded the proposal.

2. Confirmation of Minutes of the Ordinary Meeting dated 20th April 2010

Councillor Ciaran O'Brien proposed confirmation of the minutes of the Ordinary Meeting of 20th April 2010 and Councillor Rossa Murray seconded the proposal.

3. To Discuss the Draft Town Development Plan 2011-2017

Mr. Stephen Fox, Executive Engineer discussed legislation regarding the making of the Draft Development Plan. This is final opportunity for the members to amend the Draft Town Development Plan 2011 to 2017, before it goes on public display for 10 weeks.

It was noted that following last weeks' workshop Councillors Ciaran O'Brien and John Ryan had proposed a further amendment.

Amendment No.1 – 2.1.3 Strategic Policy Objectives

Councillor Grant advised that the change he had proposed included the word Industry as well as Tourism in accordance with the Bray Economic Think Tank Report. This amendment was proposed by Councillor David Grant and seconded by Councillor John Byrne.

Amendment No.2 – 2.2.4 Employment

The reference to the live register was deleted. This amendment was proposed by Councillor Ronan McManus and seconded by Councillor David Grant.

Amendment No.3 – 2.4.1 Factors Impacting on Development

The word "national" was inserted under strengths. A reference to "nearby retail centres..." was inserted under weaknesses. This amendment was proposed by Councillor Tracy O'Brien and seconded by Councillor John Brady.

HOUSING

Amendment No.4 – 3.3.4 Housing Strategy 2011-2017

The word “integrated” was included as in “mixed integrated and balanced communities”. This amendment was proposed by Councillor John Byrne and seconded by Councillor John Brady.

Amendment No.5 – 3.3.13 Countering Social Segregation and the Revitalisation of Existing Areas of Social Housing

The words “and integrated” were inserted. The words “local authorities” were removed. This amendment was proposed by Councillor John Byrne and seconded by Councillor Sarah Wray.

Amendment No. 6 – 3.4.8 Ardbrae Park

A paragraph regarding safety and sustainability was inserted here. This amendment was proposed by Councillor David Grant and seconded by Councillor Tracy O'Brien.

RETAIL AND TOWN CENTRE

Amendment No. 7 – 4.3 Strategy

“Carrickmines” was inserted. This amendment was proposed by Councillor Ciaran O'Brien and seconded by Councillor Rossa Murray.

Amendment No.8 – 4.4.3 Vitality and Visibility

The words Head Shops were inserted. The requirements for roller shutters were amended. This amendment was proposed by Councillor Tracy O'Brien and seconded by Councillor John Brady.

The members raised the following points:

- I have requested that gaming be amended so as to restrict gaming to designated areas.

The Town Manager, Mr. Des O'Brien advised that he has not had an opportunity to check the designated areas in relation to gaming and that this amendment will require further redrafting. He also advised that it was as well to leave the references regarding Head Shops in, given a recent government decision.

Amendment No.10 – 5.4.7 The Film Industry

The word national was inserted. as was “including the use of the studios as a visitor attraction”.

The members raised the following points:

- I requested that Ardmore Studios were not just to be used as a visitor attraction, but that the Film Museum should be located within the town.
- Proposal to actively promote the Film industry within the town boundary.

This amendment was proposed by Councillor John Brady and seconded by Councillor Eugene Finnegan.

TRANSPORT

Amendment No.11 – 7.2 Context

The words “Bray Town Council” were inserted

This amendment was proposed by Councillor Tracy O'Brien and seconded by Councillor Rossa Murray.

Amendment No.12 – 7.4.5 – Herbert Road Car Park/ Town Centre Car Parks

The members raised the following points:

- The Orchard site contains a Welfare home and to have a car park in the vision is undermining the site. The HSE were to apply for a Capital Grant for a day care and welfare service.
- A car park was always an objective for that site.

- There is accommodation for all the different types of uses on the site, health should be included as should the current uses – meals-on-wheels be maintained.

The Town Manager, Mr. Des O'Brien stated that the Orchard Site is covered under "opportunity sites" and that this had been amended to show healthcare as permitted.

This amendment was proposed by Councillor Pat Vance and seconded by Councillor John Brady.

Amendment No.13 – 8.4.4.3 Bray Head

This was amended in respect of maintenance and improvement works including signage.

This amendment was proposed by Councillor Ciaran O'Brien and seconded by Councillor Eugene Finnegan.

Amendment No.14 – Play Facilities

"donated to the council" was removed. "Adjacent to the bandstand was inserted".

This amendment was proposed by Councillor Tracy O'Brien and seconded by Councillor Mick Glynn.

Amendment No.15 – 12.4.2 Take Aways, Fast Food Outlets, Amusement Centres, Night Clubs/Licensed Premises, Betting Offices, Charity Outlets, Discount Outlets, Recreational Drug Outlets (Head Shops), and Convenience Stores incorporating Off-Licences.

Betting Offices was amended to Bookmakers.

A paragraph regarding restriction of business hours was inserted.

The members raised the following points:

- The wording, specifically with regard to Head Shops is a good suggestion, this shows the Council are ready in principal should the new regulations regarding head shops be introduced. It sends out a message to anyone who may be considering coming to Bray Town Council to set up another business similar to that currently within the town – they are not looked upon favourably.

This amendment was proposed by Councillor Rossa Murray and seconded by Councillor Tracy O'Brien.

Shutters must be recessed by a minimum of 400 mm.....to provide a window display area that is internally illuminated.

This amendment was proposed by Councillor Pat Vance and seconded by Councillor Ciaran O'Brien.

Amendment No.17 – 12.11 Parking & Loading

This was further amended to cover parking that may be shared e.g. office by day cinema by night. This amendment was proposed by Councillor Ciaran O'Brien and seconded by Councillor Eugene Finnegan.

Amendment No.18 – 12.15.4 Water Supply

A requirement to provide 24 hour water storage was inserted.

This amendment was proposed by Councillor David Grant and seconded by Councillor Rossa Murray.

Amendment No.19 – Acceptability of Uses in the SF: Primarily Seafront Uses Zone

Education Offices and Car Park were included in permitted in principle. Betting Office was removed.

This amendment was proposed by Councillor Ronan McManus and seconded by Councillor Sarah Wray.

Amendment No.20 – 13.2.4 Acceptability of Uses in the EMP1: Employment Uses Zone

Factory Outlet shop was included in permitted in principle

This amendment was proposed by Councillor Eugene Finnegan and seconded by Councillor David Grant.

Amendment No.21 – 13.2.5 Acceptability of Uses in the EMP2: Employment Uses Zone

Motor Sales outlet was included in permitted in principle. Budget Accommodation was included in not normally permitted but open to consideration.

The members raised the following points:

- I am concerned about Articulated Trucks parking in residential areas. I suggest we place an insertion into the amendment to provide adequate space for such vehicles to park.

The Town Manager, Mr. Des O'Brien stated that this would be taken into account. This amendment, including the insertion regarding Articulated Trucks, was proposed by Councillor Mick Glynn and seconded by Councillor John Byrne.

Amendment No.22 – 14 Former Bray Golf Club Lands Area Action Plan

The word former was inserted.

This amendment was proposed by Councillor David Grant and seconded by Councillor John Ryan.

Amendment No.23, No.24, No.25, No 26 & No.27 Bray Golf Club Lands Area Action Plan

The word former was inserted. This amendment was proposed by Councillor John Ryan and seconded by Councillor Tracy O'Brien.

Amendment No. 28 – Architectural Heritage

A map showing the protected walls was attached.

The members raised the following points:

- Item No.41 [Councillor John Ryan] I propose that if the wall were to be taken down it must be reinstated to its present form.

This amendment was proposed by Councillor Pat Vance and seconded by Councillor Tracy O'Brien.

It was noted at this point that the Councillors would return to the Register Of Protected Structures for examination of other structures that may be requested to be removed from the Register Of Protected Structures list.

Errata

A schedule of changes had been circulated. This amendment was proposed by Councillor John Byrne and seconded by Councillor Sarah Wray.

PROTECTED STRUCTURES

Structure No.50

The members raised the following points:

- Item No.50 should be removed from the Register Of Protected Structures as the sites have very little architectural merit.
- I am opposed to this, as there is currently an application for the sites in with the council and removal from the list may delay the development.
- [Town Manager, Mr. Des O'Brien] It might not necessarily delay the development as they have taken into account that the facades are to be protected.
- The developers might then remove an application to redevelopment and again stall the development of the Main Street.
- I don't believe that it would not delay the development of the site but may improve the potential for better developments. We should not take a short-term view on the matter.
- What have An Bord Pleanála said about the site? Would we be doing anything against their recommendations?
- [Town Manager, Mr. Des O'Brien] We can't predict what An Bord Pleanála might decide.
- We should be holding onto our heritage.

The Town Clerk called for a vote on the motion and the Councillors voted in the following manner:

To Remove Item No. 50 On The Record Of Protected Structures List

	For	Against
Councillor John Brady		✓
Councillor John Byrne		✓
Councillor Eugene Finnegan	✓	
Councillor Mick Glynn	✓	
Councillor David Grant	✓	
Councillor Ronan McManus		✓
Councillor Rossa Murray		✓
Councillor Ciaran O'Brien		✓
Councillor Tracy O'Brien	✓	
Councillor John Ryan		✓
Councillor Pat Vance	✓	
Councillor Sarah Wray	✓	
Total	6	6

As there were an equal number of votes for and against the proposal, the Cathaoirleach, Councillor John Ryan used his casting vote to retain Item No. 50 on the Record of Protected Structures.

Protected Structure No.17

The members raised the following points:

- [Councillor Pat Vance] I propose that we remove Item No.17 as there is nothing of heritage value or significance, we should be more selective on the buildings that we choose to maintain on the Register of Protected Structures.
- [Councillor John Byrne] I second this motion.
- Professional advice was sought from the Department and they advised to add the item to the Register Of Protected Structures list.
- De Burca pushed this structure.
- There were no details of this recorded; therefore we should find the information as to whether it is listed and why.
- [Town Manager, Mr. Des O'Brien] There is no great information on the Departments' website.
- There are documents in the Council buildings on where they were advised to add the buildings to the list.
- There are more buildings on the list than any other town the same size in Ireland, and that it never should have been included as a protected structure.
- This should go out to public consultation and get relevant information and then make a decision.
- [Town Manager, Mr. Des O'Brien] The draft goes on display to the public. Amendments can be made following the public consultation period..

- It should be taken out and then there will be feedback from the public. By leaving it in we will receive no feedback.

The Town Clerk called for a vote on the motion and the Councillors voted in the following manner:

To Omit Protected Structure Number 17 From The Draft Development Plan

	For	Against
Councillor John Brady		✓
Councillor John Byrne	✓	
Councillor Eugene Finnegan	✓	
Councillor Mick Glynn	✓	
Councillor David Grant	✓	
Councillor Ronan McManus		✓
Councillor Rossa Murray		✓
Councillor Ciaran O'Brien		✓
Councillor Tracy O'Brien	✓	
Councillor John Ryan		Abstain
Councillor Pat Vance	✓	
Councillor Sarah Wray	✓	
Total	7	4

Amendment Proposed by Cllr Ciaran O'Brien & Cllr Ryan 13.2.15

Councillors Ciaran O'Brien and John Ryan proposed the designation of the area around Bray Dart Station as a transport hub.

Councillor Glynn declared an interest and excused himself from the discussion.

The members raised the following points:

- The aim of the amendment is to create a tourism, transportation and retail link, and to link Quinsborough Road to the Town Centre, with an eastern gateway to the town. The site of the former International Hotel would be an ideal location for a hotel. This would send a message to government agencies that Bray Town Council is ready and suitable for development. Height should be determined on site coverage and plot ratio. We did not consider provision for residential at this location.
- On the Register Of Protected Structures drawings the railway station is incorrectly identified.
- [Executive Engineer Stephen Fox] this will be corrected on the drawings.
- Should this proposal be taken in conjunction with the opportunity site number 2?
- [Town Manager, Mr. Des O'Brien] If this amendment is accepted, opportunity site number 2 can be omitted from the Draft Development Plan.
- The residential area should be maintained as this keeps an area alive.
- I agree, there should be limited residential.
- I suggest removing 'wholesale outlet' otherwise there would be trucks etc coming into the area.
- Executive Engineer Stephen Fox considered that "Town Gateway " is stronger than Tourism gateway.

This amendment was proposed by Councillor Ciaran O'Brien and seconded by Councillor John Ryan.

As this amendment was adopted, it was agreed to remove opportunity sites number 2 and 3 from the plan.

Amendment No.9 – 4.4.13 Opportunity Sites

Opportunity Site No.4

The members raised the following points:

- We must maintain a percentage of this site for *public* health care.
- Should there be a maximum number of car parking spaces permitted?

- [Town Manager, Mr. Des O'Brien] This is a large site with room for parking as well as other uses, furthermore it is possible that underground parking could be provided here.
- We all want to protect the existing services but there is scope for a percentage of being non-health care.
- We do not need to maintain all of the existing services on this site, should permit mixed use on such a prominent site
- The HSE have committed to coming back with proposals, this change to the Opportunity Site may weaken our chances of seeing services reinstated.
- The HSE were to apply for capital funding, now there is a danger if it is rezoned they could off load this site. Both Public Day-Care and Public Welfare should be mentioned in the wording.
- This is a site with potential, we should not be too prescriptive.
- A day centre should be included
- ADDING – 'significant public health care
- [Town Manager, Mr. Des O'Brien] Using the word 'significant' could cover it.
- We need to have both public and community health care mentioned.

The wording was amended to include the words "significant public/community healthcare facility".

This amendment was proposed by Councillor John Byrne and seconded by Councillor John Brady.

Opportunity Site No. 7

The members raised the following points:

- I believe that 4 or 5 storey buildings are too high at this location.
- Design is more important than height.
- Certain areas of the Seafront are quite high already.
- Other development plans were based on town plot ratio rather than height. If we prescribe 5 storey developments then that's what Bray will get.
- A tall building strategy should be put in place.

The Town Clerk called for a vote on the motion and the Councillors voted in the following manner:

To Maintain The Wording That Is Already In Place For Opportunity Site No.7

	For	Against
Councillor John Brady	✓	
Councillor John Byrne	✓	
Councillor Eugene Finnegan	✓	
Councillor Mick Glynn	✓	
Councillor David Grant	✓	
Councillor Ronan McManus	✓	
Councillor Rossa Murray	✓	
Councillor Ciaran O'Brien	✓	
Councillor Tracy O'Brien	✓	
Councillor John Ryan	✓	
Councillor Pat Vance	✓	
Councillor Sarah Wray	✓	
Total	12	0

Opportunity Site No. 8

The members raised the following points:

- I am concerned with a height of 5 storeys as this is primarily a residential area and it could cause problems for the residents.
- The South side of the site could take a 5 storey buildings however the north side (Boghall Road) would not be suited to taller buildings.
- The building could be set back from the road, this will lessen the impact.
- I do not want to see residential development in the area.
- We need to be flexible and encourage employment.

- The protected view should also be protected along the Boghall Road and not just from the East side.
- We need industrial estates to create employment in the area and not residential developments, and if residential “open for consideration” is left in it might. An Bord Pleanála may permit it.
- The front of the site could take 2 storeys and 5 at the back.
- We need to protect privacy of residents.
- [Executive Engineer Stephen Fox] It is not the purpose of the Development Plan to micro manage developments. In carrying out planning assessments overlooking, overshadowing and overbearing are always considered.

Proposed wording: “The rear of the site is considered suitable for the location of taller buildings up to 5 storeys in height”

This amendment was proposed by Councillor Eugene Finnegan and seconded by Councillor Sarah Wray.

Opportunity Site No.9

The members raised the following points:

- 5 storeys is not appropriate.
- This is a sloping site, the buildings could be lower at different parts.
- [Town Manager, Mr. Des O’Brien] This site can easily absorb 5 storeys, and I would advise leaving as is.

This amendment was proposed by Councillor Pat Vance and seconded by Councillor Mick Glynn.

Adoption of the Draft Town Development Plan 2011 to 2017

Councillor Tracy O’Brien proposed and Councillor Pat Vance seconded the Adoption of the Draft Bray Town Development Plan 2011 to 2017 subject to amendments made at this meeting and any changes consequent on these amendments.

The members took a vote on the motion as follows.

	For	Against
Councillor John Brady	✓	
Councillor John Byrne	✓	
Councillor Eugene Finnegan	✓	
Councillor Mick Glynn	✓	
Councillor David Grant	✓	
Councillor Ronan McManus	✓	
Councillor Rossa Murray	✓	
Councillor Ciaran O’Brien	✓	
Councillor Tracy O’Brien	✓	
Councillor John Ryan	✓	
Councillor Pat Vance	✓	
Councillor Sarah Wray	✓	
Total	12	0

The Draft Town plan was adopted accordingly and will go on public display for 10 weeks

4. To Discuss The Presentation Made By Bray Economic Think Tank

The members raised the following points:

- Councillor Brady proposed that the discussion on this item be put off until the meeting on the 1st June 2010, as there was not sufficient time to discuss it at the present meeting.
- Councillor Finnegan seconded this.
- Councillor Ryan proposed extending the meeting until 10:15 to discuss the matter, however as Cllr Brady had made his proposal first it was agreed to take a vote on this proposal.

The Town Clerk called for a vote on the motion and the Councillors voted in the following manner:

To Postpone The Discussion On The Bray Economic Think Tank Until The Next Meeting

	For	Against
Councillor John Brady	✓	
Councillor John Byrne		✓
Councillor Eugene Finnegan	✓	
Councillor Mick Glynn		✓
Councillor David Grant	✓	
Councillor Ronan McManus	✓	
Councillor Rossa Murray	✓	
Councillor Ciaran O'Brien	*	*
Councillor Tracy O'Brien	✓	
Councillor John Ryan		✓
Councillor Pat Vance	*	*
Councillor Sarah Wray	✓	
Total	7	3

* Councillor Ciaran O'Brien and Councillor Pat Vance had left the meeting before the vote was called for.

The Cathaoirleach, Councillor John Ryan then informed that members that Dublin Bus had asked to address the meeting on the 1st June 2010 to discuss the changes to the Bus Routes in Bray.

Councillor John Byrne proposed that only two items be on the agenda for the meeting of 1st June 2010, limiting Dublin Bus to one hour and allowing the rest of the meeting for the discussion on the Bray Economic Think Tank. Councillor John Brady seconded this proposal.

5. To Consider The Housing Progress Report

The members raised the following points:

Cedar Court:

- This report is not acceptable and a more up-to-date report is required. The residents are concerned for the children's safety.
- The NBA should proceed with the works needed at Cedar Court. The "timely period" to go on site has been exceeded and that the council should do the works and take the cost from the retention money from NBA.
- I had passed a report to Sean O'Neill, the former Town Engineer with a list of problems and wanted a time line for when these repairs would be carried out by NBA.
- I request that a detailed report of works to be carried out at Cedar Court to be available for the next meeting.
- Cedar Court should take priority.

The Town Clerk, Christine Flood advised that the National Building Agency (NBA) is a firm of architects set up by the state. She stated that the Department of the Environment instructed that all local authorities, if they need to engage architects, must use the NBA. The NBA examined Cedar Court and produced a list of works to be carried out. The contractor has so far failed to act on it. The NBA were asked by Bray Town Council to instruct the contractor to carry out works or Bray Town Council will do the works using the money from the retention.

Sutton Villas

- At the last meeting the members were told that Bray Town Council were pursuing the builder and I would like an update on this.
- Who is in control of the site and why have the footpaths etc not been repaired?
- The bank must be reinstated and it should be a priority.
- The members were promised at the last meeting that the bank would be reinstated.
- What is the legal opinion on the developer of this site?

- [Councillor John Ryan] I have met the developer on site. The pathway at Mount Pleasant has been closed. The developer said that the pathway and banks were out of his possession and now with Bray Town Council.

Miscellaneous

- The shutters that are placed on the windows of council houses while works are being carried out, or the Council are waiting on a tenant to occupy it runs down the area. I suggest that the shutters be placed on the inside of the windows as the Town Manager had requested the shops on the Main Street to do.
- The work at 8 Rowan Grove is taking considerable time.
- There are 2 houses in Wolfe Tone that are taking too long to be finished and that the process should be sped up.
- Ballywaltrim Heights would welcome Bray Town Council taking it over [from Wicklow County Council].

Mr. Stephen Fox, Executive Engineer informed the members of the following:

- There is a possibility of litter building up in the shrubbery, if the bank is landscaped.
- We will ask Wicklow County Council (direct labour)to carry out the works.
- I will investigate the possibility of internal shuttering of houses being repaired/awaiting tenants.
- A letter was sent to the developer of the Sutton Villas site. No response has been received. I have received an email from resident regarding children playing with construction materials, I then rang the developer and stated the Health and Safety requirements of the site. I subsequently visited the site and it seems to be in order.

6. To Consider Planning Matters

Due to time constraints, this Agenda item was not addressed.

7. To Discuss The Local Government Auditors Report on the Bray Town Council Annual Financial Statement, Year Ending 31st December 2009

Due to time constraints, this Agenda item was not addressed.

8. To Discuss Changes To Standing Orders

The Town Clerk advised that as members had agreed to hold future Annual General Meetings on the last Tuesday of June (unless it is an election year) that the Standing Orders would need to be amended. She would circulate the proposed amendments prior to the meeting of 1st June, 2010.

9. Reports and Recommendations

Due to time constraints, this Agenda item was not addressed.

10. Notices of Motion

Due to time constraints, this Agenda item was not addressed.

11. Correspondence

Due to time constraints, this Agenda item was not addressed.

12. Any Other Business

Due to time constraints, this Agenda item was not addressed.

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This concluded the meeting.

Signed: _____
CATHAOIRLEACH

Signed: _____
TOWN CLERK

Dated: _____