

**Minutes of the Ordinary Meeting of Bray Town Council held in the Council Chamber,
Town Hall, Bray on Tuesday 5th January, 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 Tracy O'Brien
Councillor Pat Vance
Councillor Sarah Wray

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 Ciaran O'Brien

The Cathaoirleach, Councillor John Ryan noted that it had been proposed that the members finish tonight's meeting early due to the weather conditions. A request had been made for the suspension of Standing Orders, which would be taken at 8.45pm. A request had also been made to discuss an item in committee. The members agreed to this.

IBAL Award

The Cathaoirleach, Councillor John Ryan commended the performance of Bray in the IBAL awards and congratulated and thanked everyone involved. He proposed that Bray Town Council hold some small civic event to mark this award.

The members raised the following points:

- Make sure to add other members from previous years for the hard work they put in also.
- Cannot lose sight that when Bray came in 53rd position last year a lot of councillors in Bray Town Council discredited this award. The real proof will be when Bray enters the tidy towns.
- Hardest task now will be to maintain this level of good work.
- The Bray Litter Task Force is very proactive and we will face a much more stringent test with the tidy towns.
- This is a catalyst for great civic pride.

The Town Engineer, Sean O'Neill informed the meeting that the result was also down to a lot of lobbying from the Town Clerk to adjoining authorities. He added that within the structure Bray got good marks but that we have been doing the same work we have always done but sometimes you get good marks and sometimes bad. Mr. O'Neill also stated that the Council is aware of all the voluntary groups involved as well as the council workers.

Illegal Dumping

Councillor Rossa Murray asked what the position was regarding rubbish being dumped and trying to prosecute people using evidence such as addressed envelopes etc?

Ms. Triona Irving, Housing and Planning Administrative Officer stated that generally when the council finds any kind of proof it will go to court but once in court the judge usually won't accept the given proof as they usually state that it is unreliable.

The Town Engineer, Sean O'Neill stated that when Bray Town Council finds litter with Identification of names or addresses the Council will go as far as they can to prosecute.

1. Confirmation of Minutes of the Monthly Meeting dated 13th October 2009

Councillor Tracy O'Brien proposed confirmation of the minutes of the Monthly Meeting of 13th October 2009 and Councillor John Byrne seconded the proposal.

2. Confirmation of Minutes of the Workshop on the Town Development Plan dated 10th November 2009

Councillor Ronan McManus proposed confirmation of the minutes of the Workshop on the Town Development Plan of 10th November 2009 and Councillor John Brady seconded the proposal.

3. Confirmation of Minutes of the Special Housing and Planning Meeting dated 1st December 2009

Councillor Mick Glynn proposed confirmation of the minutes of the Special Housing & Planning Meeting of 1st December, 2009 and Councillor David Grant seconded the proposal.

4. Confirmation of Minutes of the Workshop on Traffic Management dated 8th December 2009

Councillor John Byrne proposed confirmation of the minutes of the Workshop on Traffic Management of 8th December 2009 and Councillor Rossa Murray seconded the proposal.

5. To Consider The Housing Progress Report

The members raised the following points:

Sutton Road Development

- Glad to see some honesty in this report but the residents are fed up with this.
- We are not getting anywhere with the contractor. This is not acceptable and not fair to the residents.
- This bank has to be a priority.
- Are we pushing penalties on these contractors?
- Have there been meetings between Bray Town Council and the contractor about the amount of mud being dumped?
- Are there any penalty clauses that can be implemented on contractors?

Cedar Court

- What is the current situation regarding the dampness in some of these apartments?
- When are we getting the report that has been requested?
- What was the decision regarding the land opposite the Council depot?
- This area could be used for infill.
- The architectural firm used for the planning of these apartments has to take some responsibility regarding the dampness as it has happened on previous buildings they have worked on also.

Oldcourt

- Developers dug up the road here prior to Christmas and nothing has been done since. What is the situation?

Deerpark, Heatherwood, Ard Na Greine

- Could we get some sort of working group set up for these estates?
- There is a problem with loose horses. Action needs to be taken.

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

- We have written to the National Building Agency expressing our concern about Cedar Court and we have requested a full explanation regarding the dampness in some apartments.
- The final snags were carried out on Richmond Hill before Christmas, so we will have a look at this now.

- We are very concerned with the issue of loose horses. Dun Laoghaire Rathdown County Council has given us the name of a contractor to deal with this.
- The RAPID co-ordinator has this issue [Deerpark, Heatherwood, Ard Na Greine] on his list for 2010 and has discussed with the Estate Development Officer. We would welcome any help from the Councillors.

Sean O'Neill, Town Engineer informed the members of the following:

- The contractors on Sutton Villas appeared back on site recently. We are putting the bank back at a level, which is accessible.
- There is a penalty clause for contractors who do not complete work on time but sometimes these cannot be followed up because of the reasons for the delay (e.g. weather).
- There are a number of issues in some of these apartments [Cedar Court] but we can't just burst into people's homes to inspect. Unless complaints are reported to Bray Town Council's Housing Department we can't follow up.

6. To Consider Planning Matters

The Administrative Officer reported that the following planning files were requested:

- 09/84 requested by Councillor David Grant

The members raised the following points:

Planning File Reference 09/84

- Urge that the council look favourably on this application.

Planning File Reference 09/147

- Urge that the council look favourably on this application.
- Congratulations to the staff and parents who were successful with this application. Would hope that councillors will lobby local tradesmen etc to help with this now.

Planning File Reference 09/130

- Would like to welcome and support this application.

Planning File Reference 09/131

- Seems like this is always coming up. It is wasting our time as it has already been declined.

Triona Irving, Administrative Officer informed the members that she did not have the planning file 09/131. She also stated that the Development plan designates areas in the town for zoning and planning permission is granted according to this.

7. To consider entering into a Section 85 Agreement (Local Government Act, 2001) with Wicklow County Council in relation to the performance by Bray Town Council of the Wicklow County Council Sanitary Function within the town boundary of Bray for the year 2010

Councillor John Byrne proposed entering into a Section 85 Agreement (Local Government Act, 2001) with Wicklow County Council in relation to the performance by Bray Town Council of the Wicklow County Council Sanitary Function within the town boundary of Bray for the year 2010 and Councillor Rossa Murray seconded the proposal.

8. To Conduct A Review of the On-Street Parking Bye Laws 2009

The Town Clerk, Christine Flood informed the members of the previous report regarding this. She stated that there was an error in the transcription of the bye laws. She stated that the members could adopt the charges printed in the byelaws or the previous adopted rates could be kept and the byelaws changed accordingly. She added that it would be effective from 1st February 2010.

The members raised the following points:

Parking Bye Laws

- Serious issue with what happened originally. This is a major credibility issue and the error should be put right.
- In retrospect the decision that the members previously made has to be upheld.
- Anyone who overpaid previously should be reimbursed.

Special Permits

- Agree that doctors should be treated like everyone else and pay for the charge.
- What is the exact situation regarding residential parking permits for people driving commercial vehicles?
- The Planning and Infrastructure M.P.C. should be looking at this in detail.
- Some concessions have to be made.

Strand Road

- Any decision taken should take into consideration that there will be a knock on effect.
- Parking is coming as far as Putland Road now. It is a crazy situation where Iarnród Eireann are charging for use of their car park and they can park along here for free.

The Town Clerk, Christine Flood stated that the charges would be implemented as per the member's original decision. As this is retrospective, she suggested for administrative ease, that anyone who is renewing their discs will be given the new disc at a reduced price, refunds will issue where applicable. The members agreed to this.

Suspension Of Standing Orders

The members raised the following points:

- Do we have anything extra in the budget for gritting? Can we drop grit to estates where there are hills?
- There have been a lot of incidents of people slipping.
- It is not possible to get to everywhere in the town. There are some unidentifiable areas in the town that still need to be addressed.
- The Maltings has been very badly affected – we have responsibility for part of this road.
- We need to acknowledge the work of Wicklow County Council over the period of bad weather.
- We are at the mercy of Wicklow County Council. The Herbert Road was not gritted. Housing estates definitely need to be looked at.
- Coast protection – can we get the Office of Public Works to carry out an inspection of Coast Protection works?

Sean O'Neill, Town Engineer informed the members of the following:

- Wicklow County Council grits the main roads; Dargle, Vevay, Killarney, Main Street etc.
- Bray Town Council are concentrating on footpaths.
- We had cordoned off Ardmore Hill because of the treacherous condition it was in.
- It is impossible for us to send trucks into grit some estates, as they might not be able to get back out.

Des O'Brien, Town Manager informed the members of the following:

- The whole issue comes down to resources. Countries that have regular snow are ready and prepared for these situations.

9. Reports and Recommendations

Due to time constraints, this item was not addressed.

10. Notices of Motion

Due to time constraints, this item was not addressed.

11. Correspondence

Due to time constraints, this item was not addressed.

12. Any Other Business

Due to time constraints, this item was not addressed.

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This concluded the meeting.

Signed: _____
CATHAOIRLEACH

Signed: _____
TOWN CLERK

Dated: _____