

Minutes of the Special Housing and Planning Meeting of Bray Town Council held in the Council Chamber, Town Hall, Bray on Tuesday 2nd December at 7.30 p.m.

Present:

**Councillor Ciaran O'Brien, Cathaoirleach
Councillor Caroline Burrell
Councillor John Brady
Councillor John Byrne
Councillor Brid Collins
Councillor Anne Egan
Councillor David Grant
Councillor Michael Lawlor
Councillor John McManus
Councillor Steve Matthews
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 John Byrne extended his sympathies to Councillor Anne Ferris on the recent death of her sister, Catherine O'Sullivan. He extended his sympathies to the family of Ms. O'Sullivan also.

The Cathaoirleach Ciaran O'Brien and members wished to be associated with the Vote of Sympathy.

The Cathaoirleach welcomed Councillor Anne Egan back and remarked that she is looking well. He then went on to acknowledge achievement of Katie Taylor in retaining her World Lightweight Champion boxing title. He added that this is a great example, the town of Bray should be proud of her and it would be an idea to commemorate this in some manner in the future.

The members wished to be associated with welcoming Councillor Egan back and added their voices to the praise of Katie Taylor and it was remarked that her father, Pete Taylor should also be congratulated, as he is Katie's coach. The members agreed that Katie's achievement should be acknowledged at a future stage and that her win is all the more sweet as she was competing against a Chinese boxer in her home country. Katie is a great ambassador for young people and for the town of Bray. She is the most successful sports person of her generation in the country and was also awarded the accolade of 'Boxer of the Tournament'.

Councillor Egan thanked everyone for their good wishes and remarked that she was delighted to be back, even if it is only for the few months before the next Local Elections she also asked to be associated in congratulating Katie Taylor.

1. Confirmation of Minutes of the Special Housing and Planning Meeting dated 4th November 2008

Councillor John Brady proposed confirmation of the minutes of the 4th November 2008 and Councillor Caroline Burrell seconded the proposal.

2. To Consider The Housing Progress Report

The members raised the following points:

Estate Cleaning

- I welcome the clean up at Blind Lane. The Estate Development Officer organised this and the contractors took a great deal of rubbish away.

- Regarding estate cleaning the outdoor staff are working tirelessly cleaning drains and leaves.
- I wrote to the Council regarding a tenant in Deerpark - they are placing a lot of junk on the pavement in front of their home and this is not acceptable.

Remedial/Refurbishment Works Programme 2009/2010

- I am disappointed that the response regarding Ashlawn Court and Oldcourt has been put back until January.
- 9 houses in Fassaroe are being held back for this scheme. They are badly needed, as there are over 800 people on the housing list in Bray. These schemes are not fast-tracked.
- Some of these houses are being vandalised as they are lying vacant.
- Will the graffiti that is present on these houses be removed under the Graffiti Removal Scheme?
- It is very depressing to see that this has been delayed. People should be employed doing this – insulating etc. In a recession, this is the type of action the Government should be taking.
- Shuttered houses are degrading the area and the estate. A lot of good work has been done by the Estate Management Committee to improve the area.
- We need to find out if the scheme is going ahead, if not we should open up the houses.
- Why did the Department turn down the tender documentation – was the price too high? We may be able to get houses built cheaper now.

Programme of Works

- St. Enda's was due to have 10 units and 66 Upper Dargle Road was due to have 12 units. Approval of 22 units has been refused by the Department. These are badly needed.
- It says that refusal of these units was due to cost implications – this will have serious impact on other schemes also.
- When was the costing on this scheme done? We might get a more realistic price now.
- Have we spent money on St. Enda's and 66 Upper Dargle Road? What happens now?
- Will the residents of St. Rita's be in their homes before Christmas?
- The report states that a response regarding Carrigoona will be submitted to the Department by 28th November, 2008. What does this mean?

House Purchases

- Thank you to Triona Irving for having house purchases on the agenda continually. What stage are the 3 extra houses that were approved (for purchase) at? It says they have to be purchased by the end of the year.
- If we don't buy by the end of the year, can we carry them over into 2009?

Miscellaneous

- Can we do something for the people of Oldcourt who were affected by the flash flooding before the end of the year? One tenant who had insurance contacted her company and was told that her wooden floor is not covered as it is considered structural damage. She did her best, we should help her out.
- The wall at Giltspur Heights which faces onto the roundabout at Woodies is covered in graffiti, can this be removed?
- When are the works on the drainpipes in the Main Street due to take place?
- It is good to see that the house in Heatherwood has been completed.
- Well done to Richard Sheridan regarding his report. It is good to see a Youth Club starting up.
- Regarding the Housing Aid for Older People Grant. The application was received by Wicklow County Council in December 2007 and then sent onto Bray Town Council in October 2008. This is a delay of nearly a year.
- The report states that the internal snag list at Richmond Hill is being worked on – there are outside works to be completed. Paths and walls in the area need to be completed also.
- Why are we still waiting on a start date from the contractor to conduct the Maitland Street works? Many people would jump at this opportunity.
- I was speaking to a resident of Richmond Hill and was informed that there are no showers in any of the houses. Is it the policy that houses are built without showers?

The Cathaoirleach Ciaran O'Brien informed the members of the following:

- As Chair of Bray Town Council, I have met with Minister Gormley regarding housing. I am satisfied we will get an increase.
- I will rely on management to prioritise the various schemes (e.g. Marino Clinic etc.).

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

- The Upper Dargle Road Schemes are Project Appraisals. These were compiled by us in August 2008. This gives an indication of sites, the cost of sites, cost of units, Social & Affordable housing units. We did the Project Appraisals ourselves.
- This is a detailed process which must go to the Department before going to tender.
- We have not bought the sites and are not tied to buying them.
- The Department said that the cost of building the units and the cost of the sites was the reason for refusal. The cost of the sites is quite expensive.
- We based our figures on what are our costs of building houses and also the Departments guidelines.
- The Kilbride Lane scheme is awaiting approval.
- The Department are aware that the members agreed to raising a loan to fund this (the Marino Clinic site) and they want to know if we will draw this down this year. I have informed the Department that we can't until we get approval for the site, as we can't borrow money if we have nowhere to build.
- Regarding house purchases, one is completed and one is nearly completed. We can't carry over to 2009. We hope to get approval for 12 house purchases next year. We are waiting for a formal indication.
- We have looked at a number of houses, but they are not suitable for our needs.
- All Housing Capital funding released by the Department has to be drawn down by mid-November. If we carry over into 2009, it will come from next year's allowance.
- We met with the tenants in Deerpark today and this issue will be resolved tomorrow.
- Regarding the flooding in Oldcourt, the Clerk of Works will call into the people affected. If the residents call their insurance companies while he is there, he will discuss the matter in detail with the insurers. Our information is that as the floors are not nailed down, they come under fixtures and fittings. The Council's insurance will only cover the structure.
- Housing Aid for Older People – people living in Bray should apply directly to Bray Town Council and not Wicklow County Council. While working with Wicklow County Council on the DPG's we discovered that they had a number of these applications. This issue has now been resolved and any new applications sent to Wicklow County Council will be sent onto us directly.
- Applications for the Departments' Remedial Works Programme 2009/2010 had to be lodged by the end of October 2008. The Department are looking at all applications.
- We will discuss the shuttered houses with the Estate Management Committee. It is hoped to get approval for the scheme in early 2009. Works have to be completed by October 2009 and it means we will have houses for people to move into, so that works can start immediately on approval.
- The residents of St. Rita's will be in by Christmas.
- I will discuss the external snagging of Richmond Hill with the Clerk of Works.
- I will investigate the issue of showers in Richmond Hill.
- I will investigate the issue of graffiti at Giltspur Heights and will talk to the Estate Development Officer regarding the graffiti on the boarded up houses.

The members responded:

- I enquired three months ago about our housing allocation as people had approached me wanting to sell their houses to Bray Town Council. I was told the allocation for 2008 was used up and informed the people of this.
- Regarding the showers in Richmond Hill, we employ architects for this. They are employed to ensure all dwellings and facilities are adequate.
- The Department are concerned about the cost of the sites on Upper Dargle Road. Surely Bray Town Council knows what price the Department is willing to pay for these sites? We should actively seek to buy the sites at this price, we are in a buyers market.
- Have we any contractual agreement to buy the Marino Clinic site? Is this the same with the Kilbride site? What happens if we don't get the loan?

- I didn't know the Refurbishment Scheme was a new scheme. We are now up against every town and Local Authority in the country.
- Regarding the showers in Richmond Hill, this issue came to light as a lady wanted to apply for a Disability Grant as she couldn't climb into her bath. This is the fault of the designers. They were negligent, we should take action against them.
- Regarding the Oldcourt/Ashlawn Court Schemes, it was stated that the money needs to be spent by October 2009. If we are to carry out the works advised by the Fire Safety Audit I don't think they will be completed by this date.

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

- Previously, in our dealings with the Department, there was little bureaucracy. A lot was accomplished over the phone.
- Once you had a site, you were given the go-ahead by the Department and could go to Part 8. Now they want full details. Once you indicate that you have identified a site and how many houses you plan to put on it, you have to get permission to go to the detailed design and public consultation stage.
- I am confident that the Kilbride scheme will go ahead.
- The fact that there are no showers in Richmond Hill is not good enough. We really should be building wet rooms and have them wheelchair accessible. We will certainly look at this in the future.

Ms. Triona Irving, Administrative Officer added:

- We got approval in October for these extra houses.
- The Remedial/Refurbishment Works Programme is a two year scheme. We have vacant houses to use for the Ashlawn Court scheme and also costings from the Pilot Scheme. The Oldcourt works have been included in the Appraisal timeline.

3. To Consider Planning Matters

The Administrative Officer reported that the following planning files were requested: 08/220 and 08/221.

The members raised the following points:

Planning File Reference 08/220 & 08/221

- The floodlights at Ballywaltrim and Fassaroe should have been up by this stage. Winter has been lost in terms of activity.
- I urge that planning permission is granted as soon as possible so contractors can be appointed and works can proceed. I hope the works can be completed before the end of the winter, so that once the lights are operational, problems can be identified and any modifications can be made.
- I agree, the users committees have been crying out for these lights for years.
- I see that these applications have not been validated. There are a lot of public agencies involved, e.g. RAPID, the Drugs Task Force, VEC and Bray Town Council in getting this up and running.
- There is a lot of money coming into this town from the public bodies but there is no co-ordination between them and Bray Town Council. We need to get together regarding this.
- Why does this need a planning application – I thought this was being done through Part 8.

Planning File Reference 08/226

- I hope this application is looked at thoroughly and it is not interfering with the residents of the area.
- What you are referring to is not the application in front of us, your information is wrong. You are referring to 08/148.

Planning File Reference 08/229

- If anyone is putting in barrier car parking it should be us and we should monitor this.

Planning File Reference 08/148

- This application refers to excavation, there will be very heavy construction work for a residential estate. The consultants report is very vague, it contains a lot of 'ifs' and 'maybes'.
- I hope this application is refused.

Mast in Grounds of Garda Station

- An Bord Pleanála have ruled that this is not an exempt development. A request has now come in that the Manager exempt it.
- Residents have told me that additions have been made to this pylon over the past two weeks.
- I request clarification from the manager, as my understanding is that once An Bord Pleanála do this a planning application has to be made.
- This mast is not used for communications by An Garda Síochána, it is used by mobile phone companies.
- The residents have no problem with this mast if it is used for police business.
- An Bord Pleanála have said that Bray Town Council cannot consider this application.
- The OPW is not in line with proper planning.
- Do the OPW know that changes have been made to this mast? We need to write to them in relation to this matter. The mast is unsightly and should be taken down. Who knows what damage it's causing?
- I hope we get clarification from An Bord Pleanála regarding this. This is unprecedented. I request that management write to An Bord Pleanála to adjudicate this matter.

Nirvana Head Shop

- Regarding the move of Nirvana Head Shop from the arcade to the Main Street, this is a disgrace. It will undo all the good work by the Rejuvenation Committee. I have spoken to the Town Clerk and was told a change of use might be required and a letter would be dispatched. Has the letter gone out – the owners are still working on the shop.
- We must do everything we can within the planning laws to prevent Nirvana moving to the Main Street.
- An enforcement notice was issued. These things take time. Bray Town Council are taking the right road on this issue.
- We do not know what is in the products that Nirvana is selling – the Government will ban them, but then others may come on the market.

Miscellaneous

- Under the RAPID scheme, monies for improvement of traffic management has not been drawn down. There is a figure of €95,000 sitting in the Department, which is matched by Bray Town Council that has not been drawn down.
- Some of this money has been sitting there since 2006, so in effect we are talking of a figure of €350,000.
- All work on the Florence Road car park has stopped. We were told the second phase would be operational before Christmas. What is happening?

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

- A warning letter was sent to Nirvana Head Shop and the owners of the unit regarding unauthorised development. We received a letter requesting clarification of the breeches. We sent a further letter to this effect and are expecting to hear back from them shortly.
- An Bord Pleanála did not agree with Bray Town Council regarding the mast being considered an exempted development.
- The OPW have been contacted and they have submitted drawings as to why they feel the mast is exempt. This submission is being examined. We will contact people who have made submissions to inform them of the decision. If they are not happy with the decision, they can then go to An Bord Pleanála.

The Town Clerk, Christine Flood informed the members that she had been in touch with Ballymore Properties in relation to the Florence Road car park on a number of occasions. The information she had received was that the car park would be completed in early December. She added that she was due to talk to representatives of Ballymore the next day and Bray Town Council would then make a decision on what course of action to take, if needs be.

4. Disposal of Fee Simple Interest in 10 O’Byrne Road, Bray, in accordance with Statutory Notice

It was proposed by Councillor Bríd Collins and seconded by Councillor Caroline Burrell to proceed with the disposal of Fee Simple Interest in 10 O’Byrne Road, Bray, in accordance with Statutory Notice.

5. Disposal of Fee Simple Interest in 36 Ledwidge Crescent, Bray, in accordance with Statutory Notice

It was proposed by Councillor Anne Egan and seconded by Councillor Pat Vance to proceed with the disposal of Fee Simple Interest in 36 Ledwidge Crescent, Bray, in accordance with Statutory Notice.

6. Disposal of Fee Simple Interest in 27 James Everett Park, Bray, in accordance with Statutory Notice

It was proposed by Councillor Anne Egan and seconded by Councillor John Brady to proceed with the disposal of Fee Simple Interest in 27 James Everett Park, Bray, in accordance with Statutory Notice.

7. To Further Discuss The Taking In Charge of Duncairn Terrace

A report from Mr. Sean O’Neill, Town Engineer on the above matter had been circulated to the members with their Agenda.

It was proposed by Councillor Pat Vance and seconded by Councillor John Byrne to take Duncairn Terrace in charge. Councillor Anne Egan remarked that the report stated that the recommendation to take in charge was ‘subject to provision of necessary funding required to upgrade the footpath’ and added that funding must be found.

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

To Proceed With The Taking in Charge of Roadway Fronting Nos 1-10 Duncairn Terrace & Adjacent Open Space

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

** Councillor Collins had left the meeting before the vote was called*

The Town Clerk deemed the matter to be carried unanimously.

8. To Discuss Bye Laws for Off Road Vehicles

The Town Clerk informed the members that a number of complaints had been received regarding the use of off road vehicles at the area known as Rehills Land and also Bray Head. She stated that Bray Town Council were asked to consider introducing Bye Laws and that with the consent of the members the Bye Laws would be put on public display and submissions invited. The Town Clerk added that the purpose of the Bye Laws is to deter the use of off road vehicles in public areas and won't prevent authorised persons using them for legitimate purposes.

The members raised the following points:

- Why are some areas not included in this map – e.g. the recreation area in Fassaroe, the green in Ledwidge Crescent. We need to look at this more carefully to ensure that all areas are covered before going on public display.
- I question the fee regarding licensing for a special event or occasion – we could charge more if necessary.
- I agree that we leave this over – we should look at the Vevay Sportsfield also. There is no point in introducing these Bye Laws if people can move to other areas. We should close off all areas.
- Yes, people will go for areas that are not designated under the Bye Laws. We should give this a little bit more time and effort. We should also consider Ballywaltrim Park.
- I had asked that areas like Ballywaltrim Park be included at the JPC meeting. Open space areas were to be mapped, we could use this map.
- The Development Plan contains areas zoned A1 – we could use this map.
- There was another map generated which showed small open spaces – not A1 zoned. We should use that map.
- We should note that some green areas are zoned residential and not open spaces.
- We should also consider Deerpark, Ard na Greine, the Ballywaltrim playing fields and the SuperQuinn site.
- We should look to providing an area where kids can do quad biking, we should encourage exercise.
- I suggest using all public open spaces in Bray Town Council's charge.

The Town Manager, Mr. Des O'Brien informed the members that this issue came up previously. Once you start defining areas and overlook something, you take away the protection of the areas left out. It is dangerous to define 'open space'.

Sean O'Neill, Town Engineer added that a Notice of Motion was submitted to deal with this issue. He stated that Bray Town Council owns land on Bray Head and also three public parks. Trying to draw a map of each individual area is very difficult. He will see if the areas can be defined without a map.

The Town Manager added that Bray Town Council will take legal advice from the Law Agent, David Sweetman on the matter before the Bye Laws are put before the members for consideration again.

9. Reports and Recommendations

The Town Clerk had circulated reports on Ballywaltrim Playground and Public Lighting to the members with the Agenda.

The members raised the following points:

Ballywaltrim Playground

- I agree that this playground should be brought up to standard. The playground in the People's Park has been removed – what is happening with this?
- Bray Town Council gave a cheque to An Garda Siochana for CCTV in order to monitor anti social behaviour. Drinking parties and drug deals had been taking place here.
- I welcome that Bray Town Council is going to tender for equipment, the community is crying out for this. The playground needs to be totally replaced.
- There is no public lighting in this playground, which is adding to anti social behaviour. I hope the CCTV is able to operate under these conditions.

- The Town Engineer and Mark O'Neill (Rapid Co-ordinator) are looking at getting funding under the RAPID scheme. The Community Centre got funding, but decided not to use any for the playground.
- We should progress this matter.
- I ask that any lighting that is installed be energy efficient.
- It is 10 years since this playground was installed – I am appalled at the vandalism in the area and that CCTV had to be installed to protect a facility that was provided for community use.
- If people in the area know who is vandalising the playground, they should let the authorities know.
- Local people also raised funds for this playground – I don't want to see a vast sum of money wasted. We should look at safety and security before spending money.
- We must investigate the matter of vandalism before spending €100,000.
- People collected to fund this playground when money was scarce and there were no playgrounds in Bray. If we abandon this project, the vandals will have won.
- It would be a waste of money to refurbish this playground without agreement from An Garda Síochána and the community to monitor it. We have to decide how it will be protected.
- The council is committed. We've had good success in Sidmonton Park and Fassaroe. We need the community on board. We will refurbish this playground, lets hope we get it right.

The Town Engineer, Sean O'Neill informed the members that there had been no funding provision in previous budgets for the maintenance of playgrounds. This is provided for now and is being used. Playgrounds need more or less a complete overhaul every 5 years and a fee of €20,000 to maintain. It is agreed that the playground needs public lighting. The CCTV is in the hands of An Garda Síochána. The People's Park playground has gone to tender.

Public Lighting Report

- I question the figure of 25 streetlights not working, I have been getting calls in relation to this. There are lights out in Ripley Hills, Glenthorn and Kilbride.
- I welcome the information that the ESB will continue to replace the bulbs. The report states that a response from the ESB (regarding a price for the replacement of lamps over 2 years old) is expected within a week. This report is dated 25th November, has a letter been received? Can this be followed up on?
- The ESB is not giving Bray Town Council the same level of service that existed previously.

10. Notices of Motion

Due to time constraints, Notices of Motion were not addressed at the meeting.

11. Correspondence

Due to time constraints, Correspondence was not addressed at the meeting.

12. Any Other Business

Councillor Caroline Burrell raised the matter of the recently published Draft Bray Environs Local Area Plan and stated that there is a lot of confusion regarding this. It is important the Bray Town Council is part of the process. Many residents are not aware of the process and some of the areas under consideration are outside the town boundaries.

She informed the members that the closing date for submissions is 31st December, 2008 but that the www.wicklow.ie website does not state this.

Councillor Burrell further stated that the plan has provision for 7.5 hectares for low density housing on the Southern Cross Road. There is also provision for a 300 bedroom hotel. There is already a hotel in the area. People are concerned regarding housing on the slopes of the Sugarloaf. We need a Special Area Amenity Order. Bray Town Council should have this matter on the Agenda. The town boundaries should be extended so that it's not in Wicklow County Council's jurisdiction. The dates should be on the website and a public meeting should be held.

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

- The Draft Bray Environs Plan has been drawn up by Wicklow County Council. Bray Town Council don't have a hand in it.
- A pre-planning consultation was held in the Royal Hotel and about 20 people came.
- This document was produced by officials in consultation with the County Councillors.
- There is plenty of time to make submissions.
- Regarding the 300 bed hotel – this is a quantitative analysis based on the assumption of 150 employees. To say there will be a 300 bed hotel at a public meeting is misleading.
- The Draft Plan is on display. There is a 6 week period, during which submissions are taken. After this period, a report will be presented to the Councillors.
- They have four weeks for consideration of this report. The Councillors can then decide to make any modifications or not.
- If modifications are made, the revised Draft Plan will again go to public consultation. If this is the case, a further report will issue to the members. This will be roughly a six month process.

The Cathaoirleach, Ciaran O'Brien added the following:

- No vote on the Draft Plan has been taken. Management have put forward plans only.
- The Minister has directed Wicklow County Council to investigate SAOs for both the Great and Little Sugarloaf.
- There has been consultation with the area Councillors and it was agreed to go to public consultation.

The members raised the following points:

- I attended that meeting and I know the planners were told not to include that land. Anyone who has any sense regarding planning would not build on lands above the industrial units. The land should not have been put in.
- I am amazed that the views of the Council of this town are not considered significant.
- This will have an impact on the residents of the town who vote for us.
- This Plan is to allow for development of land that is held by two landowners.
- The Little Bray developments to the north of the town will impact on the traffic in the area.
- We should have a meeting dedicate to this. I want the people who drew up this plan to address this council.
- Regarding the Fassaroe development, it should be put in the plan that no development will take place until the LUAS is in place.
- To the south of the town, there is an island of development; it is not joined to anything.
- This matter is going to public consultation. We are talking about a new town, with new education facilities, a LUAS and park and ride facilities. These issues have been discussed in this council. We're talking about providing housing.
- Personally I would like to see Kilruddery preserved – it is a beautiful building.
- A meeting was held and there were two public representatives there – myself and Deputy Behan.
- Nothing has been decided, no votes have taken place.
- There will never be enough consultation, perhaps tonight might help. The Plan is on display.
- The planners were told not to include the 7.5 hectares.
- In relation to the overall Plan it is not unreasonable that people who made this Plan present it to the members.
- The consultation process is a farce. A presentation was given to this council. Councillors Ryan and Fox were present.
- If my memory serves, the members agreed that Kilruddery be preserved for tourism.
- I welcome the rezoning regarding the Great and Little Sugarloaf.

The Town Manager informed the members that a Section 49 agreement will need to be put in place for the Rail Procurement Agency regarding the LUAS works. He stated that this refers to land that can be developed within one kilometre of the LUAS line. It is hoped to have this before the members at the January meeting. There will also be a Section 49 for the environs. Bray Town Council may have to amend the Section 48 agreement as Wicklow County Council have upped their rates for water services. It is hoped to present this in January also.

* * * *

This concluded the meeting.

Signed: _____
CATHAOIRLEACH

Signed: _____
TOWN CLERK

Dated: _____