

**Minutes of the Special Housing and Planning Meeting of Bray Town Council held in the Council Chamber, Town Hall, Bray on Tuesday 3<sup>rd</sup> March, 2009 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 Anne Ferris**
- 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**
- Mr. Chris Rafferty, Operations Manager, Dublin Bus**

**1. Confirmation of Minutes of the Special Housing and Planning Meeting dated 3rd February 2009**

Councillor Bríd Collins proposed confirmation of the minutes of the Special Housing & Planning Meeting of 3<sup>rd</sup> February 2009 and Councillor John Byrne seconded the proposal.

**2. To Receive A Talk by Mr. Chris Rafferty, Operations Manager, Dublin Bus Regarding The 45 Bus Route**

Mr. Chris Rafferty was invited to address the meeting as a result of the news of proposed cuts to the 45 bus route.

Mr. Rafferty informed the members of the following:

- The cuts to the 45 bus route in the Bray area will be small. No other routes into Bray will be affected.
- There are 500 buses through Bray per day. The reduction is 30 buses, which is 5% of all services.
- In the current climate, every mode of transport is suffering.

The members thanked Mr. Rafferty and raised the following points:

- When I saw this in the newspapers, I thought the cuts were to be more severe. No one likes to see services cut back.
- This is a large catchment area and to have any curtailment is disappointing.
- The 45A used to serve the area many years ago, but it's gone now.
- The 145 is a fabulous service – can some of this service be re-directed to serve the Vevay/Boghall Road/Southern Cross area? I get a lot of requests regarding the improvement of services.
- Will there be no changes to the 145 service? Dublin Bus addressed this Council previously and told us that the 185 service would not be changed – this is now a very depleted service.
- I'd like to express concern about the cuts. There will be 190 job losses and a 10% reduction in the Dublin Bus fleet. When I got news of the cuts I was very concerned.
- The proposed cuts on the 45 route equal 50% of the route i.e. 6 buses.
- This is a large catchment area and is widely used. I have concerns regarding the Old Aged Pensioners who have the bus pass. They can not use it at peak times.
- Is the 45 bus service due to terminate before reaching Dublin? People will have to transfer and pay two fares. There is no integrated ticketing system.

- We should be promoting the use of the bus service – we had a presentation here previously regarding a QBC.
- How many people are losing their jobs on this service? Is this the beginning of cut backs to all services to Bray? Will our input make any difference?
- When we have improved infrastructure, we would expect more buses not less.
- I have been fighting to get the bus stop at Oldcourt upgraded – there is no shelter and the kerb needs to be higher for wheelchair users.
- We have less buses in Bray since the Imps were taken away. I would like to see a loop service in the town.
- The 84X is a great service, but it is full by the time you get to Foxrock.
- The 145 is taking one and a half hours to come out from Dublin on occasion.
- There is no bus shelter at the terminus of the 145 bus route in Kilmacanogue. Planning permission has been granted for one.

Mr. Rafferty responded:

- There are no plans at the moment to adjust any of the other services to Bray.
- There will be a 20 minute service at rush hour and a 30 minute service off peak on the 45 route – this will be at ten to and twenty past the hour. There are no plans to augment the service.
- We have to respond to the financial situation. If there is an upturn in the economy, we can respond quickly.
- The 84X bus route serves the Southern Cross and the numbers using this service has increased in the past two years. This is a very well used service.
- We have added buses to the 84X bus route. There are no plans at present to reduce the 145 service – we will possibly strengthen it.
- To improve efficiency we may put intermediate timing points in around the Foxrock area. The 145 could be considered our flagship route.
- There are no plans to change the 185 route.
- We are still in discussions at the moment regarding the proposed cuts. There is a proposal to cut jobs with the Labour Relations Commission at the moment, which I can't discuss.
- The 45 is the only bus route in Bray that is affected. This is to have minimal impact. The proposed cuts will affect 5% of all routes servicing Bray.
- Six buses are being removed from the 45 bus service – this does not equate to 50%. The figure is less than 30% of the timetable.
- The numbers using the 45 bus service have halved, while the numbers using the 145 have doubled.
- The 45 will terminate in Ballsbridge, which will increase reliability. The majority of people using the 45 bus do not go all the way into Dublin. There is also a very reliable service to Dublin from places such as Blackrock.
- We have prepaid tickets which are very effective. Also the 47 bus service does not go all the way into Dublin – this is a tried and tested route.
- My understanding is that the bus shelter works in Oldcourt were being done. I will find out and come back to you about this.
- Regarding the loop service, there are no plans to re-introduce one.
- The only benefit to redesigning the service would be felt if the traffic was removed from Bray.
- Usage on routes is down everywhere. One or two routes have improved, but this is the exception rather than the rule. If we have intermediate timing points, this should help prevent 'bunching'.
- We will have an input regarding a QBN for Bray.

The Cathaoirleach, Ciarán O'Brien thanked Mr. Rafferty for his time and added that it is disappointing to see the service reduced. He stated that he was hopeful that officials of Bray Town Council meet with the DTO and QBN soon.

Mr. Rafferty stated that the members should feel free to contact him in Donnybrook Garage if they have any further queries.

### 3. To consider the Housing Progress Report

The members raised the following points:

#### Vacant Houses/Ashlawn Court Refurbishment Scheme/Schemes With The Department

- Do we have any deadlines regarding the vacant houses?
- When will we get approval from the Department?
- If we don't get approval on this, can we make a decision to re-let these houses?
- There are 170 units awaiting approval from the Department – councillors should make representations to the Minister. People would love to have their own homes.
- These houses are boarded up and there are 800 people on the housing list. There are eight houses in Fassaroe that are boarded up – people are looking for homes.
- I believe that we will not get further funding from the Government for the Ashlawn Court Refurbishment Scheme. We should unboard these houses and let them out.
- A house in Wolfe Tone Square South has been boarded up for one year.
- At the last meeting, we were told that there would be a meeting with the Department regarding Ashlawn Court etc. I would like an update. The Government is delaying our schemes. Shuttering houses is a disgrace.
- We hope to build 173 houses. A further 8 houses in Ashlawn Court are shuttered and 11 are awaiting allocation – this equates to 192 houses in total. How much revenue are we losing? If there is no word from the Department by the end of the month, allocate these houses.

#### House Purchases

- Do we have a figure from the Department for the year yet? How many houses can we purchase and how many are in the pipeline?
- We've always had our allocations from the Department before now.
- There are a number people who want to sell their houses back to the Council.
- I have been contacted by residents who were told that it is the policy of Bray Town Council not to buy back houses in certain estates. Is this true?
- Please clarify this – is the Government allowing us to purchase houses?
- Can we have this as an item on the Housing Progress Report every month?

#### Mount Pleasant/Sutton Villas Development

- The development at Sutton Villas is causing a lot of difficulties to the residents in the area. The Councillors got a letter from the residents and I feel that they are reasonable in their requests. There is a lack of information regarding the planned works and the schedule of works.
- The laneway will need to be closed and there is talk of a temporary road from James Everett Park to Mount Pleasant Villas. This is a dangerous junction on a busy road.
- I want to know what work is proposed to be carried out regarding James Everett and Mount Pleasant Villas before it is undertaken.
- One householder is also concerned that the load capacity using the laneway will affect their retaining wall. They would like someone to inform if the wall will be affected.
- Palisade fencing and vegetation has been removed and has led to problems regarding anti-social behaviour. One house has suffered stone throwing which has resulted in broken slates. I spoke to the site supervisor and the re-erection of a fence will not affect works. I ask that these issues be addressed.
- This is a very small development and we are causing consternation among the residents. We should give the residents a schedule of works and set up a consultative committee to liaise with them.

#### Miscellaneous

- I see the Housing Adaptation Grants are almost complete – well done.
- I was at the meeting with the residents of Ballywaltrim. The RAPID Co-Coordinator was also there. We indicated that we would get back to them regarding the setting up of a Forum and that our Estate Development Officer would contact them regarding this matter. I ask that Richard Sheridan contact them please.
- There is a lot of goodwill in Ballywaltrim Heights, the residents are prepared to let bygones be bygones. People are prepared to come together and work together. It is a good initiative by this council to set up an Estate Management Committee.

- There is a problem in a particular house in Cedar Court with dampness. I am not sure if there have been other complaints. These homes are only three years old – can this matter be looked at?
- Have we any allocations from the Department regarding a replacement door and windows programme?
- The lights in Richmond Hill are still on 24 hours a day.
- What is happening with the showers in Richmond Hill?
- Well done to the Estate Development Officer for looking after the elderly in Fáilte Park.

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

- We have placed a request to purchase twelve houses this year with the Department.
- Councillors made the decision to purchase houses in Fassaroe in areas where they have not been purchased before. The Manager advised us not to have 100% local authority houses, as the mix of local authority owned homes and privately owned homes was working well. If we bought more houses in Fassaroe, it could become fully local authority. There is a good mix of private and local authority .
- The Department have advised us not to agree to purchases until funding has been approved. If we want to buy a house, the Department will approve the offer, if the price is too high, we won't get approval.
- The replacement doors and windows programme will continue.
- We had a meeting with an Inspector from the Department and raised the issue of the showers in Richmond Hill. The Department won't fund these, as they already funded the building of the houses.
- There is a further meeting scheduled for 12<sup>th</sup> March. The Inspector has advised that the appraisals will be discussed at this meeting. We have to submit a prioritised programme for discussion to them.
- The Estate Development Officer has no problem advising the residents of Ballywaltrim Heights. This will be done in conjunction with the RAPID Co-Coordinator and Wicklow County Council.
- I will talk to Councillor Ferris regarding Cedar Court after the meeting.
- We don't have the benefit of the letter from the residents of Mount Pleasant Villas. The Engineer met with a representative of the Resident's Association. If a small committee wishes to form and contact us, the Engineer will meet with them.
- I am pleased to report that the works at Fáilte Park are practically finished.

The Town Clerk, Ms. Christine Flood informed the members of the following:

- We have received two letters from the Department. One is with regard to Ashlawn Court and one is with regard to Oldcourt. The Department are considering funding for Ashlawn Court and have raised queries regarding the cost per unit.
- The Department have asked us to prepare a Masterplan. We have written back to ask them to fund this.
- The application for Oldcourt was unsuccessful. The Department has advised that we can resubmit an application in the future.
- We will discuss our housing projects with the DEHLG at the meeting next week and get clarification as we are also concerned about the boarded up houses.
- Regarding the lights in Richmond Hill, there is not much Bray Town Council can do. The contractor and the ESB are in discussions about this. We have given the information to both parties and we will keep reminding them that this needs to be resolved.

The members responded:

- I ask that the letters regarding Oldcourt and Ashlawn Court be circulated to the members. I am disappointed that Oldcourt has been turned down. On what grounds was it unsuccessful?
- The response regarding the showers at Richmond Hill is unacceptable. Please write to the Department to say that we won't accept this decision.
- Where's the Masterplan for Fassaroe that went to Dick Roche? This is delaying tactics by the Government.

#### 4. To Consider Planning Matters

##### Bray Local Area Plan

- I am appalled that Bray Town Councillors sitting on Wicklow County Council supported the Bray Local Area Plan. There will be extra houses on the Southern Cross Road – the residents of the area will be affected.
- There are a lot of rumours going around about this. The houses won't overlook those already on the Southern Cross Road.
- This will be very good for the town of Bray. I hope Kilruddery won't close.
- We only voted to put the Plan on public display. People will have a chance to make submissions.

The Administrative Officer reported that no planning files were requested.

The members raised the following points:

##### Planning File Reference 09/06

- I support this.
- This is an unusual request regarding the change of use to a restaurant. Is this allowed for in the terms of the Town Development Plan?
- I support Councillor Byrne, this was raised at a previous meeting.

##### Planning File Reference 09/07

- Please clarify this.

##### Planning File Reference 09/09

- I support this. A lot of communication and preplanning went into this.
- I know there is a lot of support for this application, but I have an issue with vehicular access onto Mount Pleasant. With infill development such as this, I think access should be onto the estate.

##### Planning File Reference 09/11

- This is for a new shop front. I hope it is in keeping with the area.

##### Planning File Reference 09/16

- I support this.

##### Planning File Reference 08/125

- I am delighted that permission has been granted for this.

The members raised the following points:

- Is there any update from Ballymore?
- The situation with the Florentine Centre is disgraceful. Ballymore haven't done anything regarding the hoarding. The Town Manager has a duty to resolve this matter. The look of the town has been affected. I ask that the Manager contact Ballymore. This should be on the Agenda permanently. I request a report regarding this matter.
- Are the shops that Ballymore promised going in?
- Ballymore as an entity is gone. Their staff are gone. We shouldn't believe anything they tell us. It was said that we didn't need anything in writing from them. They've left the town of Bray high and dry.
- What action will be taken to solve the problems regarding Ballymore? There is no CCTV on the site of the car park and cars have been vandalised.
- We got over 40% of the site back from Ballymore and got the car park reinstated. The council has worked very hard to do this.
- I understand that Ballymore are not acknowledging letters from Bray Town Council. We should move to take over the site under the Derelict Sites Act.
- The hoarding is on our property – we should instruct Ballymore to remove the hoarding from our street and our property. We should take action under whatever Act we can.

- I don't think the shops will be built. We should use every legal method we can to acquire the site. The Main Street has been ruined by this company. What actions do the Town Clerk and Town Manager propose to take?
- Is the hoarding covering up structural support? [Town Engineer, Sean O'Neill] Yes.
- Is it possible to get an engineering solution to this and get the hoarding removed?
- It is good to see two applications for new businesses. Let's try to facilitate these.
- [Councillor John Byrne] I propose that we serve Derelict Site Notices on the owners of two properties at Ballywaltrim Cottages. There is dumping taking place and the site needs to be cleaned up. [Councillor Pat Vance] I second the proposal.

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

- My feelings regarding Ballymore are no different to yours. We got an offer from Ballymore regarding the site at the time and we were grateful for it, as there were a lot of complex issues involved.
- The reinstatement of the car park went smoothly until they stopped work. It was clear early on that they would not meet the deadline regarding the shops. The Law Agent advised that Ballymore be given more time regarding the shops.
- The Law Agent then advised us to write to Ballymore regarding this matter, which we did three weeks ago. We got an acknowledgement today. Our letter stated that we would have to consider a Derelict Sites notice being served. I will follow this up by telephone.
- I am happy to declare the front part of the site derelict. Ballymore don't have a hoarding licence anymore and we can pursue them on this. We can also pursue them under enforcement, as they commenced development.
- My first instinct was go after Ballymore with everything we've got. I took the advice of the Law Agent – the courts would expect us to give Ballymore a bit of leeway. We will try to engage them to complete the works. We have been very patient with them, but I am happy to pursue them now. I would prefer not to take court action.
- [Councillor John McManus] What is the status of the CPO?
- The CPO in place has three months left to run. It's open to someone to buy. It is not open to Bray Town Council to buy – we won't have the funds. We are not allowed to borrow money.
- It is very expensive to purchase land via CPO, as it goes to arbitration.
- We have been talking to one person regarding buying the site. We've had one meeting with a broker, who hasn't come back to us as yet.
- [Councillor John McManus] What happens if a Derelict Site Notice is served?
- The owners of the site have to carry out works to render the site non derelict. We would have to make sure that we are addressing the matter of dereliction. We can also levy 3% of the site value per annum on the owner.

The members responded:

- It was proposed and seconded that a Derelict Site Notice be served at Ballywaltrim Cottages. The residents have asked us to do this. Will the Council take action on this matter?
- [Town Manager Des O'Brien] The site is owned by a voluntary body and they are currently looking for funding. We will investigate.
- The residents are worried that something serious will happen to the youths who are frequenting the site.
- Regardless of who owns the site it should be dealt with immediately.
- I welcome what the manager said regarding the Florentine site. Is there a timeline?
- Is this matter [Florentine site] going to be ongoing? Will the hoarding be taken down? Please keep this on the Agenda.

## 5. To Formally Adopt The Draft Litter Management Plan

Councillor Anne Egan proposed the formal adoption of the Draft Litter Management Plan and Councillor John Byrne seconded the proposal.

## 6. Reports and Recommendations

### Report on Flooding in South Bray

The Town Clerk had circulated a report on the flooding in South Bray on 16<sup>th</sup> August 2008, to the members and proposed that this be placed on the Agenda for the following week's meeting. The Cathaoirleach added that as it was a very technical report, the members should contact the Town Engineer, Sean O'Neill with any queries in advance of the meeting.

### Report on Wolfe Tone Square Water Separation

The Town Clerk read the following report out to the members:

*The first phase of works will be completed at a cost of €40,000 and is scheduled to commence on 16<sup>th</sup> March, 2009.*

*The costing of the works for the complete scheme in 2007 was circa €340,000.*

*There was no cost certainty provided in the tendered form of contract and no funding source was identified for this amount of money at that time.*

And added that the road in Wolfe Tone Square would be reinstated once the works are completed.

Councillor John Byrne welcomed the report and asked if there is a timeframe involved, as the residents of the area would like to know. The Town Engineer responded that the surfacing works will be carried out on the basis of tenders received and added that the tender was separate to the Water Separation tender. He stated that the timeframe would be at least a couple of months.

Councillor John Brady thanked the Town Clerk for the report and asked if traffic calming measures/speed ramps would be installed at the same time the road is reinstated? He asked that the two speed ramps on the O'Byrne Road be looked at as they are not high enough and as a result, not effective. The entrance points into Wolfe Tone were due to be narrowed, but the entrance from the Vevay Road into O'Byrne Road still needs to be done. He asked if these matters would be done in conjunction with the works.

Councillor Byrne stated that he was cautious regarding the increasing of the size of the ramps as Dublin Bus will only allow buses to drive over certain size ramps. He remarked that people in the area had fought for a bus service and Dublin Bus should not be given an excuse to remove the service.

Councillor Brady stated that Dublin Bus allow their buses to drive over the ramps in Wolfe Tone Square and suggested increasing the ramps in O'Byrne Road to the same height as those in Wolfe Tone Square. The Town Engineer stated that he will look at the Master Plan for Wolfe Tone Square, see what is outstanding and will revert to the members to inform them how much can be carried out. Councillor Brady requested a report on the matter.

## 7. Correspondence

### Email Regarding A Visit By Würzburg Marching Band Visit

The Town Clerk informed the members of a visit by Würzburg Marching Band from March 15<sup>th</sup> – March 18<sup>th</sup>. A concert will be held in Bray at 3.00pm on Sunday 15<sup>th</sup> and it a request was received from Councillor George Jones that Bray Town Council consider hosting a Civic Reception on Monday 16<sup>th</sup> March. Councillor Bríd Collins proposed hosting a Civic Reception, adding that the St. Patrick's Festival is very good for the town and Councillor Steve Matthews seconded the proposal.

### Letter From Bray Youth Service

The Town Clerk informed the members of a letter received from Ciara Bolger, Youth Information Officer with Bray Youth Service. This letter contained the following details: an Internet Café and Information Session takes place in The Seomra Youth Centre on Adelaide Road from 4pm – 7pm on Mondays for 16-21 year olds, and asked that this information be passed on.

### Letter From Iarnród Éireann

The Town Clerk informed the members of a letter received from Mr. Richard Fearn, Chief Executive in response to a letter regarding car parking at Bray DART station. In his letter, Mr. Fearn stated that *'the pay and display parking at Bray DART station car park, the charges are set at just €2 per day or €8 per week to regular commuters.*

*These charges are amongst the lowest of any charged in the State when compared to other transport operator's car parks such as the LUAS, and when compared to the local authority parking charges. However, in view of the fact that the DART operates seven days per week and during holidays, the charges apply at all times.'*

Regarding the number of DARTs to Greystones the letter stated *'...the frequency of these services is unfortunately constrained by the fact that there is only a single track around the headland and through the tunnels at Bray Head.'*

Mr. Fearn's letter further stated *'...with regard to the fares for Greystones, whilst the daily or weekly fares cost more from Greystones, I am pleased to tell you that for regular commuters the season tickets prices from Greystones to the city centre cost no more than from Bray to the city centre.'*

The members raised the following points:

- I take issue with the statement that the DART runs seven days a week. It does not run 24 hours a day, 365 days a year.
- Cars were clamped at 3.00am on New Year's Day. People think that the parking byelaws extend to this area. They are unaware that the road is privately owned.
- There is no signage in the area – six cars were clamped yesterday. Can a follow up letter be sent regarding the lack of signage?
- Is the figure of €2 per day for a rolling 24 hours? I would hate to think that anyone using the DART to go on a night out, and being responsible by leaving their cars behind will be subject to a fine if they are parked at the DART station after midnight.
- I spoke with Iarnród Éireann and people are being clamped at various times.
- As far as I'm aware the €2 cost is for 24 hours. They should liaise with the Council and take note of the way our operators work. They should also put more signs up.

The Town Clerk responded that it is not clear from Mr. Fearn's letter if the €2 fee is for 24 hours and that she will dispatch a letter requesting clarification in the signage in the area.

### Letter From The Office of the Minister for Justice, Equality & Law Reform

The Town Clerk informed the members of a letter received from Mr. Barry O'Donnell Private Secretary at the Minister's office. This letter acknowledged receipt of a letter from the Town Clerk regarding Head Shops and stated that the original correspondence had been referred to the Department of Health & Children for attention and direct reply.

### Earth Hour 2009

The Town Clerk informed the members of Earth Hour 2009. This will take place on 28<sup>th</sup> March 2009 and the Minister for the Environment, Heritage and Local Government has requested that local authorities participate by arranging to switch off lighting in their buildings between 8.30pm – 9.30pm on this day.

Councillor Caroline Burrell remarked that Earth Hour is a great initiative and that it is a simple way to conserve energy.

### Letter from Lord Meath

The Town Clerk informed the members of a letter received from Lord Meath thanking the Cathaoirleach and members for their expression of sympathy on the recent death of his mother.

**8. Any Other Business**

There was no Other Business arising.

\* \* \* \*

This concluded the meeting.

**Signed:** \_\_\_\_\_  
**CATHAOIRLEACH**

**Signed:** \_\_\_\_\_  
**TOWN CLERK**

**Dated:** \_\_\_\_\_