

Minutes of the Special Housing and Planning Meeting of Bray Town Council held in the Council Chamber, Town Hall, Bray on Tuesday 3rd July 2007 at 7.30 p.m.

Present: Councillor Brid Collins, Cathaoirleach
Councillor John Byrne
Councillor Deirdre de Burca
Councillor Anne Egan
Councillor John McManus
Councillor Ciaran O'Brien
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. David Forde, Administrative Officer

Apologies: Councillor Michael Lawlor

Councillor Pat Vance requested a suspension of Standing Orders to enable a discussion on the 2007 Programme for Road Surface Dressing. Councillor John Byrne agreed with this motion and it was decided to address this issue at 9.30pm.

* * * *

1. Confirmation of Minutes of the Meeting dated 12th June 2007.

Councillor Ciaran O'Brien proposed confirmation of the minutes of 12th June 2007 and Councillor John Byrne seconded the proposal.

2. To Consider Entering Into A Section 85 Agreement (Local Government Act, 2001) With Wicklow County Council In Relation To The River Dargle Flood Defence Scheme.

The Town Clerk stated that details of the proposal had been circulated and that the Environmental Impact Statement and the Compulsory Purchase Order were almost ready. There is a small part of the land-take in Wicklow County Council's administrative area, which necessitate the above agreement. Advertising will take place in mid July.

The members raised the following points:

- Is it necessary to have a Section 85 Agreement in place before an Environmental Impact Study could be carried out?
- Propose we go ahead with this – the Agreement mentions a 1 in 100 year flood event, we were told 1 in 300 year flood event when the scheme was originally designed.
- Is there a cost implication to Bray Town Council to buy land from Wicklow County Council?
- Once the Section 85 is in place have we acquired the land at that stage?
- I agree with this proposal, if we can get a scheme to prevent flooding we have a duty to implement it to help protect property.
- If we could get a major contribution from the developers of the area it would be another step forward to getting the scheme in place.

The Town Clerk informed the Councillors that a Section 85 Agreement needed to be in place to enable Bray Town Council acquire land from another Local Authority area and that a CPO could not be enacted until this was in place.

Sean O'Neill, Town Engineer informed the Councillors that the Section 85 Agreement is an empowering order allowing Bray Town Council to acquire land. As the necessary land is to be acquired from the land owners and not from Wicklow County Council, the signing of a Section 85 agreement has no financial implications.

Des O'Brien, Town Manager added that making and confirming a CPO does not place Bray Town Council under any financial implication and assured members that the Council would not enter into anything unless it had the funds to back it up.

He also informed the Councillors that the Flood Defence Scheme was initially designed for a 1 in 100 year flood event. However there is a risk of deep flooding in Little Bray, so this scheme is a two phase scheme and that as part of Phase Two, the Office of Public Works are constructing a dam in Enniskerry.

The Cathaoirleach, Brid Collins remarked that she was delighted this Scheme is progressing and requested that Councillor John McManus keep the issue of the Flood Emergency Action Plan on the agenda of his municipal policy committee.

3. To Consider The Housing Progress Report

The members raised the following points -

Remedial Works Scheme – James Everett Park

- Have the snag lists been done?
- The painting of the hoarding at the Richmond Hill site have not been extended into James Everett Park – very disappointed.
- What is the hold up with the refurbishment works? It's very slow in progressing.
- I don't recall seeing any plans for the St. Rita's or Carrigoona developments. When the plans are revised I hope we'll see them. I want to have a good look at them.

Fire Safety Audit Report

- Disappointed we haven't gotten the Fire Safety Audit Report yet.
- This has been dragging on a long time.
- We were told this would be available in July.
- Not happy with the delay.
- This was commissioned well over a year ago.
- We need to get this report and act on it.
- Still awaiting the final report and it now looks as if it won't be available until after the summer recess.
- Are all houses fitted with smoke alarms?

Central Heating

- We must complement the council on this programme.
- Very successful programme.

Giltspur Heights

- One resident in Giltspur Heights is handicapped and the council was due to take away part of a flowerbed for access. When will this work be carried out?
- A resident in Saran Wood has mentioned that the Community Centre in Giltspur Heights has a very high wall and that local children are climbing it. Worried about their safety. There is some form of fencing on it - can we ask Richard Sheridan to have a look at this wall?

Requests for Extensions

- One resident in Oldcourt is severely overcrowded and is in need of a 4 bedroom house. They have been told there is a possibility of a transfer but we don't have 4 bed roomed houses. If we did, it is likely it's not in the area they are living.
- Another resident of Oldcourt is a tenant from the late sixties and very happy there. The council offered a transfer but they don't want to move.

Richmond Park

- Disappointed work is continuing slowly here.
- Even the architect expressed concern
- We need to expedite this.

Silverbridge Halting Site

- This has fallen off the minutes again – can we have an update?

Failte Park

- Residents have been complaining about faulty windows and doors.
- Needs to be addressed specifically.
- Design fault.
- Housing Repairs difficult to contact.
- Can the Town Engineer report back on this next week please?

Fassaroe Community Centre

- When is the meeting taking place?
- A decision needs to be made in relation to the Community Centre – the residents want to keep the current one in use while the new one is being development.
- No building in this town needs more work. It's a disgrace, it's falling down.
- What is the time scale on the Community Centre?
- It's months since the meeting was held.
- The architect recommended demolishing it.
- Would it be helpful if members were present at the next meeting? Would it help to push the process forward?
- Can I suggest that we are asked to the next meeting?
- We got funding of €8m for the entire development of the area – does this sum include the Community Centre?
- Is there a time frame to spend the money before the Government request it back?
- Fassaroe Estate looks great – well done to Richard Sheridan and the community.

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

- She will confer with the Engineer in relation to the snag list on James Everett Park.
- It has been requested that the painting of the hoarding be extended into James Everett Park.
- Plans for Carrigoona have not been approved by the Department of Environment, Heritage & Local Government. Once these have been approved, they will go before the members.
- St. Rita's site was acquired with Planning Permission already in place.
- There have been some delays in Ashlawn Court – the Housing Engineer will contact the members.
- In discussions re Fire Safety Audit. The Senior Executive Engineer is in constant contact. As soon as a report is issued, we will circulate it to members.
- Richard Sheridan will have a look at the Community Centre wall in Giltspur Heights.
- The Senior Executive Engineer had a look at the flowerbed in Giltspur Heights.
- If we can make the best use of housing stock by offering people transfers, we'll do that. We had an offer in on a 4 bedroom house, but it wasn't accepted.

- The meeting with the Committee of the Community Centre in Fassaroe was held last week, after the Agenda had been dispatched.
- Silverbridge is ongoing work. Consultants have been appointed subsequent to Housing Report being dispatched.
- Will talk to the Housing Engineer re Failte Park.

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

- There is a new central heating contractor starting this month.
- Smoke alarms are still being fitted.
- We have to engage in consultation in relation to the Community Centre.
- We are trying to get the architect to come up with a complete plan for Fassaroe – we have concentrated more on the refurbishment of houses.

The Cathaoirleach requested that the Town Engineer keep the members updated on the progress of the Fassaroe Development Scheme.

The Town Clerk informed that members that the Department of Environment, Heritage & Local Government had issued new guidelines in the past month and had indicated that Bray Town Council should submit an overall plan, showing all the elements. The Department also asked Bray Town Council to prepare a feasibility study in relation to the age of the houses etc. She also stated that once the development gets the go ahead it is intended to submit proposals for the Community Centre.

4. To Consider Planning Matters

The Administrative Officer reported that no member requested a planning file.

The members raised the following points:

- A wall has been broken down between the sports field at the Loreto Convent development and Loreto Grange for access without planning permission. The residents of Loreto Grange are happy with this being a temporary situation, but request that the wall is re-instated once the development has been completed.
- There are a lot of people using Loreto Grange as a parking area when the sports field is in use – there is plenty of parking in the grounds of Loreto Convent and the management of the facility should ensure that the gates are unlocked when the sports field is being used to allow people using the facility to park there.
- Request clarification on the Special Amenity Order on Bray Head a lot of people believe that private areas are now public areas. Should we pay a visit to the people concerned?

The Cathaoirleach pointed out that this was not proper procedure and the Town Manager added that Bray Town Council had written to everyone concerned.

The Cathaoirleach raised the issued of quad bikes using Bray Head and stated that the residents have been contacted and that Bray Town Council are awaiting a response.

5. To Consider The Audit Report 2005

The Report of the Local Government Auditor had previously been circulated to the members.

Mr. David Forde, Administrative Officer, Finance, opened the floor up to questions. Councillor John Byrne asked for clarification on the €500,778 shortfall indicated in the Audit Report.

David Forde clarified thus:

An amount of €500,778 from the Local Government Fund (LGF) funded the shortfall of income in Programme Group 3. Overall there is no effect on the Annual Rate on

Valuation. This amount is the cost of supplying water and sewerage facilities to domestic properties. In the Budget the LGF amount in Table B is shown as €3,643,099 with the balance €500,778 in income in Group 3. The Annual Financial (AFS) shows the LGF as €4,143,877. In future a note will be on Table B explaining any difference

The County Demand is shown in the AFS as 2 figures. An amount of €552,954 is the Library portion of the County Demand. The Budget shows the County Demand as one figure. In future the AFS will show the County Demand as one amount.

Councillor John Byrne proposed and Councillor Anne Egan seconded the proposal.

6. To Consider The Annual Financial Statement 2006

Programme Group 1 – Housing & Building

The members raised the following points:

- We are spending a lot of money on re-lets, are these people who are transferring?
- Is there a policy to ensure the house that is being re-let is left in a reasonable condition?

Ms. Triona Irving the Administrative Officer responded that the re-lets are houses that are returned to Bray Town Council and that the Housing Foreman and Clerk of Work inspect the houses when they have been handed back to the council. The council usually takes the opportunity to bring the vacated property up to current standards prior to re-letting, this includes the installation of smoke alarms, central heating etc..

Programme Group 1 was proposed by Councillor Pat Vance and seconded by Councillor John Byrne.

Programme Group 2 – Roads Transportation & Safety

Programme Group 2 was proposed by Councillor Anne Egan and seconded by Councillor John McManus.

Programme Group 3 – Water Supply & Sewerage

The members raised the following points:

- How many people are employed in this division?
- How many people are outside contractors?

Sean O'Neill, Town Engineer responded that there are ten people employed in Water Supply & Sewerage and that most works are carried out in-house. He added that some works are carried out by contractors, to remove blockages etc.

Programme Group 3 was proposed by Councillor Ciaran O'Brien and seconded by Councillor John Byrne.

Programme Group 4 – Development Incentives & Control

Programme Group 4 was proposed by Councillor Anne Egan and seconded by Councillor Pat Vance.

Programme Group 5 – Environmental Protection

Programme Group 5 was proposed by Councillor John Byrne and seconded by Councillor Pat Vance.

Programme Group 6 – Recreation & Amenities

Programme Group 6 was proposed by Councillor Anne Egan and seconded by Councillor John McManus.

Programme Group 7 – Agriculture, Education, Health & Welfare

Programme Group 7 was proposed by Councillor John Byrne and seconded by Councillor Ciaran O'Brien.

Programme Group 8 – Miscellaneous Services

Programme Group 8 was proposed by Councillor Anne Egan and seconded by Councillor John McManus.

7. Reports and Recommendations

The Town Clerk informed the members of the judging of the Pride of Place to be held on 5th July 2007 in the Mass Centre in Fassaroe Estate. She further informed them that an exhibition by the Estate Development Committee in conjunction with the Local Authority, the Gardai and RAPID would be open from 1pm and light refreshments would be served, she requested the support of the councillors at this event.

Councillor John Byrne requested a report on the boundary wall at Glendale Drive, saying it was in very bad condition. He requested this report by September.

Florentine Centre

The Town Manager, Des O'Brien informed the members that a meeting was held with Ballymore Homes and that they are desirous of starting works in September. He added that not all the lands are in place and that Ballymore Homes have requested the assistance of Bray Town Council in this matter.

He stated that the use of CPO's to achieve the aims of the Development Plan for the Main Street may come into effect but that the Town Clerk will try to acquire the land by agreement first.

The members raised the following points:

- I welcome the agreement with Bray Town Council and Ballymore; can you tell us the start date and completion date?
- Well done to the Town Manager, he has done trojan work behind the scenes.
- Ballymore Homes – have they given cash money to the Council?
- There is a big problem with parking in Bray – traders have suffered. We need to prioritise this and provide as many spaces as possible.

The Town Manager, Des O'Brien responded

- Ballymore have told us that the shops will be open by Christmas 2009 and that they have businesses lined up for tenancy.
- Ballymore Homes have agreed a schedule of payments to the Council – half at signing of the contracts and half by October 2009, or completion – whichever is first.
- The issue of parking was addressed at the recent Rejuvenation Meeting.

Flood Defence Scheme

The Town Manager, Des O'Brien informed the members that Bray Town Council will be advertising the above mid month and that a public presentation of the Scheme will be towards the end of the month or early August.

He also stated that the submission will be with An Bord Pleanála by the end of the month and that Bray Town Council will want to enter into talks with people affected by the CPOs.

8. To Further Consider The Extinguishment Of The Public Right-Of-Way At Mountainview Drive

Councillor John Byrne proposed the above motion, as the correct processes had been observed and there were no objections. Councillor Anne Egan seconded the motion.

Suspension Of Standing Orders To Discuss The 2007 Programme for Road Surface Dressing

Councillor Pat Vance requested a Suspension of Standing Orders.

The members raised the following points in relation to the above works:

- Councillors need to be informed before these types of works take place.
- Using inferior surfaces – cheap tarmac with loose chippings.
- Not acceptable that we have this type of resurfacing.
- We are looking for trouble using this system.
- This method has failed before because of quality of materials.
- We need quality of works, not quantity.
- I want these works stopped and a re-evaluation done. They will cause mayhem.
- Loose chippings will damage other cars etc.
- This system is mainly used for country roads – it has never been used in housing estates in urban areas.
- Part of the problem is the ESB, Bord Gais etc digging up roads and not re-instating them in the proper manner, which leads to deterioration.
- I didn't know about these works until Councillor Vance requested Suspension of Standing Orders.
- Over the years the road works have always been of a good standard.
- Very concerned if a poorer quality of material used.
- Not acceptable.
- I'd like to hear what the Town Engineer has to say in relation to this before deciding.
- Cost cutting exercise.
- We might be saving money in the short term, but we have a lot of compensation claims.
- Can you tell me of an urban housing estate where this has been successful?
- Loose chippings/tar not acceptable.
- This protects the existing surface rather than replacing it.
- Can we put this on hold until assurances have been made?
- Councillors were expecting what was already there not this system.
- There are a lot of problems with contractors digging up roads and not replacing correctly.
- Need to re-evaluate.

The Cathaoirleach informed the members that she had met with the engineers in relation to this matter and this matter was discussed at the Monthly Meeting on 13th February and agreed by the councillors.

She stated that at the minutes of this meeting were proposed by John Brady and seconded by Deirdre de Burca. She also requested that the Engineers refer to the councillors if there is a change of materials used in works in the future.

She also stated that while the councillors agreed to these works they didn't know what surface was to be used and that the timing of the works was very bad as children are on their summer holidays.

The Town Engineer made the following points:

- The areas for works were listed out in February and it was indicated at this time that surface dressing would take place.
- We are using a different surface but it's serving a different purpose, not an inferior surface.
- This surface will exclude moisture from penetrating.
- It will increase the life of the load base.
- We were advised that surface dressing was required and we have no reason to dispute.
- This system is cheaper but not a cost cutting exercise – it's better value for money.
- Not certain that a full stop can be put to these works.
- I will revert with an example of this system being used in another urban area.

The members responded:

- When we approved this – we approved the works not the materials.
- We need to be 100% confident that this is a good system.

Councillor Pat Vance proposed that the works be halted until a report was issued. Councillor Deirdre de Burca seconded the motion.

The Town Engineer, Sean O'Neill agreed to this subject to contractual obligations already in place at this time i.e. a contractor has already been appointed as a result of the tender process.

The Cathaoirleach requested that this item be on the Agenda for the Monthly Meeting.

9. To Consider The Request For Taking In Charge Of Open Spaces At Herberton

The Town Engineer reported that further to the request from the residents of Herberton requesting taking in charge of open spaces that no objections were received. He added that the roads had been in charge since 2003.

He advised that under Section 11 of the Roads Act the next stage of the process is to advertise the taking in charge.

The members agreed to this.

10. Notices of Motion

As Councillor John Brady was not at the meeting, his Notices of Motion (numbers 252-253) were held off until the next meeting.

Councillor John Byrne requested that his Notice of Motion (number 256) be held off until the September meeting.

257. Notice of motion in the name of Councillors John Byrne, John McManus, Anne Egan and Anne Ferris (17/04/07)

"That the Council conducts a clean-up around the steps leading down to the River Dargle across the road from the Superquinn Shopping Centre as it is heavily littered and is an eyesore".

REPORT

A cleanup of the corner of the Peoples Park, opposite Superquinn Shopping Centre, was carried out towards the end of May. The council will also be assisting the Dargle Anglers and local residents to carry out a cleanup of the banks of the River Dargle during the last weekend in June.

Councillor Anne Egan remarked that this area was an on-going problem and needed to be cleaned up on a regular basis.

The Cathaoirleach commended Bray Lions Club on their clean up and remarked that Bray Town Council should clean up the area more often and not rely on others to do so.

258. Notice of motion in the name of Councillors Caroline Burrell, Deirdre de Burca and Ciaran O'Brien (17/04/07)

"That Bray Town Council is ready and able to deal with an outbreak of cryptosporidium if such a crisis in our water supply should occur. Are our water supplies adequate and clear of contamination? Particularly in relation to Giltspur and other reservoirs that we draw our water supply from".

REPORT

Bray Town Council only receives water treated by Dublin City Council. The possibility of contamination by cryptosporidium introduced in Giltspur reservoir or in the Bray Town network is extremely negligible.

Almost all instances of cryptosporidium contamination arise in an introduction into the raw water before treatment. A report issued by the Dublin City Council assistant City Manager was already circulated to members, which outlines the position in relation to Dublin City water supplies.

259. Notice of motion in the name of Councillors Caroline Burrell, Deirdre de Burca and Ciaran O'Brien (17/04/07)

"That Bray Town Council, in conjunction with other local authorities, draws up and implements a 5 year strategy, reviewed every 12 months, to ensure that our town impacts positively on Climate Change. This first 5 year strategy will run until the Kyoto deadline of 31st December 2012".

REPORT

The implementation of the proposals in this motion will involve the Council in expenditure, which is not currently available. However there is no inherent reason that the sentiment and the proposals be accepted in principle.

In order to draw up a strategy a benchmark of the current situation in relation to Council activities must first be established. The strategy must then be drawn up and agreed. A monitoring and measurement system then is required to be implemented in order to measure the outputs. It is proposed that this would be better tackled on a countrywide basis.

* * * *

Councillor Deirdre de Burca stated that the reason this Notice of Motion was submitted was to highlight the growing problem of climate change. She proposed that between the two MPCs, Bray Town Council introduce higher energy efficiency to new buildings and proposed that this be referred to the MPCs for discussion.

260. Notice of motion in the name of Councillor Brid Collins (17/04/2007)

“That Bray Town Council would extend the wall at Fairyhill / Killarney Road by a few feet and clean up the same area”.

REPORT

There was an area, near the entrance to the estate, that was recently cleaned up and shrubs cut back by the residents. The gathered rubbish was taken away by Bray Town Council by agreement. The front stone faced boundary wall of the estate could be extended along side the shrubbery bed for a distance of 6m as far as an existing eircom cabinet. This would cost in the region of €5500. There is no provision in this year’s budget for this work.

* * * *

Councillor Brid Collins requested the assistance of members in this motion.

11. Correspondence

The Town Clerk read out a Press Release from Wicklow Local Authorities Water & Environmental Services in relation to a survey on collection of household waste.

The members raised the following points:

- Why do Wicklow County Council want to do this survey in our area? We have private waste collectors.

The Town Clerk responded that it was an opportunity to get feedback from the public and to see if the ‘Reduce, Reuse, Recycle’ message was getting across. She added that the information would be quite useful to the Environmental Services Section of Wicklow County Council.

12. Any Other Business

It was decided to place the request for nominations to replace Deputy Joe Behan on the Finance Committee onto the Agenda for the next meeting.

The Cathaoirleach stated that the HSE in the midlands have brought in a new system whereby maps are placed outside local estates in order to enable emergency services vehicles to respond to emergency calls faster and remarked that she’d like to see a similar scheme implemented in Bray.

* * * *

This concluded the meeting.

Signed:

CATHAOIRLEACH

Signed:

TOWN CLERK

Dated:
