

Minutes of the Special Housing and Planning Meeting of Bray Town Council held in the Council Chamber, Town Hall, Bray on Tuesday 3rd November, 2009 at 7.30 p.m.

Present:

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

Also present:

- Mr. Des O'Brien, Director of Services**
- Mr. Sean O'Neill, Town Engineer**
- Ms. Triona Irving, Acting Town Clerk**

Apologies:

- Councillor Sarah Wray**
- Ms. Christine Flood, Town Clerk**

The Cathaoirleach, John Ryan opened the meeting by extending a Vote of Sympathy to the son, Mr. Anthony Franey, and granddaughter, Ms. Georgina Franey, of Mrs. Marjorie Franey, who had recently passed away. A minute's silence was observed, as a mark of respect.

The Cathaoirleach then informed the members that a request to suspend Standing Orders was received in order to discuss the flash flooding, which occurred at 36 Briarwood on the previous Sunday. The members agreed to Standing Orders being suspended at 8.45pm to allow time for discussion in advance of the Civic Reception, which was due to commence at 9.00pm.

1. Confirmation of Minutes of the Special Housing and Planning Meeting Dated 6th October, 2009

Councillor Ronan McManus proposed confirmation of the minutes of the Special Housing & Planning Meeting of 6th October, 2009 and Councillor Tracy O'Brien seconded the proposal.

2. To Consider The Housing Progress Report

The members raised the following points:

Vacant Houses

- Have we funds to repair and refurbish these houses?
- I asked for a report on the vacant houses in Fassaroe and was told that they would be occupied by September. I am concerned that these houses are still vacant. Number 8 Rowan Grove has been vacant for some time.

Schemes With The Department

- The Department have indicated that there will be no approval to build on the Kilbride Lane site in 2010. It seems that this Council sends letters to the Department and the Department sends letters back. In the meantime, nothing is being done. This is a deplorable response from the Department.
- A Project Appraisal was submitted on 6th May 2008 and we are still awaiting a response after one and a half years. There are 42 potential units up there and the housing list is growing.
- There is a surplus of unoccupied houses in this country. Buying the Kilbride site used up half the budget of the Housing Department.

Sutton Road/Dargle Road

- I have raised this matter before, and I wonder if anyone is listening to me. Things seem to have gone from bad to worse. The walkway from the Upper Dargle Road to James Everett Park/Roger Casement Park has been closed off. This is unfair to the residents. I was not made aware of this closure and nor were the residents. When will this walkway be reopened and when will the bank be reinstated?
- There is only one temporary light on the lane and it is still very dark. There are concerns regarding safety. Can this be followed up on?

Miscellaneous

- The report on Silverbridge Halting Site states that it is anticipated that the programme of repairs will be completed by mid-December. We must ensure that it is.
- I have raised this matter before; there are incidences of littering and dumping at the flowerbeds in Heatherwood, Ard na Greine and Deerpark. We should improve the area. It is unfair to ask people to live there.
- Council tenants have contacted me in regard to increases in their rents. Some rents have risen from less than €20 to €60 - €70 per week. I was under the impression that at the last estimates meeting that there would be no increases, or minor increases, if any. Our tenants are living on low incomes as it is. I will contact the Housing Officer in relation to this matter.
- The rent scheme is income related and was voted in by this Council. It is a progressive scheme. If your income goes up, your rent goes up. Rent is 8% of your income.
- With regard to Rent Allowance from the Community Welfare Office, the intended dwelling now needs to be inspected by an Environmental Health Officer. This is delaying the whole process. People are anxious to move into a new home and to have a landlord breathing down your neck for rent is stressful. I ask that Bray Town Council raise this matter with the Minister for Environment and the Minister for Health.
- I welcome that four houses have been identified for the NBA to carry out an inspection on and then issue a report regarding the Fire Safety Audit. I ask for a more thorough report for the next meeting regarding timeframes involved etc.
- This Council initiated maintenance of gas central heating boilers scheme. It now seems that there is no money for this. This is totally wrong. A lot of our tenants can't afford to maintain them themselves. This is a dangerous situation, we all know about carbon monoxide poisoning. There is an onus and obligation on Bray Town Council to allocate money to this. We need to ensure that people are safe.
- Has the snag list on Richmond Hill been completed and have the units been handed over to Bray Town Council yet?
- There is an issue with people's names being on the tenancy of homes. One individual left the family home 9 years ago and their name is still on the tenancy. He is living in another local authority area now and his name can't be removed from the tenancy in Bray. This should be removed. He is not on the Register of Electors and has not contributed to the rent for the past 9 years.

Triona Irving, A/Town Clerk informed the members of the following:

- We have funding for the vacant houses. In some instances, funding will be supplied 50% from the Department and 50% from the local authority.
- The direct labour crew from Wicklow County Council are working on the Silverbridge site. I am confident that works will be completed by mid December.
- I share the views of the members regarding the Kilbride site. The members approved the money that was borrowed to buy this site. We have been told that there will be no construction on this site in 2010. We will be ready to go to Part 8.
- The issue of the flowerbeds will be dealt with as soon as possible. I have spoken to the Senior Executive Engineer and the Parks Department in relation to this matter.
- Regarding the walkway, as far as I know, the residents or we were not informed. I will ask the Housing Engineer to talk to Councillor Grant.
- Regarding the Rent Allowance, we are happy to write to the Department on this matter.
- We should have more details for the HPR next month from the NBA regarding the houses in Oldcourt.
- It is estimated that it will cost €100,000 per year to service the gas boilers. We may service a percentage in year one and a percentage in year two, servicing could be over three years. I

have advised the Councillor that this matter will have to be looked at in the context of the Budget next year.

- Richmond Hill has not yet been handed over to Bray Town Council. I will talk to the Clerk of Works on this matter, as he has been working closely on this project.
- Regarding the Tenancy Agreements, problems arise if people vacate the house. If the tenant has the address of this person, we will formally write to them to ask them to relinquish the tenancy. Our legal advice is that we have to take this route. When the Community Cultural Social & Environmental Municipal Policy Committee is up and running, we can ask that they look at setting up a policy.
- Work has not started on 8 Rowan Grove, there were problems with the tender and we had to go to tender again. Some of the houses are nearly complete and the houses on this list [provided in Housing Progress Report] should be finished before Christmas and allocated.

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

- I don't think that we will get funding from the Department to build on the Kilbride Lane site. The lead time from obtaining a site and the handing over of keys has increased 3 – 4 years. We are fighting for this with the Department.
- The Department told us previously that we were not doing enough. We went ahead and CPOed sites. When you take this route, you pay over the odds. We had difficulty in getting them to give us the loan. It is very important that we have a site with planning permission so that we are ready to go when we get the funding.
- We won't be in a position to build next year. The Department want a say in the layout of the scheme, at which point we will then come to the members. Even if we get approval to build, it would not happen immediately.
- I visited Sutton Road after the last meeting. It seems to be a simple job and that the contractor is not delivering. The Housing Engineer is also concerned about this. He may need to visit the site every few days to keep on top of the contractor. This situation is not satisfactory. I have asked the Town Engineer and Housing Engineer to put pressure on the contractor.
- The Rent Scheme is income related and we haven't changed it. The fact remains, if your salary increases, your rent increases. Some people have made submissions regarding the increases and we will investigate them.

The members raised the following points:

- The problems in the Schemes with the Department are with the Department, not the officials.
- [Councillor John Brady] This is the wrong attitude to adopt – there is no money. I propose that we send a strongly worded letter to the Department on this matter.

3. To Consider Planning Matters

The A/Town Clerk reported that the following planning files were requested:

- 09/121 Councillor David Grant
- 09/130 Councillor John Brady

The members raised the following points:

Planning File Reference 09/121

- This could be considered a dual application as it involves Dun Laoghaire Rathdown also. It is for the Industrial Yarns site. Much of the application refers to the Dun Laoghaire Rathdown aspect of the site. This application is for a discount foodstore on the site.
- During discussions on the last Development Plan, we excluded this type of development on the Boghall Road. This application is outside our administrative boundary and will impact on our decision. We need to consider if a development on the fringes of the town is the right location for this type of store.
- I welcome this application. We don't have one [discount foodstore] in the town. It was very difficult to get Power City onto the Boghall Road and the problems that arose stopped Aldi going in. I believe that this store will be of a temporary nature i.e. until the Pizarro application is up and running. I'm disappointed that we won't be in receipt of any rates, but there is a need for it in the town. We should facilitate this.

- I welcome the addition of a discount food store, but I don't believe this is the ideal area. These type of locations tend to suck shoppers out of the town. I have concerns regarding traffic congestion also.
- I agree that we need a discount food store in the town. We need to find the best location for it.

Planning File Reference 09/130

- This is an application from SuperQuinn regarding the redesign of a supermarket that was approved by Bray Town Council over a year ago. There are major changes to this development. The residents of the Southern Cross Road have waited a long time for a supermarket. It looks like this will be a smaller unit. We should ask SuperQuinn for clarification regarding the shop in Little Bray.
- People believed this development wouldn't happen, but I am glad to see this application in.

Planning File Reference 09/93

- A further information request was sent out on this application. This is for a small development in Charnwood. All this person wants to do is open up their front garden so they can park their cars there. There are problems with non-residents parking all day there. The request for further information was due to the issue of ponding outside houses that are a number of houses away from this house. This issue has been there for 20 years or more. I would ask that the Council look at this application.

The members raised the following points:

- The Head Shop on the Main Street has caused a lot of concerns. I know an enforcement letter went out to them, but it is now open until 4am. A resident contacted me about their son who went into this shop after a few drinks and bought some items. These items are legal. There are no guidelines on them.
- Are they allowed to open this late?
- I am pleased that the site in Oldcourt Park has been placed on the Derelict Sites Register. The site has been cleaned, but the hoarding is poor. Only some windows have been boarded up. Bray Town Council need to follow up on this.
- No progress has been made regarding the taking in charge of estates. Some estates have been there for over 10 years. There is not a huge amount of planning applications, Bray Town Council could concentrate on this matter. The bonds are there for remedial works. Give this priority.
- I don't know if members are aware of this but there is a planning application due in regarding an amusement arcade on the Florence Road. This is an unsuitable area for a development like this.
- There are concerns also that the ex Royal Cinema may install slot machines.
- [Cathaoirleach John Ryan] I have asked the Planning Officer to have a look at this matter.

The A/Town Clerk informed the members of the following:

- The Head Shop has not put in a change of use application. It was always a shop. Unless they put opening times into their Planning Application, it is not a planning matter. I will look at the original application to see if they put opening times in or if we had a condition attached regarding opening times.

The Town Manager added that it will be investigated to see if any other legislation can be applied to this premises.

4. To Receive a Recommendation from the Protocol Committee Regarding the Structure of Future Council Meetings

Due to time constraints this Agenda item was not addressed. It was agreed to place it on the Agenda of the meeting of 1st December, 2009. The Cathaoirleach reminded the members that the next meeting of Bray Town Council, which falls on 10th November, will take the form of a workshop on the Town Development Plan. This meeting will take place in Civic Offices from 7.30pm.

5. To Receive Details of the Proposed Changes To The Bray Town Appointed Stands Byelaws Regarding the Provision Of A Night Time Taxi Rank on Strand Road

The Town Engineer informed the members that the details as circulated with the Agenda were for consideration by the members. It is proposed to amend the Byelaws in relation to existing taxi ranks. This process was initiated due to correspondence received from An Garda Síochána and taxi drivers.

The members raised the following points:

- I welcome this. I met with members of the Traffic Corps regarding this and safety concerns were raised. Previously the rank was near to Barracuda. This proposal regulates the rank and puts it onto a better and safer footing. Taxis have been stopping outside the pubs on the Strand Road and blocking the way. The area is bedlam at the weekends.
- It is unwise to go to public consultation. We need to look at this again. There would be strong opposition to this. The traders and residents will oppose this.
- I would prefer to refer this back to the officials and An Garda Síochána. I don't know if the provision of an island is wise. How many parking spaces will we lose to provide 13 bays?
- The situation on the Strand Road needs to be sorted out. To bring taxis to the proposed island does not make sense. I agree with the provision of 13 spaces on the eastern side. I ask for a larger stand at Barracuda and that the set down areas outside the premises be larger. We need to revisit this. I welcome the removal of the taxi rank on the Main Street.
- This is a great idea. Taxis have nowhere to park. To have the taxis outside the premises is a good idea, it will keep the area flowing.
- At the moment, there is a major danger of someone getting knocked over as vehicles are stopping in the middle of the road. This proposal provides for taxis only. Hackneys and mini buses are not mentioned. Please revisit this.
- What about the residents in the area? I have reservations regarding this but the problem has to be solved. I would prefer it if An Garda Síochána and the taxi drivers came to a meeting. The Municipal Policy Committee should look after this.
- I'm not sure about the island and am against moving the rank onto Sidmonton Road, a residential area.
- The residents are best served by having an efficient service. We need to get people off the streets as soon as possible. Having a rank in front of the pubs is not a ideal location. It is probably better and safer to have it at Barracuda. The drivers will not have to drive through the crowds.
- I'm not happy with the proposals. Having people cramming onto the road is not a good idea. Have a set down area on Sidmonton Avenue. The idea of a standing area at Barracuda is a good one. I am in favour of the removal of the taxi rank on the Main Street.

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

- We went to public consultation in 2006 regarding taxi stands. It was proposed to put a stand opposite the three pubs on the seafront. At the time An Garda Síochána advised us to move it northwards. This is the proposed location now.
- The Taxi Regulator has initiated consultation with councils regarding taxi ranks. The key requirements are: methods of managing demand for rank space, methods of assessing the need for rank space, guidance on best practice regarding taxi rank design and methods of ensuring ranks operate efficiently and safely. This report is due at the end of 2009. Guidelines will be produced on foot of this report.
- We suggested the provision of an island due to cars being on the 'wrong' side of the road [to the pubs].
- There are no problems in discussing this matter with An Garda Síochána further. We will take into account hackneys/mini buses, drop off points etc. This won't be ready in time for Christmas. The public consultation period is 6 weeks.

The members raised the following points:

- [Councillor John Brady] I propose that we go to public consultation on this, and make any amendments then. These are recommendations by An Garda Síochána and the taxi drivers. We need to get people off the seafront quickly.
- [Councillor Rossa Murray] I second the proposal.

- [Councillor Mick Glynn] I propose that we go to public consultation minus the provision of an island.

As there was no seconder for Councillor Glynn's proposal, the A/Town Clerk called for a vote on the proposals, as presented.

The members voted in the following manner:

To Go To Public Consultation As Per Proposals Presented

	For	Against
Councillor John Brady	✓	✓
Councillor John Byrne		✓
Councillor Eugene Finnegan		✓
Councillor Mick Glynn		✓
Councillor David Grant		✓
Councillor Ronan McManus		✓
Councillor Rossa Murray	✓	✓
Councillor Ciaran O'Brien		✓
Councillor Tracy O'Brien		✓
Councillor John Ryan		✓
Councillor Pat Vance		✓
Councillor Sarah Wray	<i>Absent</i>	<i>Absent</i>
Total	2	9

Councillor Pat Vance suggested that future proposals on this matter go to the MPC before being brought to the full Council. The members agreed with this.

Suspension of Standing Orders

Councillor Glynn informed the members that he had received correspondence in relation to flash flooding in Briarwood. He stated that the problem seemed to be a blocked water drain and that the residents of Briarwood and Headlands are looking to Bray Town Council to take their estates in charge. He asked the Town Engineer for a report on the matter and stated that if the problems experienced are due to the developer, a demand on the bonds in place should be initiated in order to rectify the problem.

The members raised the following points:

- This needs to be dealt with, with the utmost urgency. Remedial works need to be carried out. The standing reasons what we have been given are that it's not in Bray Town Council's area, not in Bray Town Council's charge and on private land.
- There is a bond of €250,000 with Bray Town Council that can be used to rectify this. We should do the works needed and take the estate in charge. The residents have consulted with an engineer. The Council should be responsible for drainage.
- We need to agree how to solve this. We also need to look at the Boghall Road, Newcourt Road and the Golf Club in the long term.
- These problems have been going on since Briarwood was built. The pipe behind the first house clogs up. Water runs off Bray Head and the Golf Club. Briarwood was never taken in charge as numbers 1 and 2 have always flooded.
- This is a major problem and a cause for concern. The developer has done nothing about this. The pipe is on Lord Meath's land. We need to carry out remedial works and to get McInerney's involved. The Golf Club and Wicklow County Council need to get involved too. Wicklow County Council is responsible for drainage on the road, as it is in their administrative area.
- A 999 call was placed early on Sunday morning and there was no response after one hour from the emergency services. What happened to this emergency call? Why was it not acted upon?

- Bray Town Council sent a contractor out later, who went to the area where there was no flood. This response was inadequate. There is an immediate and clear danger to houses in the area. Bray Town Council need to address this. There is a threat to safety and lives. Works have to be carried out as soon as possible.
- The engineers from Bray Town Council and Wicklow County Council should team up on this matter. I ask that the conditions attached to the planning permission be looked at as I don't believe that they have been fulfilled.
- Before these houses were built there was a history of flooding in the area. Bray Town Council refused permission for these and it was subsequently granted by An Bord Pleanála. This is not the first and it won't be the last time that these houses have flooded.
- Putland Villas also experienced similar problems. I ask that it be looked at in conjunction with Briarwood.

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

- Flooding in Briarwood has occurred on a number of occasions. This is due to water flowing from the golf course is not following the course of the stream. On this occasion, the water stayed in the stream up as far as number 36. There were rubbish bags in the stream at this point and they stopped the water flowing. The pipe goes over private land and Lord Meath's land.
- Briarwood was granted planning permission by An Bord Pleanála. There is no bond in place from the developer.
- There is a legal case being undertaken at the moment in regard to flooding in the area. A meeting is due to be convened tomorrow, the outcome of which I can't anticipate.
- The town boundary for Bray is at Briarwood. We will consult with Wicklow County Council. I have made an application for funding regarding the watercourse flooding which affects Headlands and Putland Road.
- [Cathaoirleach John Ryan] I am surprised that there is no bond in place.
- From the reading of the file, a financial contribution was to be lodged by the developer. An Bord Pleanála determined that €200,000 was to be given for the construction of the roundabout. No money was lodged with Bray Town Council.

The responded:

- I ask that the planning permission conditions for the Golf Club be looked at.
- I ask that Mr. O'Neill organise a meeting with Lord Meath, Wicklow County Council, the Golf Club and McInerney's.
- The golf club will have the foremost drainage expert in the country available to them.
- I ask that the Resident's Association be represented at this meeting also.

6. Reports and Recommendations

Due to time constraints, Reports & Recommendations were not addressed.

7. Notices of Motion

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

8. Correspondence

Due to time constraints, Correspondence was not addressed.

9. Any Other Business

The Cathaoirleach informed the members of an Economic Think Tank meeting that had taken place in the Golf Club the previous Thursday. It was a very successful meeting and the terms of reference will come before Bray Town Council in March. He thanked the members for their help in getting this established.

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There then followed a brief adjournment, after which the Lord Mayor of Wurzburg, George Rosenthal addressed the meeting.

Herr Rosenthal and his delegation are visiting Ireland to celebrate 10 years of twinning with Bray and County Wicklow.

Herr Rosenthal thanked the officials and members of Bray Town Council and Wicklow County Council, along with the members of the Twinning Committee for making their trip a very memorable and successful one.

The Cathaoirleach welcomed the delegation to the meeting and wished them an enjoyable stay for the rest of their trip. The Leas Cathaoirleach, Councillor David Grant, then addressed the delegation in their native language, which was very well received by the German delegation.

The members then joined in welcoming the delegation from Germany to Bray and County Wicklow.

Herr Rosenthal and the Cathaoirleach, John Ryan then exchanged gifts on behalf of their respective councils. The Cathaoirleach then invited all present to adjourn to the Robing Room for light refreshments.

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This concluded the meeting.

Signed: _____
CATHAOIRLEACH

Signed: _____
TOWN CLERK

Dated: _____