

Minutes of the Special Housing and Planning Meeting of Bray Town Council held in the Council Chamber, Town Hall, Bray on Tuesday 1st December, 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
Councillor Sarah Wray

Also present:
Mr. Des O'Brien, Director of Services
Ms. Christine Flood, Town Clerk
Mr. Sean O'Neill, Town Engineer
Ms. Triona Irving, Administrative Officer
Mr. Stephen Fox, Executive Engineer
Ms. Aisling McDonnell, Assistant Planner

1. Confirmation of Minutes of the Special Housing and Planning Meeting Dated 3rd November, 2009

Councillor John Byrne proposed confirmation of the minutes of the Special Housing & Planning Meeting of 3rd November 2009 and Councillor Mick Glynn seconded the proposal.

Councillor David Grant, Councillor Ciaran O'Brien and Councillor Pat Vance extended a Vote of Sympathy to the families of Mr. Noel Stevenson, Mr. John Connor and Ms. Jean McKeown respectively who had recently passed away. A minute's silence was observed, as a mark of respect.

Disposal of Fee Simple Interest in 21 Roger Casement Park, Bray, in accordance with Statutory Notice

It was proposed by Councillor Pat Vance and seconded by Councillor Tracy O'Brien to proceed with the disposal of Fee Simple Interest in 21 Roger Casement Park, Bray, in accordance with Statutory Notice.

2. To Consider The Housing Progress Report

The members raised the following points:

Cedar Court

- Received complaints of dampness in some houses.
- What is the status of the unused site across from the depot?
- Infill housing would be ideal for this site, if it is our property.
- This estate only opened in 2007. Recommend that the council take any available money from the National Building Agency and acquire a developer to rectify and outstanding problems.
- Can we get an up to date report on all problems and can a letter be sent to the N.B.A.?
- A lot of residents have no gardens here and were wondering if the unused land could be made into a communal garden?

Deerpark, Heatherwood, Ard na Greine and Whiteoaks

- Is there any forum or estate management committee dealing with these estates?

Fire Safety Audit

- Concerns over timeframe.
- Can we ask the National Building Agency (N.B.A) how long they will have control over the four houses in Oldcourt in relation to the audit?

Giltspur Heights

- The playground in Giltspur Heights has been out of action for six months. What is the status on this?
- Can we get a definitive report?

Richmond Hill

- Similar problems to Cedar Court.
- Also lot of problems in houses.
- Light outside shop is not working. Can we get this fixed?

Sutton Villas

- Can we put temporary lighting up the laneway? Last month it was stated that the council would look into this.
- Can the footpath and grass bank works be completed and made ready for seeding? This is currently unsteady and falling onto the footpath.
- Can a cul de sac sign be erected also as cars are driving in and do not realise there is no through road?
- Can fencing be erected?

Stephen Fox, Executive Engineer informed the members of the following:

- It is not possible to put temporary lighting (in Sutton Villas) with rechargeable battery packs.
- With regard to the footpath, the installation of sewers was completed last week. We are due to meet with the contractors next week.

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

- We will look into the possibility of doing a project appraisal on Cedar Court and see if the Department are in favour.
- The RAPID co-ordinator is hoping to have a new committee up and running by January for Deerpark, Heatherwood, Ard na Greine and Whiteoaks.
- With regard to the Fire Safety Audit, we don't have a definitive date as yet. As soon as we have definite dates we will deal with this.
- We will speak to the Clerk of Works regarding the issue raised regarding Richmond Hill.

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

- We are aware of dampness in one or two apartments in Cedar Court. There is a disagreement over whether this is because of a design issue or a construction issue. We will call the N.B.A. back in.

The members agreed to a project appraisal for Cedar Court as stated by Triona Irving.

3. To Consider Planning Matters

The members raised the following points:

Planning File Reference 09/131

- This is totally out of character with the area.
- This will cause serious repercussions if it goes ahead.
- We do not want an amusement arcade in the middle of the town.
- As a council we have been very successful in the past of restricting gaming. We have enough areas for gaming and our restrictive policy has worked well.
- Our zoning does not allow this and that will go against it.
- This may be something that needs to be addressed as part of our Town Development Plan.
- These types of applications should be curtailed by zoning restrictions.

Planning File Reference 09/133

- Totally reject the request for the time factor to be increased.

Planning File Reference 09/134

- Councillor David Grant proposed and Councillor John Ryan seconded that this site is cleaned and that the council takes whatever action is necessary.

Triona Irving, Administrative Officer informed the members that Avondale Park is already on the derelict sites list.

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

It was decided to address this item after item number 6 on the Agenda but for ease of reading, these minutes follow the layout of the Agenda as circulated.

The Town Clerk, Christine Flood informed the members of the proposals regarding the structure of future council meetings as per her report, which was circulated with the Agenda.

The members raised the following points:

- We are cutting our meetings by 25 %. In the current climate we should be having more meetings.
- Ward meetings – totally opposed to this. We represent everyone in the town and it is inappropriate to exclude some members with meetings.
- We should consider this. We do need to look at the structure. We should try it for a period and then review.
- The current system has practically failed so I think we should give this a try. Change is a good thing.
- The main thing is that we get through our statutory business.
- This is a good idea but a timeframe would need to be placed on it.
- The climate is wrong for change at the moment. Maybe we review this in a year's time.
- It is not a case of 25% less work.

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

- The frequency of other meetings is increasing, new committees have been formed in the last number of years, such as the Joint Policing Committee, the Litter Task Force and the new Local Policing Forum, in addition members attend a wide range of other committees such as the Retailers Group, the Yes We Can Committee etc.
- Ward meetings – it might suit to have onsite meetings, to deal with very localised issues which might not be of interest to all members.
- Most local authorities have only one council meeting per month, it would seem that we have the highest number of council meetings in the country.

The Town Clerk called for a vote and the Councillors voted in the following manner:

To Adopt The Proposed New Format of Council Meetings As Per Town Clerk's Report & Recommendation From The Protocol Committee

	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	✓	
Total	9	2

* Councillor Ciaran O'Brien had left the meeting by the time the vote was called for.

5. To Discuss The Manager's Report With Regard To The Draft Town Development Plan

Stephen Fox, Executive Engineer read the following report out to the members:

The review of the Bray Development Plan commenced on 5th May 2009, with the publication of a notice inviting written submissions on the draft plan within an 8 week period ending Friday 3rd July.

To better inform people of the process and the issues involved an 'Issues Paper' was published in conjunction with two public meetings held on the 16th and 25th June, 2009. On expiry of the eight-week period, some 29 submissions had been received from members of the public, community groups, businesses and organisations.

The Managers Report on these submissions issued to Councillors at the beginning of September 2009. It summarised the issues raised and set t the opinion and recommendation of the manager taking account of the proper planning and sustainable development of the area and the statutory obligations of the local authority.

It is considered that the existing Plan has worked well. Therefore it is not proposed that it be re-written, but instead that it be updated to reflect changes in legislation, guidelines, and social and environmental changes that have taken place in the intervening years.

There are a number of areas that have been identified:

Boghall Road – facilitate factory outlets, Seafront, Harbour Area, Bray Station and the Main Street.

The members raised the following points:

- Would ask that employment be kept in mind when doing this plan.
- Site across from DART station is not a nice sight. Can we look at this?

Main Street

- We need to do whatever we can to develop retail
- Can we take a fresh look at the heights of buildings?
- We should provide for ducting along the Main Street also

Old Health Centre

- Anxious that we put something strong into the plan relating to the Old Health Centre (The Orchard). This site should be zoned for health and welfare.
- Car parking should also be included.
- Appropriate to touch base with the Health Service Executive (H.S.E) to see if they have applied for funding.

Boghall Road

- We should look at ICT, green technology, bio technology and nano technology for this area.
- We need to take a more cohesive approach
- I would be opposed to any additional residential development here

Recycling Centre

- We are currently renting a recycling centre. This is unsatisfactory.
- We should be looking for a permanent site.

Cemetery

- Our current Springfield cemetery only has a life expectancy of four to five years left. We should be looking for new sites.

Ardmore Film Studios

- Need to strengthen this for the future and keep within the plan.

Tesco, Vevay Road

- Totally against Tesco getting any increase in height.
- Can the manager take a fresh look at height restrictions for planning in Bray?

Seafront / Harbour

- The council tried to do something with this approximately five years ago and it did not work.
- The state of the harbour at present is a disgrace.
- There are a lot of prospects for tourism here. Maybe the old dump could be re-developed.
- Outdoor pursuits, this was incorporated into the last Development Plan so maybe we could follow this up.
- We need to be careful to keep a certain amount of open space around the Aquarium.
- I am strongly opposed to any development on the east side of the promenade.

Houses along east side of Killarney Road as far as Roslyn estate

- Can Bray Town Council increase zoning to include these large properties as far as Roslyn estate?
- The issue in Bray is not that we do not have enough room.
- Not everyone agrees with zoning these houses.

Miscellaneous

- Can a detailed flood scheme be incorporated into the Development Plan?
- We need to take climate change into consideration
- We should make provision for drainage around Bray Head
- Could we look at zoning at Rehills land? A small stadium or permanent ice rink would be perfect here.
- We need to examine listed buildings and protected structures; the last plan went over the top.

The Cathaoirleach, Councillor John Ryan stated that he is on a H.S.E committee and that he will raise the concerns at the next meeting regarding the Orchard Health Centre.

Stephen Fox, Executive Engineer informed the members of the following:

- The planning department are aware of everything you have raised.
- We will look at other alternative ideas when doing the revised plan.
- Possibility of the extension of town boundaries?

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

- Under the Regional Planning Guidelines Bray is classed as a Metropolitan Consolidation Town, which is the highest growth category within the metropolitan area.
- The projected population capacity is between 40,000 and 100,000
- It is important to retain the character of the town
- Any amount of development can be justified from a Town Council point of view.
- I agree with members regarding emphasis for employment for the town.
- The Boghall Road buildings are tired. We need thinking caps on regarding this but we will revert to you.
- I hear your views regarding the Old Health centre.
- We will try to put in stronger guidelines regarding restrictions on amusements.
- We will try to put a strong emphasis on maintaining Ardmore Film Studios.
- It is very important that the Main Street is supported so I do not think we will be granting exactly what Tesco are looking for regarding height.
- We have taken the issue of flooding on board; this has come a long way since the last Plan.
- With regard to the harbour, it turned out the previous report we received never stacked up financially. We could not afford to purchase buildings down here and we can't borrow money or be partners to purchase. Anything we do will have to be in concert with someone with adequate financing.
- It is understood that you are against building on open space around the Aquarium building.
- Unless someone wants to come in with amenities for Rehills land and is willing to fund this we will have to leave it as is in the plan.
- I take your points regarding the Recycling Centre.
- We will go through the whole list of protected structures.
- Planning permission has been granted at the site at the DART station but I'm not sure what we can do.
- We put an extension of town boundaries in the last plan. There are limited resources in the Town Council as we had looked at extending before. The flood scheme is central at the moment and after that we will be concentrating on the Golf Club lands development.

6. Reports and Recommendations

Boardwalk to Beach

The Town Engineer, Sean O' Neill had circulated the following report to the members:

I refer to previous requests and reports in relation to the provision of improved access for disabled people to Bray beach.

Technical staff in Bray Town Council considers that some form of matting might be appropriate to provide limited access to the shingle area but it would appear from discussions among members at previous meeting that this might be considered insufficient.

Bray Town Council technical staff has limited experience in marine engineering and it is recommended in view of the considerable wave action recently on the beach that it is prudent to engage a consultant to provide a report on the most suitable approach to be taken to tackle this issue.

The members raised the following points:

- Can we also see if the Department of the Marine would offer funding?
- Totally against paying any consultant fees.
- Could a report be issued to all members?

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

- We had submitted an application for funding for coast protection, to the Department of the Marine on two consecutive years.
- The OPW have taken over the role of the Department of the Marine in relation to coast protection. We will certainly make an application to the O.P.W. We have been working positively with the O.P.W. in relation to the flood scheme and have also raised the matter of coast protection at these meetings.

Update on Flooding/Drainage

The Town Engineer, Sean O' Neill had circulated the following report to the members:

Members were informed at the meeting of 13th October that an application had been made to the O.P.W. for funding in relation to improvement works in south Bray.

On 27th October the O.P.W. indicated to Wicklow County Council that funding had been approved to carry out works on the stream at the Boghall Cottages.

Bray Town Council had indicated that the estimate of funding required was of the order of €200,000 and a grant of € 180,000 has been conditionally approved.

The conditions are that the funding must be substantially expended in 2009 in compliance with all procurement procedures and health and safety requirements.

Design work has been ongoing and it has been decided to carry out the works by Wicklow County Council direct labour and sub-contractors as procuring the carrying out of the works by contract is not possible in 2009.

It is proposed to lay an additional pipe from the Deerpark Road / Boghall Road junction to the Swan River (this entails sewer diversions and there are a lot of services in the location).

It is also proposed to increase the capacity of the stream from the junction of the Würzburg. Road / Boghall Road as far as the end of the open stream.

The members raised the following points:

- I have concerns regarding the flooding that occurs in Oldcourt Avenue.
- I welcome these grants. Will Schering Plough be carrying out their own works?
- Will work be needed to contain the stream in front of the Boghall cottages?

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

- There is a lack of benefits to Oldcourt Avenue.
- We will be relaying sewer pipe in the vicinity of Mountainview and Deerpark. From approximately 50m there will be more capacity in the sewer pipe.
- It is hoped that less water will be escaping from the stream because of these works.
- It is possible that Oldcourt Avenue may need more work in the future.

7. Notices of Motion

421. Notice of Motion In The Name of Councillors Sarah Wray, Mick Glynn & John Ryan (01/09/09)

That Bray Town Council would place a permanent surface on the rough area between the changing rooms and the football pitches, in Ballywaltrim Recreational Park to allow access for emergency vehicles.

Report

The council will regrade and resurface access to football pitches at the earliest opportunity.

The members raised the following points:

- Can this be done as soon as possible?

NOM 422 addressed at Special Housing & Planning Meeting of 6th October, 2009.

423. Notice of Motion In The Name of Councillors Sarah Wray, Mick Glynn & John Ryan (01/09/09)

That Bray Town Council would reinforce the law in relation to dog fouling in public areas and provide bins for dog owners, to prevent the fouling of the playing pitches and paths in Ballywaltrim Park.

Report

The council have inadequate staff to provide any further enforcement. A particular issue in relation to dog fouling is the problem of identifying the dog and their owner. If a national scheme requiring the micro chipping of all dogs is introduced, our wardens could be equipped with scanners to identify the dogs. Additional bins only benefit dog owners that are already compliant with the law.

The Town Clerk suggested writing to the Department of the Environment, Heritage and Local Government regarding provision of a national scheme and the members raised the following points:

- I agree with the proposal to write to the Department. Can the council maybe copy Dun Laoghaire Rathdown's method and use more signs in parks etc. There are a lot of health issues here.

424. Notice of Motion In The Name of Councillors Sarah Wray, Mick Glynn & John Ryan (01/09/09)

That Bray Town Council would undertake the provision of programmes of assistance and training to residents groups for litter and graffiti removal.

Report

We have contacted suppliers of graffiti removal products regarding demonstrating their products to residents. A training/demonstration session will be organised and appropriate products provided to the groups afterwards.

The members raised the following points:

- This is very welcome.
- There is very offensive graffiti on the dressing rooms in the Peoples Park. Can this be removed?

425. Notice of Motion In The Name of Councillors John Byrne, Tracy O'Brien & Ronan McManus (08/09/09)

That the Council extend the public footpath on the Killarney Road (east side) from Ripley Hills to Oldcourt Park Road.

Report

Approximately 100m of footpath is missing on the east side of Killarney Road between the Junctions of Ripley Hills and Oldcourt Park Road.

The land ownership in this area is in disputed and the council did initiate CPO procedures in relation to the land required for road improvements.

Due to a lack of security of funding at the time the procedures were not followed through at the time when land values were at their highest.

In order to complete the works suggested the CPO procedures will have to re initiated at this juncture.

It is proposed that a cycle lane would be incorporated into any improvement works at this location as far east as the opposite the junction with the Fairy Hill estate entrance.

The cost of construction works would be of the order of €50,000 (exclusive of land compensation costs) and the works would qualify for funding under the development levy scheme funds.

The members raised the following points:

- There is a need for a footpath. It is the policy of this council to provide footpaths were needed. We need to pursue this.
- Can the council re-instate the cycle lane from Elgin Heights to Kilbride Lane?
- Has there been any requests made for funding?

8. Correspondence

Letter From Railway Procurement Agency

The Town Clerk read a letter out regarding the above. This letter was circulated to the members via email.

The letter stated: "...The programme for implementation of Transport 21 was based on certain assumptions about economic growth and the availability of Exchequer funding for public transport....In recent months, the Minister for Transport has indicated that the reduced Exchequer funding available for transport infrastructure requires prioritisation of certain investments and that Metro North and the Iarnród Éireann DART Underground are receiving priority over other projects at the planning stage. For this reason, the Exchequer funding required to implement Luas B2 (Bray) by 2015 will not be available within that time frame.

The Minister has authorised RPA to continue with planning and design work for Transport 21 projects, to be delivered in the medium term.....While RPA will not be progressing the Railway Order application and design in coming months, it is intended that when staff resources now dedicated to other projects become available, most likely within two years, work will resume on finalising the design and preparation of a Railway Order for Luas B2 (Bray).....

....RPA appreciates the strong support offered by Bray Town Council in bringing plans for Luas B2 (Bray) to this stage of planning and we look forward to continuing co-operation in ensuring that the project is delivered, even if over a longer period of time."

Pizarro Developments Golf Club Application

The Town Clerk informed the members that Pizarro Developments have received an additional information request from An Bord Pleanála in relation to the Golf Club application.

The members raised the following points:

- Has the further information from the council been forwarded?

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

- We are confident at what we have resubmitted to An Bord Pleanála. The developer still has to contribute some information.

9. Any Other Business

Request from Bray Chamber and Bray Retailers

The President of Bray Chamber, John Nolan made a formal request on behalf of Bray Chamber and Bray Retailers that free car parking is provided at the Herbert Road and Florence Road Car parks on each Saturday in December 2009.

The members agreed to the request and raised the following points:

- Can signage be erected coming into the town informing of this?
- There is a very unfair policy of clamping in the surface car park in Civic Offices.
- Can the council write to Newlyn Developments on behalf of the members regarding this situation?

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

- We have written numerous emails regarding the clamping but we will write again on behalf of the members.

Deepdales

The members raised the following points:

- There is a lot of water flowing down from Giltspur. This could be very serious in future with landslides etc.

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

- We are aware of the situation at Deepdales.

- We are not sure of where the water is coming from and where it is ending up.
- I have seen nothing traversing Giltspur Lane but this is under jurisdiction of Wicklow County Council. We will pass all concerns onto Wicklow County Council.

Joint Policing Committee

The members raised the following points:

- I am astonished there have been no meetings yet.
- Are we looking for new members?

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

- Apologies for the delay in organising meetings but this is due to changeover issues. We are hoping to have the first meeting early next year.
- All existing members will be re-nominated back onto the committee.

Naming of the Wurzburg Road

The members raised the following points:

- What is the correct manner when naming a road?
- The residents of Cedar Court were upset at not having any input into the consultation of the name of the road.
- This was discussed at a Protocol Meeting and is in the minutes. The delegation from Wurzburg stated that their local authority had named a road 'The Wicklow Way' and that this was circulated to all members. There was no name of the road in Bray. It was considered appropriate that the road off Schools Road be named, due to its proximity to St Killian's School.

The Town Clerk, Christine Flood informed the members that there is no formal procedure for the naming of existing roads by the local authority.

Cloverhill / Herbert Park

The members raised the following points:

- Due to heavy rains leaves have gathered and blocked gullies up here. Could the Town Engineer arrange for the suction sweeper to attend to these areas?

Estimates Meeting

The members raised the following points:

- When is the proposed date for the estimates meeting?

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

- The 12th January 2010 is the proposed date. The statutory period allows meetings to be held up to the 15th January 2010.
- It is also suggested that the next meeting on the 8th December 2009 take the form of a strategic meeting to discuss the issues of Traffic and Parking in the town.

* * * *

This concluded the meeting.

Signed: _____
CATHAOIRLEACH

Signed: _____
TOWN CLERK

Dated: _____