

Minutes of Special Housing and Planning Meeting of Bray Town Council held in the Council Chamber, Town Hall, Bray on Tuesday 4th October 2005 at 7.30 p.m.

Present: Councillor Déirdre De Búrca, Cathaoirleach
Councillor Joe Behan
Councillor John Brady
Councillor Caroline Burrell
Councillor John Byrne
Councillor Bríd Collins
Councillor Anne Egan
Councillor Anne Ferris
Councillor John McManus
Councillor Ciaran O'Brien
Councillor Pat Vance

Apologies: Councillor David Grant

Also present: Mr. Des O'Brien, Director of Services
Ms. Triona Irving, Acting Town Clerk
Mr. Sean O'Neill, Town Engineer
Ms. Joan Kavanagh, Acting Administrative Officer
Mr. Stephen Fox, Executive Engineer
Ms. Leah Feehily, Graduate Planner

1. Confirmation of Minutes of the Special Housing and Planning Meeting dated 5th July 2005.

It was proposed by Councillor Ciaran O'Brien and seconded by Councillor Bríd Collins and unanimously agreed to confirm and adopt the minutes of the Special Housing and Planning Meeting dated 6th September 2005.

2. To receive a deputation from the SWAP group

The Cathaoirleach, Councillor Deirdre De Burca welcomed the three person delegation representing SWAP.

The main points raised by the delegation were:

- The Golf Club Lands should be re-zoned for recreational use only,
- Flood Protection Works be carried out,
- That the River Dargle be re-developed as an amenity for all residents of Bray.

The delegation were thanked for their presentation by all Members of Bray Town Council.

The Members then raised the following points:

- This is a proposal to vary the Bray Development Plan 2005-2011.
- Well aware of the concerns of the residents in the Little Bray area as regards flooding.
- Opposed to any development that would endanger the lives and properties of the people who live in the flood plain of the river.
- Referred to the safeguards in the Bray Development Plan 2005-2011: on page 132 read as follows:

No development shall be permitted at any location on the Golf Club Lands until the Council and the Office of Public Works are entirely satisfied that all lands throughout the town, that are located in the proximity to the riverbank, are not put at a new or increased risk from potential flooding associated with the development of the Golf Club lands;

Before there is any development on the Golf Club Lands Bray Town Council shall obtain its own expert advice from a competent hydrologist and other experts and from the Office of Public Works and permission on the said site shall not be granted unless all reports indicate that the land is suitable for development.

- Await hydrologist's report and report from Office of Public Works.
- Noted that no funding was available from Central Government in the last 19 years for flood protection works, Bray is not seen as a priority.
- Developer to carry out flood protection works which would give greater protection to the people of Little Bray.
- Flood protection be carried out prior to commencement of development.
- Residents to be fully consulted.
- Rezoning of lands would let the developers off the hook.
- Reference made to the Integrated Area Action Plan and Golf Club Plan prepared by Brady Shipman Martin.
- Development in contradiction of best practise of not building on a flood plain.
- Climate change of the future should be taken into account.
- High density development at Golf Club Lands cannot be achieved without additional risk of flooding.
- Felt that planning application dealt inadequately with the flooding issue.
- The open space was largely confined to the Dun Laoghaire / Rathdown portion of the site and not where Bray Town Council indicated in the Development Plan.
- The issue of the overshadowing of the houses in Dwyer Park was not dealt with in the application.
- The mix of residential, commercial and retail was not as proposed in the Development Plan.
- The extra traffic was very inadequately catered for and in particular, the proposal to make the Sunnybank Junction and the Upper Dargle Road the main entrance to the retail and commercial part of the development.
- Planning decision is likely to be appealed to An Bord Pleanala.
- Welcomed the provision of sites for schools, sports facilities and open space.
- In favour of social and affordable housing units.
- Integration of new Town Centre with existing town centre.
- In favour of extra/retail shopping outlets together with the prospect of additional employment for residents of Bray.

The delegation responded as follows to the issues/concerns raised by the Members of the Council:

- Queried what works were currently being carried out by the developer at the Dargle River?
- The developer will only pay for works if development proceeds as per planning application.
- Minister Dick Roche should make money available for flood protection works.
- If development is carried out on the flood plain, the river has nowhere to go except to flow back into homes and land in Little Bray area.
- Concerned that they will have to fight against every application made to develop these lands if the land is not rezoned
- People of Bray should not be beholden to developers.

The Cathaoirleach thanked the delegation for attending the meeting.

The following motion to vary the Bray Development Plan 2005-2011 was proposed by Councillor John Brady and seconded by Councillor Ciaran O'Brien:

“That this Council prepare a variation to the Bray Development Plan 2005-2011. The proposed variation relates to Chapter 14 of the Development Plan entitled Bray Golf Club Lands Area Action Plan.

The variation will see 3.5 ha or 8.6 acres of land in Zone 2: zoned as Open Space and Community, swapped with the low lying area of the Golf Club Land which is adjacent to the River Dargle and is regarded as a flood plain, this land is currently in Zone 1 and is zoned Town Centre use.”

The Town Manager responded by stating that the process of carrying out a variation to the Development Plan was a complex one and referred to Section 13 of the Planning & Development Act 2000.

A number of Members questioned the legality of taking a vote on this motion.

The A/Town Clerk said she would refer the matter to the Council's Law Agent and advise the Members at the next meeting.

Councillor Deirdre De Burca stated that she had checked the standing orders and that there was no legal reason why the motion could not be accepted and voted on.

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The matter was voted upon as follows: -

	FOR	AGAINST
Councillor Joe Behan		✓
Councillor John Brady	✓	
Councillor Caroline Burrell	✓	
Councillor John Byrne		✓
Councillor Bríd Collins		✓
Councillor Déirdre De Búrca	✓	
Councillor Anne Egan		✓
Councillor Anne Ferris		✓
Councillor David Grant	Absent	Absent
Councillor John McManus		✓
Councillor Ciaran O'Brien	✓	
Councillor Pat Vance		✓
Total	4	7

With 4 votes for and 7 against the proposal was defeated.

A number of Councillors advised that as per the Standing Order numbers 29 and 30:

29. *A motion to revoke or amend a resolution of the Council can only be made on notice inserted in the Agenda, and such notice shall specify the resolution to be revoked or amended and furnish the terms of the motion to be made; but no such motion shall be allowed to appear on the Agenda to revoke or amend any resolution of Council within six (6) months of the date of the adoption of such resolution except with the written assent of not less than four (4) members of the Council. A resolution may not be revoked at the Meeting at which it has been adopted.*

It shall be necessary for adoption of a motion to revoke or amend a resolution of the Council that not less than two-thirds (2/3) of members [being not less than one-half (1/2) of the total number of members of the Council] vote in favour and subject to statutory requirements.

30. *Subject to Standing Order 29 any matter decided by the Council by Notice on Motion or on the report of a committee shall not be re-opened within six (6) months of the date of such decision.*

3. Reports and Recommendations

The Acting Town Clerk circulated the following report prepared by the Town Engineer:

Fire Hydrants

To date, the testing of fire hydrants has not been tackled in a co-ordinated manner in Bray.

Testing has been carried out by the Fire Service as part of fire drills but this has not been part of any systematic programme.

Testing has also been carried out by the Town Council as part of general maintenance but this was not on a systematic basis either.

The Council officials have agreed to put a programme in place to check all fire hydrants in Bray, which is currently estimated to be over 700 in number.

This programme will involve identifying and recording the location of each hydrant. The next step would be examining each hydrant for physical conformation with requirements i.e. depth.

Following on from this a test recording the pressure and flow will be required.

Some testing of hydrants in Oldcourt and Fassaroe has been carried out in the last few weeks (by the Fire Brigade) and all in Oldcourt have been examined by Bray Town Council.

As a result of the Bray Town Council survey, works have been carried out on a number of hydrants (e.g. straightening up sockets, spindles etc). Hydrants were also inspected in Ballywaltrim Heights and some work was carried out raising the socket.

A proper survey and maintenance schedule is in preparation and the implementation of a methodical inspection regime will require additional expenditure to be allowed for in the Annual Estimates.

The Town Engineer informed the Members that seven fire hydrants have been replaced to date. The cost of replacing a hydrant is circa €1,000. There are approximately 700 fire hydrants in the town, there is not a full service history currently available.

The Members raised the following points:

- Concern expressed regarding the non-testing of fire hydrants.
- Appears that fires in the Oldcourt area have highlighted the issue regarding fire hydrants.
- Systematic maintenance programme to be looked at in the context of estimates.
- Sample throughout the town should be surveyed.
- Wicklow County Council are the Fire Authority, what responsibility are the Fire Service taking in this matter?
- Community fire prevention should be a priority.

- Is there a full list of locations for fire hydrants?

The Town Engineer advised that there are a number of issues with fire hydrants. He advised that there can be problems with the physical construction of the fire hydrants within the chambers and that they may be filled with sand or dirt. The water on board the fire tender is sufficient for small fires. 665 of the hydrants locations are mapped, the Council has a water crew of 5 staff, who are liasing with the Fire Service.

A query was raised as to whether Wicklow County Council are responsible for the water and sanitary functions of the town?

The Town Manager responded by saying that if Wicklow County Council carry out this service they will charge Bray Town Charge, he would prefer our own staff to carry out checks. It is current practise that a paper trail of checks carried out be maintained in line with Health & Safety Practise. This would not have been maintained in the past however, it is fair to say checks were carried out to the hydrants to ensure they were in working order.

At this stage of the meeting Councillor Caroline Burrell proposed a time extension and Councillor Joe Behan seconded this, however a number of members did not agree to this. Councillor John McManus proposed that an extra meeting be held on the third Tuesday in October to get through the remaining items on the agenda, Councillor Anne Egan seconded this.

The Members agreed with this request.

Councillor Pat Vance proposed that the meeting commence at 7.00 p.m. and finish at 10.00 p.m. and this was agreed.

4. To consider the Housing Progress Report

The Members raised the following points under this item:

- Update on Fire Safety Audit to be included in Housing Progress Report.
- Welcomed the clean up of the Halting Site in Silverbridge, queried the re-development plans for same.
- Noted that shop and house at Richmond Hill were vacant and would like to see works commence quickly.
- Any update on Fassaroe Remedial Scheme?
- Query regarding the 4 housing units at Sutton Villas.
- Concern expressed that the houses at Boghall Rd would not be ready for allocation until November/December.
- When will footpath and road works be reinstated?
- Update on the CPO at Murphy's land, is this progressing?
- Update on the request for extinguishing the Right-of-Way at Wolfe Tone Square North and O'Byrne Rd.
- Breakdown of funding from the Department of the Environment, Heritage and Local Government.
- Information re: RAS.

- Central Heating Programme – what is the progress to date and what is the number of houses requiring central heating?
- Refurbishment works at James Everett Park.

The Acting Administrative Officer replied as follows:

- The most recent information from the Clerk of Works is that the houses at Boghall Rd will not be available for occupation until the end of November at the earliest.
- The keys to the house at Richmond Hill were delivered to the Council offices today and the contractor would be on site as soon as possible.
- In relation to Silverbridge the cameras are in operation, the clean-up has been completed and the site will be monitored before any discussion takes place regarding the re-development works.
- Ms Kavanagh informed the Members that she would have to consult with the Housing Engineer in relation to houses without central heating and revert back to them with details.
- It is intended to continue the programme in 2006.
- In relation to James Everett Park the contractor will be on site on the 10th October next.

She referred the queries relating to Sutton Villas, Fire Safety Audit, Fassaroe Remedial scheme to the Town Engineer.

The Town Engineer responded as follows:

- That he has been in contact with a number of companies to obtain tenders for the carrying out of the Fire Safety Audit.
- In relation to Sutton Road this housing scheme was linked with the 13 houses at the Upper Dargle Rd as regards costings, as the Members voted against the Part 8 for the houses at the Upper Dargle Road a separate cost plan has to be prepared for the 4 houses at Sutton Villas.
- He did receive the request in relation to the extinguishment of the Right-of-Way at Wolfe Tone Square North /O Byrne Road and he will commence the process.
- He will inspect the footpath at Boghall Rd.
- The consultants for the Fassaroe Remedial Works Scheme have been appointed and they have commenced surveying the houses.

The Acting Town Clerk referred to the CPO for Murphy's land: Notices to Treat have not yet been served and discussions are ongoing with the Department of Environment, Heritage and Local Government as regards funding the cost of land acquisition.

5. To consider Planning Matters

05/216 - Terino Developments Ltd, c/o The Esplanade Hotel & Leisure Centre, Strand Road, Bray.

Councillor Anne Ferris expressed concern regarding the demolition of two dwellings and stated that she would not support this application.

Councillor Ciaran O'Brien stated that he felt this application should be refused on the basis of previous planning record.

The Town Manager advised that this procedure is dealt with under Section 35 of the Planning and Development Act 2000 and would involve the case being taken to the High Court. He stated that he did not feel that this was warranted in this case.

05/217 - Annette & Marie Doyle, Lissadell, Putland Road, Bray, Co Wicklow.

Councillor Ciaran O'Brien confirmed that he was not supporting this application and noted that An Bord Pleanala had recently upheld Bray Town Councils decision to refuse permission for this development.

A number of Councillors raised the issue of unauthorised works being carried out at Sidmonton Road.

The Acting Town Clerk informed the Members that the Executive Engineer had inspected the property and found that the only works which had been carried out were the cutting of hedges.

A discussion in relation to works on the Florence Rd ensued with Councillor John Brady stating that there had been no consultation with the residents regarding the planned works.

Councillor Pat Vance complimented the Senior Roads Technician, Mr Dominic Gillan for the excellent work on the pavements on Florence Road and stated that a public meeting had been held to which all residents and traders on Florence Road were welcome to attend.

Councillor Brady queried the underground wiring on the Quinsboro Road and also when the lamp post outside O'Briens on the Quinsboro Rd would be replaced?

Councillor Joe Behan queried the parking spaces that were to be allocated to Bray Town Council at the Civic Centre.

Councillor Bríd Collins mentioned that a number of people were parking in the spaces that were to have been reserved for Councillors and Bray Town Council staff, she also requested a report on income generated from car parking.

Councillor Anne Egan enquired if a new sign could be erected as the sign outside the car park indicated parking Monday to Friday only.

The Town Manager replied by stating that the Council have recently leased the car park from the developer; and in response to Councillor John McManus he stated that a charge would be imposed in the near future.

6. Correspondence

The Acting Town Clerk read out a letter from Pizarro Developments requesting the opportunity to address the Members of Bray Town Council at a forthcoming meeting regarding the Golf Clubs Lands Development.

A general discussion took place with some Members feeling that Pizarro Developments should make their presentation to a meeting of the Planning and Infrastructure Municipal Policy Committee and other Members being of the opinion that Pizarro Developments should make their presentation at the full Council meeting as members of the public should be invited to attend and hear the presentation. It was agreed that it would be premature to receive a presentation from Pizarro Developments at this point.

This concluded the meeting.

Signed:

CATHAOIRLEACH

Signed:

TOWN CLERK

Dated:
