

Minutes of the Monthly Meeting of Bray Town Council held in the Council Chamber, Town Hall, Bray on Tuesday 13th December 2005 at 7.30 p.m.

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

Also present: Mr. Des O'Brien, Director of Services
Ms. Catherine Halligan, Town Clerk
Mr. Sean O'Neill, Town Engineer
Mr. Michael Nicholson, Wicklow County Council
Ms. Moira Byrne, Wicklow County Council
Mr. Andrew Lawless, Wicklow County Council

Apologies: Councillor John Brady
Councillor Anne Ferris

Vote of Sympathy

The Cathaoirleach began the meeting by expressing her sympathy and the sympathy of the members to the family of Mr. William Riggs whom tragically died in a house fire in Fairgreen Terrace, Greenpark Road, Bray recently.

1. Confirmation of Minutes of the Monthly Meeting dated 13th December 2005

It was proposed by Councillor Caroline Burrell and seconded by Councillor John Byrne and unanimously agreed to confirm and adopt the minutes of the Monthly Meeting dated 15th November 2005.

3. To consider the report on the submissions received on the public consultation process for the Part VIII of the Local Government Planning & Development Act 2000 on the proposed Recycling Centre at Beechwood Close.

The Town Clerk read out the Managers report to the members.

**MANAGER'S REPORT ON PART XI PLANNING
PROPOSED RECYCLING CENTRE AT BEECHWOOD CLOSE**

In accordance with the requirements of Part XI, Section 179 of the Planning and Development Act 2000 and Part 8, Article 81 of the Planning and Development Requirements 2001, the above scheme was duly advertised and the closing date for receipt of objections, submissions or observations was Friday 9th December 2005.

In accordance with Section 179 3(a), the following is the Managers Report to the members which is set out in accordance with Section 179, 3 (b) (i) (ii) (iii) (iv) (v).

3 (b)(i) Description of Proposed Development

The proposed development is for the provision of a Civic Amenity Facility for the collection of dry recyclable waste materials at the old Ecolab site, Beechwood Close, Bray, Co. Wicklow. The development will use the existing structure but the proposal includes the addition of external lighting, CCTV and signage.

3 (b)(ii) The proposed Development is consistent with the proper Planning and Development of the area for the following reasons

The area is zoned C1 Employment Uses Zone – *To provide for economic development and employment, including the provision of retail warehousing.* Among the uses permitted in principle in C1 zones are Recycling Facilities. The proposed development, therefore, is considered consistent with the proper planning and development of the area and the objectives of the Bray Town Development Plan.

3 (b)(iii) List of Persons who made submissions/observations:

1. Andrew Gallagher, 106 Riddlesford, Bray
2. Miriam Duffy, 76 Riddlesford, Bray
3. Imma Moran, 103 Riddlesford, Bray
4. Niall Vickers, 59 Riddlesford, Kilruddery, Bray
5. Rowland Griffin, 59 Riddlesford, Kilruddery, Bray
6. Aidan Kelly, Managing Director, O'Dare, Chimeal Ltd, Beechwood Close, Boghall Road, Bray
7. William P. Dunne, Managing Director, D2, 36 Beechwood Close, Boghall Road, Bray
8. Colm Hyland on behalf of Hycomag Properties Ltd C/O Sunnside, Lr Glenagery Road, Dun Laoghaire, Co. Dublin.
9. Basil Hodgins, Managing Director, Omega Packaging Ltd, Unit 35, Beechwood Close, Boghall Road, Bray.
10. Jennifer McKenzie, 41 Riddlesford, Southern Cross Road, Bray
11. Brendan Maloney & Co., Solicitors, Kilbride Cottage, Killarney Road, Bray
12. Eugene Ivory, 105 Riddlesford, Southern Cross Road, Bray
13. Kay Ivory, 105 Riddlesford, Southern Cross Road, Bray
14. David Buckley & Others, 107 Riddlesford, Southern Cross Road, Bray
15. M O'Reilly, 104 Riddlesford, Southern Cross Road, Bray
16. Conor O'Brien, 29 Riddlesford, Southern Cross Road, Bray
17. T. King, 48 Riddlesford, Southern Cross Road, Bray
18. Frances & Connell Cunningham, 40 Riddlesford, Southern Cross Road, Bray
19. Eugene Ivory, Riddlesford Residents Association, C/O 105 Riddlesford, Southern Cross Road, Bray.

20. *Shane Dunne, 19 Riddlesford, Southern Cross Road, Bray*
21. *Lorraine Khalaf, 88 Riddlesford, Southern Cross Road, Bray*
22. *Andrew Jolly, 89 Riddlesford, Southern Cross Road, Bray*
23. *Sunday & Michelle Adebisi, 24 Riddlesford, Southern Cross Road, Bray*
24. *Shanta Choudree, 45 Riddlesford, Southern Cross Road, Bray*
25. *Tony Walker, 20 Riddlesford, Southern Cross Road, Bray*
26. *Marius Van Der Walt, 101 Riddlesford, Southern Cross Road, Bray*
27. *Jayne Keogh, 23 Riddlesford, Southern Cross Road, Bray*
28. *Michael Daly, 102 Riddlesford, Southern Cross Road, Bray*
29. *Vincent Farrell, Managing Director, Irish Hospital Supplies Ltd., Beechwood Close, Boghall Road, Bray.*
30. *Niamh Counihan, 74 Riddlesford, Southern Cross Road, Bray*

3 (b)(iv) Summary of the issues raised and responses

- (a) Traffic impact
- (b) No EIS
- (c) Noise pollution
- (d) Unsuitable location
- (e) Vermin/rodents
- (f) Hazardous waste
- (g) Air pollution
- (h) Odour/smell pollution
- (i) Illegal dumping

Responses

- The development will generate additional traffic on Boghall road. The capacity of the road network in the vicinity is able to cater for additional traffic. It is anticipated that the peak traffic demand will be during traditional non peak hours.
- An EIS is not required for this development under Schedule 5 of the Planning and Development Regulations, 2001.
- It is not considered that the noise generated by this development will be an increase on the already permitted level.
- The proposed site is not considered to be an “ideal” site but the development complies with the zoning objectives of the area, which is “CI: Employment Uses Zone” under which recycling facilities are permitted in principle.
- A letter was received by Bray Town Council from Andrew Lawless, Senior Executive Engineer, Waste Management, Wicklow County Council regarding the proposed development. Some of the concerns and issues raised in the submissions and observations were addressed in this letter, such as the following:

Rodents

Wicklow County Council will enter into a maintenance contract with a pest control company regarding this issue.

Hazardous Waste

The nearest thing to hazardous wastes are domestic batteries and cooking oils. These are to be kept in specifically designed containers.

Any other hazardous wastes such as paints, obsolete medicines, old pesticides,

are collected via a mobile collection, whereby a hazardous waste company lorry that takes what the public bring and moves away that day.

Water, Air and Odour Pollution

No leachate will be generated, no landfill gas will be generated. It is a labour intensive operation so odours are not tolerated on health and safety grounds.

Illegal Dumping

It cannot be guaranteed that illegal dumping will not take place. The proposed installation of CCTV cameras is intended to deter illegal dumping activity.

Zoning Legality

The submission brings into question the process by which recycling facilities were included as permitted in principle in zone C1. The amendment to the draft plan as advertised clearly inferred that it was proposed by the members that recycling facilities should be included in all employment zoned lands.

3 (b)(v) Recommendation

It is recommended that the proposed development should be proceeded with as proposed subject to the following conditions:

- 1) The facility shall revert to its former permitted use within three years.
- 2) No waste materials shall be accepted for recycling except those listed in Wicklow County Council letter of 25th November 2005
- 3) Noise levels shall be monitored and comply with those permitted under the original planning permission for the building
- 4) CCTV shall be installed and monitored
- 5) Exterior lighting shall be installed in such manner as to prevent glare and overspill onto residential property to the South of the site.

The Cathaoirleach then welcomed the officials from Wicklow County Council who were there to speak about the proposed Recycling Centre, as they have been heavily involved in this project.

The members raised the following points:

- How are the parking needs going to be addressed?
- Are the bottle banks going to be located inside or outside the centre?
- Can you specify the opening times and will it be open on Saturdays?
- Is there going to be an education centre along with this recycling centre?
- Rodents and noise – some residents are concerned about these issues.
- The recycling centre is a major issue in Bray. This needs to be sorted soon.
- This new site might not be the best option but it is far better than the previous proposed sites and it should be remembered that it is for a three year lease so it is not permanent.

Councillor Pat Vance then proposed that the recycling centre should proceed with strict conditions being laid down.

- Would like a report every six months on this and as long as all the conditions are strictly adhered to it will be very good for the town.
- CCTV – who will be monitoring this and how often?
- What happens after three years if we cannot find a new site? Do we abandon the current proposed site?
- Would like more time to go through the submissions before voting for this proposal.
- It is a pleasure to go to the recycling centre in Wicklow Town, this is a good proposal as long as it is run in the same way as Wicklow.
- Hazardous waste – concerns about this.
- People are anxious to see this proceed, as it is the first such centre in North Wicklow.
- It makes a lot of sense to put this centre in an industrial estate. Accept that residents have genuine concerns, but maybe planning permissions should not have been given to build houses next to an industrial estate. Apart from the Environmental value of this site, a private operator has a monopoly in this town, operating with no competition, and a recycling centre will reduce the amount of money people pay to Greenstar.
- A regular report should be given for future meetings on the status of the recycling centre.

Councillor Joe Behan seconded Councillor Vance's proposal with the following amendment; that a liaison committee comprising of 2 / 3 residents from the adjoining housing estate and the Boghall Road meet with the management on a monthly basis to discuss issues and to see that they have an input into the running of the centre and that a monthly report be given by the council.

- Councillor John Byrne stated that 'Councillor Caroline Burrell and Councillor Deirdre De Burca indicated that a deal had been struck'. This is not true and I want to state that I was not part of any such deal.'
- This is a planning issue and Wicklow County Council should have made a planning application. I do not think this planning issue should have been dealt with as a Part XI. Residents should have a right to go to An Bord Pleanala.
- What are the staffing arrangements for this centre?
- Are we sure the Minister will give money for this?
- This is not an ideal site. A doorstep collection would be far better and friendlier on the environment.
- We previously had the opportunity to purchase this site for a lot less money and we missed the opportunity.
- A site off the N11 would be ideal for a recycling centre. This current temporary measure does not offer good accessibility. The Ballyogan site is only 5/6 minutes away.
- Do not want this recycling centre to be run by a private company.
- Some people do not have cars and there is also an environmental issue, using cars to go to a recycling centre.

- If we do not support this site tonight we will still be sitting here in a few years time trying to find an adequate site.
- People need a recycling centre and the Council are now responding to this need.
- Officials have looked at other sites which have not been ideal but this is the first opportunity we have engaged in.
- We had an opportunity to buy this site – bad management that did not happen.
- The council will be paying €1 million in rent over the next three years for this.
- No submissions were received from the residents on the Boghall Road.
- A lot of concern voiced by the residents of the Riddlesford – a meeting was held but not sure if the members were invited.
- Former use of these premises was more hazardous than the proposed use.
- Wicklow County Council should identify land in the Greystones Area Plan for a recycling centre for North Wicklow.
- Greenstar provide a restrictive doorstep recycling service – people of Bray need a recycling centre.
- 70% of domestic waste is recyclable.
- Privatisation - strongly opposed to a recycling centre being used by a private operator.
- Greenstar will soon be the sole owners of landfill in Wicklow.
- Length of lease – Green Party will not support the lease of this centre for more than three years. We are also confident that other sites will become available.

Mr. Michael Nicholson, Director of Services for Wicklow County Council responded to the member's queries:

We have a lot of very experienced staff working on this and they have all been very dedicated to finding a suitable site. This centre will be bigger than others in the County. The centre on the Murrough is an award - winning centre.

The only materials we will be taking will be the everyday recyclable waste you would have in your home. This will not attract rodents as it does not attract them in your homes. All we will be doing is storing and then recycling. A kerb-side collection does provide a good service but a recycling centre is a lot better, you do not have to pay for the recycling centre and a kerb – side collection is offering people a limited service as they can only take so much, while you can bring as much as you want to the recycling centre.

There will be thirty – five car parking spaces and we are estimating that each car will be there for approximately five minutes each. We will be providing the bottle banks inside the centre and on experience these will not cause a lot of noise. The centre will operate for fifty - two hours per week and open late on Thursday nights and until 5pm on Saturdays. A state of the art education facility informing the public of the facts and how to reduce waste will be included.

We do have CCTV in our other centres and we have never had any problems with illegal dumping or any illegal activity. Ultimately this will save money for the people in Bray. We are estimating about 150 cars per hour but the other businesses in this industrial estate will not be open on Saturdays so we expect people to use

these free spaces then. No hazardous waste will be stored on site. The director also supported the idea of the monitoring group.

The Town Manager stated that money will be put towards the recycling centre from the Budget. He also said that the zoning process was fully in accordance with the Act.

Councillor David Grant then proposed that Bray Town Council defer the decision on the location of the recycling centre for Bray until such time as this Council investigate all other suitable sites and consider the operation of other sites. Councillor Anne Egan seconded this proposal.

Councillor David Grant's proposal was taken first.

<i>That Bray Town Council defer the decision on the location of the recycling centre for Bray until such time as this Council investigate all other suitable sites and consider the operation of other sites.</i>		
	For	Against
Joe Behan		✓
John Brady	Absent	Absent
Caroline Burrell		✓
John Byrne	✓	
Brid Collins		✓
Deirdre De Burca		✓
Anne Egan	✓	
Anne Ferris	Absent	Absent
David Grant	✓	
John McManus	✓	
Ciaran O'Brien		✓
Pat Vance		✓
	4	6

With 4 votes for and 6 against this proposal was defeated.

Councillor Pat Vance then proposed that Bray Town Council proceed with the recommendation of the manager under the Part XI, Section 179 of the Local Government Planning and Development Act 2000, with the conditions included in the report and also that a liaison committee is established. Councillor Joe Behan seconded this proposal.

The Cathaoirleach then stated that Councillor Pat Vance’s proposal would be taken.

That Bray Town Council proceed with the recommendation of the manager under the Part XI, Section 179 of the Local Government Planning and Development Act 2000, with the conditions included in the report and also that a liaison committee is established. Councillor Joe Behan seconded this proposal.

	For	Against
Joe Behan	✓	
John Brady	Absent	Absent
Caroline Burrell	✓	
John Byrne		✓
Brid Collins	✓	
Deirdre De Burca	✓	
Anne Egan		✓
Anne Ferris	Absent	Absent
David Grant	Abstain	Abstain
John McManus		✓
Ciaran O’Brien	✓	
Pat Vance	✓	
	6	3

With 6 votes for and 3 against this proposal was carried.

The Cathaoirleach then thanked the officials from Wicklow County Council for the time and effort put into this project.

2. Reports and Recommendations.

IBAL Report

The Town Clerk informed the members that she had received a recent IBAL report on litter this was circulated to the members.

Fassaroe Landfill Site

The Town Clerk informed the members that she had received a report from Wicklow County Council in relation to the landfill site in Fassaroe. This was circulated to the members.

4. To consider the opinion of Senior Counsel for the Rent Scheme.

The Town Clerk informed the members that the Law Agent has written to Mr. Conleth Bradley, Senior Counsel as the other senior counsel on the list were unavailable. Mr. Bradley has requested copies of the Housing Strategy and the

Scheme of Letting Priorities etc to be sent to him before he is in a position to furnish an opinion.

The Law Agent has arranged a consultation with Mr. Bradley on Thursday 15th December 2005.

5. Update on the Boathouses and the Harbour Shed.

The Town Clerk advised the members that we have written to both parties in relation to the legal entities.

Report on Boathouse and Harbour Shed

Brendan Maloney & Co. Solicitors on behalf of St Fergals Boxing Club replied on the 8th December 2005 stating that the club is an unincorporated club. They said that there is a

- Chairman, John Kane
- Secretary, Al Morris
- Principal coach is Peter Taylor

and a committee of active members and the club is affiliated to the Irish Amateur Boxing Association. They also said that the club has been opened for 11 years

Queen of Peace Youth Club

The Queen of Peace Adventure Youth Club have informed us that the delay in forming a company is out of their hands.

Cronins Chartered Accountants have stated that they have lodged all documentation with the Companies Registration Office to complete the formation of the company "Queen of Peace Youth Club".

Councillor Joe Behan asked the officials to assure both parties that there will be no more delays when this is sorted.

The Cathaoirleach said that this will be on the agenda for one of the early meetings next year.

6. Update on the transfer of ownership on the lower section of the Dargle River.

The Town Clerk informed the members of the following -

The Law Agent has informed us that he is still awaiting the title documentation showing the nature and extent of Lord Meath's ownership from Lord Meath's solicitors.

7. Update on the 1.78 Acres.

The Town Manager stated that the valuer has not come back to the Council with his advice / evaluation of the site. He also stated that this will be advertised for sale.

Councillor Caroline Burrell stated that she would object to the recycling centre being put on this site, as someone had suggested.

Councillor Joe Behan stated that it is now 11 years since Councillor John Byrne announced on the radio that Superquinn had bought the site. It has taken a long time but it is good news that this site will be advertised for sale soon. He also added that it is disgraceful that some residents in that area occasionally have to get taxis to the shops as there is no retail near them.

Councillor Brid Collins stated that small - scale retail is what is needed on this site now. She also stated that priority is safety on the Southern Cross Road so signage needs to be put up.

Councillor John McManus stated that it is very important that we get expert advice on the sale of this land as it could be worth a lot more than we are expecting.

8. Progress report on the Swimming Pool.

The Town Manager informed the members that the progress report is much the same as the previous report, that the Part VIII process for the swimming pool will commence in January. He also informed the members that there will be a meeting tomorrow morning regarding this.

Councillor Anne Egan asked if we have to wait until the Greystones swimming pool is ready.

The Town Manager stated the Department of Sport, Art and Tourism telephoned him recently and assured him that they will not hold us up.

Councillor Joe Behan stated that it is very important we go ahead as soon as possible with this. He also asked that no private company be allowed to run this as this has caused problems in other towns in Ireland.

The Town Manager informed the members that the preliminary report stated that a company will be running this but it will be managed by Bray Town Council.

9. Progress report on the Wolfe Tone & District Youth Club.

The Town Clerk informed the members that the Law Agent has not received a reply from the solicitors acting for the Wolfe Tone and District Youth Club or Lord Meath to date.

11. Correspondence.

The Town Clerk stated that no correspondence was received.

The Cathaoirleach then concluded the meeting and wished everyone a happy Christmas.

Signed:

CATHAOIRLEACH

Signed:

TOWN CLERK

Dated:
