

**Minutes of the Ordinary Meeting of Bray Town Council held in the Council Chamber,
Town Hall, Bray on Tuesday 2nd February 2010 at 7.30 p.m.**

Present: Councillor John Ryan, Cathaoirleach
Councillor John Brady
Councillor John Byrne
Councillor Eugene Finnegan
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
Mr. David Forde, Acting Town Clerk
Mr. Sean O'Neill, Town Engineer

Apologies: Councillor David Grant

Not In Attendance: Councillor Mick Glynn

1. Confirmation of Minutes of the Ordinary Meeting Dated 5th January 2010

Councillor Tracy O'Brien proposed confirmation of the minutes of the Ordinary Meeting of 5th January 2010 and Councillor Eugene Finnegan seconded the proposal.

2. To Consider The Housing Progress Report

The members raised the following points:

Sutton Villas

- What is the current situation with Sutton Villas

Cedar Court

- What is the current situation with the Cedar Court development?
- Have had a number of complaints from residents in Cedar Court
- Maybe Town Engineer should take a look on site

Miscellaneous

- Welcome the cleanup in Fassaroe today
- Bus Shelter has been removed in Oldcourt.
- A letter should be sent to Dublin Bus to reinstate this Bus Shelter
- What is Bray Town Council's Housing Allocation from the Department of Environment, Heritage and Local Government
- Dumping is taking place on lands off the Southern Cross

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

- Issues with dumping do not have to be brought to a full Council meeting. This can be passed onto the Environment Section and will be followed up.
- I am not sure of our Housing Allocation
- The Government plan is to provide all future housing through Social Leasing
- I will write to Dublin Bus with regard to reinstating the Bus Shelter

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

- I have written to the contractors of Sutton Villas to prepare a method statement of what was originally planned.
- In relation to Cedar Court, I was on site with the National Building Agency.

- We haven't finally taken over the development from the contractor and there are legal issues if the Council carry out works themselves.
- There are always problems with new estates and I have had complaints regarding dampness.
- I will investigate all of these complaints.

The members raised the following points:

- Tenants of this estate are entitled to a service from the Council.
- I would like the Town Engineer to have a look at one particular house.
- Would like a report for next meeting on this estate.

3. To Consider Planning Matters

The Acting Town Clerk reported that the no planning files were requested:

The members raised the following points:

Planning File Reference 09/147

- I have issues with access to this site and in relation to past events of flooding this application should have a Flood Impact Statement.
- Would prefer to see a Nursing Home on this site instead of apartments.

Miscellaneous

- Is there any update on a site for Bray Lakers?
- Are the officials satisfied that the Headshop in the town does not require a change of use?

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

- You can change anything to a shop.
- There is an exemption for no planning permission to be sought.
- A few sites have been suggested to Bray Lakers. This issue is still with the Law Agent and it is progressing.

4. Reports & Recommendations

There were no Reports or Recommendations arising.

5. Notices of Motion

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

That the Council take in charge Giltspur Brook and Deepdales.

Report

Both these estates have been examined and the developers have been furnished with a list of items which need attention prior to taking in charge.

In the case of Giltspur Brook, the developer has indicated that he is proposing to attend to the problems shortly.

In the case of Deepdales, the developer is also anxious to have the estate taken in charge and he has attended to the majority of outstanding issues.

The Council is progressing with taking in charge both estates and will hopefully be in a position to initiate the statutory procedures in the next month or so, subject to the two developers satisfactorily dealing with the outstanding issues.

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

That the Council provide a safe access to the beach for people with disabilities and confined to a wheelchair.

Report

This matter was the subject of a previous Notice of Motion (Number 419). It was agreed that access to the beach only is feasible and could be improved and this will be progressed as expeditiously as possible, subject to the availability of funding. The most suitable location would be just north of the Barracuda restaurant, where an access way could be constructed out towards the rocks i.e. a distance of about 25 metres along the level area of the beach.

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

Can the Council provide a name sign for Ardmore Wood in view of the fact that the residents are very concerned that delivery vans, emergency vehicles, visitors etc may have difficulty finding Ardmore Wood.

Report

Ardmore Wood already has a nameplate at the entrance to the estate from Herbert Road. No further sign is required.

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

Can the Council take a look at the numbering system on Convent Avenue. At the moment there are three number '2 Convent Avenue's' and it is becoming very difficult for deliveries etc.

Report

The Council can only approve a numbering system at time of planning if submitted by a developer. There is no legislation allowing the council to enforce a change in numbering.

It was agreed to hold off Notices Of Motion numbers 430-437 until the March meeting, as Councillor Grant was not in attendance at the meeting.

438. Notice of Motion In The Name of Councillors John Byrne, Ronan McManus & Tracy O'Brien (01/12/09)

That the Council rectify the flooding problem at the roundabout at Roselawn Drive.

Report

The obstructed pipe from road gully at the centre of turning circle has been cleared.

439. Notice of Motion In The Name of Councillors John Byrne, Ronan McManus & Tracy O'Brien (01/12/09)

That the Council provide funding to solve the serious sewerage problem at Beechurst, Killarney Road, which also affects Glenlucan estate.

Report

The Planning Department is still attempting to resolve the sewer problems with the developer. The initial phase of the development was taken in charge in 1992. Since the final phase was completed a few years ago there has been regular sewer blockages and overflows to the Swan River. Alterations to the sewers, including impeding sewer access, due to the latter construction is readily apparent. However there are no sewer drawings and pre-taking in charge inspection reports on the planning file. Without these it will be difficult to prove the developer wholly responsible for the defects and ensure a speedy resolution of the problems.

Costs to date addressing blockages exceed the €10000 cash deposit on the development. Due to the on-going cost, a contractor has been requested to submit a proposal for the repair of the sewer. A long-term solution is likely to be substantial due to the difficult site conditions and the impacts on private property. If a suitable proposal is submitted, it is intended to inform the developer and proceed with the work from own resources and endeavour to recoup as much of the costs as possible from the developer.

6. Correspondence

The Acting Town Clerk reminded the members that the final date for Disclosures of Donations was Friday 29th January 2010.

Letter From Minister for Transport

The A/Town Clerk informed the members of a letter received from Mr. Noel Dempsey, TD, Minister for Transport. This letter was on foot of a request at the Protocol meeting of 8th December, 2009 that a letter be sent to Aircoach requesting a coach stop outside the Vevay Lounge public house on Vevay Road. The letter to Aircoach was carbon copied to the Minister. The Minister's response stated *"The provision of bus services is primarily a commercial decision for bus operators themselves.....private bus operators apply to my Department for licences to operate scheduled bus passenger services within the state. My Department is in the process of dealing with an application for the provision of a bus stop in this area."*

Letters From Department of Community, Rural and Gaeltacht Affairs

The A/Town Clerk informed the members of two acknowledgement letters received from Mr. Alan Kelly, Private Secretary at the Department of Community, Rural and Gaeltacht Affairs.

The first acknowledgement was in response to a letter sent by the Town Clerk regarding Headshops, which the members of the Joint Policing Committee requested be sent. The letter stated *"The Minister is currently looking into the matter and a further reply will issue to you shortly."*

The second acknowledgement was in response to a letter sent by Ms. Triona Irving, Administrative Officer, Housing & Planning regarding the Community Development Programme, which the members of Bray Town Council requested be sent. The letter stated *"The Minister is currently looking into the matter and a further reply will issue to you shortly."*

Letter From Department of the Environment, Heritage and Local Government

The A/Town Clerk informed the members of a letter received from Mr. Eddie Kiernan, Private Secretary at the Department of the Environment, Heritage and Local Government, in response to a letter that was dispatched regarding a national micro chipping scheme for dogs.

The letter stated *"The Dog Breeding Establishments Bill 2009 including Explanatory Memorandum has now been published....The Bill proposes to require that all dogs in a dog breeding establishment will be micro chipped. It is anticipated that such a provision will go a long way towards ensuring that most dogs purchased as pets will be micro chipped, thus enabling local authorities to better identify stray or unwanted dogs."*

IBAL Anti Litter League Award

The A/Town Clerk informed the members of a number of congratulatory letters and emails on Bray achieving first place in the IBAL Anti Litter League Awards for 2009 received, which included the following: the members of Leixlip Town Council, members of Wicklow Town Council, former Bray Town Council Councillor Anne Egan, and Deputy Joe Behan.

7. Any Other Business

A report was requested on the pedestrian crossing on the Boghall Road at the entrance to Wolfe Tone.

A report was asked for on the condition of the roads in the town as Wicklow County Council had issued Councillors with a report.

The Town Engineer stated that he is not aware of any roads in bad condition in the town unlike the rest of the County.

* * * *

This concluded the meeting.

Signed: _____
CATHAOIRLEACH

Signed: _____
ACTING TOWN CLERK

Dated: _____