

**Minutes of the Ordinary Meeting of the Municipal District of Bray held in the Council Chamber,
Town Hall, Bray on Tuesday 7th February 2017 at 7.30 p.m.**

Present: Councillor Joe Behan,
Councillor Christopher Fox
Councillor Steven Matthews
Councillor Oliver O'Brien
Councillor Michael O'Connor
Councillor John Ryan
Councillor Brendan Thornhill
Councillor Pat Vance

Also present: Mr. Des O'Brien, Director of Services
Mr. David Forde, District Administrator
Mr. Liam Bourke, District Engineer
Ms. Triona Irving, Administrative Officer
Mr. Marc Devereux

Absent

Apologies:

Congratulations were extended to Dana Moorehouse, from Enniskerry Boxing Club and also to Bray.ie and Bray Airshow who recently received awards.

The District Administrators informed the members that we were delighted that the Bray Air Display has been chosen as the winner of the highly prestigious 'Best Event' at this year's Irish Tourism Industry Awards on Friday, February 3rd 2017, the awards recognise tourism success and innovation.

In the Community and Council Awards presented by IPB Insurance and LAMA (the Local Authority Member's Association) Bray.ie was crowned the "Best Connected Community".

Bray.ie was launched in 2011 as part of the Bray Town's Economy Think Tank outputs. Since launching the new look website back in 2015 it has had over 300,000 visits and close to 1m page views. Bray.ie's total social engagement reach was over 1.53m for the full year of 2016.

The members raised the following points;

- This is fantastic and great recognition, to own our digital space was something that was discussed by BETT; to aim to own our domain and link with Twitter and Facebook
- The Airshow has been a phenomenal success, it does not just happen, it takes a huge amount of time and energy.
- It is good to hear something positive; the Airshow has gone from strength to strength. It creates a lot of goodwill for Bray.
- It is a fabulous show and last years was the best ever; it was so well organised.
- I would like to thank David Forde for the work he has done, it is above and beyond the call of duty.
- The Chinese Southside Residents Association celebrated the Chinese New Year last Monday; it was a great cultural night.
- We should send a letter congratulating them.
- We do value the contribution made by the Chinese to the town.

1. Confirmation of Minutes of the Ordinary Meeting dated 10th January 2017.

Councillor John Ryan proposed confirmation of the minutes of the Ordinary Meeting of the Municipal District of Bray dated 10th January 2017 and Councillor Christopher Fox seconded the proposal.

2. To Receive a Deputation in relation to the Part 8's at County Brook and River Lane.

The members received the following presentation from Eugene Raeside and Jill Power.

- Is the river dredging via the Peoples Park and River Lane the right thing to do?
- Who are we?
- Our petition has approximately 341 signatures; we don't want river access via the Peoples Park.
- We have a view of a construction compound for 5 years; it was meant to be for 18 months.
- We have had enough, its unsafe, ugly, noisy filthy and a real imposition on residents.
- The Peoples Park is meant to be a calm and recreational space for all.
- We are happy that this work is near completion, no more compounds or heavy construction vehicles.
- In the wording of the Part 8 proposal it states that the purpose is to Construct an Access Ramp into the River Dargle, and make the fencing to the People's Park removable at the West end of the People's Park, adjacent to River Lane , in the townland of Bray Commons, in the Municipal District of Bray. The purpose of the proposal is to provide the means to access the River Dargle to maintain the River Dargle Flood Defence Scheme in the area of the People's Park. It does not say inside the Peoples Park.
- The Ramp is inside the Peoples Park
- It means 18m of historical railings being permanently removed.
- Is it legal to carry out this development if some of the railings are to be removed and the land use changed?
- An alternative would be to access the river through Rehills Land.
- The diggers and trucks can get through or around the debris traps allowing access either side.

We would like to have the people's representatives to have this Park 8 withdrawn on the following basis.

- It is totally inappropriate and unsafe in residential area
- The local people don't want it.
- The implications of the drawings are not easily understood by lay persons.
- The proposal will take away a large section of the park
- The proposal is likely not to be legal (Bray Commons Inclosure Act)
- It is premature as there is no overall strategy for maintaining the river.
- There is an alternative location, Slang/Rehills Land.

As we are not allowed to talk at the Wicklow County Council meeting where a vote will be taken, please put forward a motion on our behalf at the Wicklow meeting to withdraw this ill conceived, unsafe and premature proposal.

Marc Devereux, Senior Engineer, Wicklow County Council made the following presentation.

This presentation is not about a new road, a skateboard park or parking. It is about the River Dargle Flood Defence Scheme and maintenance access at River Lane at the west end of the People's Park.

The E.I.S. does not refer to access for maintenance.

Proposals

1. Ramp built into new river wall at location of previous ramp
2. De-mountable piece of wall at top of ramp
3. Railings around ramp wall to prevent someone falling over
4. Access via River Lane

Proposals from Fisheries advisor, advice on interventions that will benefit Fish and assist in sediment transfer:

Three pools where sediment will settle out upstream of the debris traps, adjacent to Reihill's land
 Additional Fisheries intervention will assist by reducing frequency of de-silting below the Debris Traps to every 3 to 5 years, subject to actual frequency of Flood events. I would like to answer some of the issues raised.

Unsafe in a residential area.

Traffic Management in the area of the works can remove this risk

Additional haul route in the river, additional "works" i.e. creating a path and the removing it and then repairing the Fisheries weirs etc introduces more risky activities that are not necessary and would prolong the works considerably

The activity at River Lane can incorporate double handling and use of Road Trucks rather than Site Dump Trucks to reduce water spillage etc.

The local people don't want it.

The Local People cannot rely on the River Dargle Flood Defence Scheme if it can't be maintained.

The implications of the drawings are not easily understood

The RDFDS team are available to answer questions, and there is a written description in addition to the 3D image, the drawings are in compliance with the regulations

I have presented on this on two occasions and met the Local people on several occasions

This proposal incorporates 115 square metres of over 30,800 square metres (less than 0.4% of the park).

The Proposal is likely not to be legal (Bray Commons Inclosure Act)

Under Section 213 2 (a) of the Planning and Development Act "A local authority may(i) Acquire Land....."

RDFDS CPO 2007, approved by ABP in 2008

Premature as there is no overall strategy for maintaining the River

In 1989 or thereabouts the River had a capacity of c 200 m³/sec, when modelled in 2007, it still had approximately that capacity: Bray TC (now Wicklow Co Co) have and will continue to maintain the river, as long as access is feasible. (Now it is almost 300 m³/sec!)

There is an alternative location

The alternative being proposed is not feasible because: It would not be practical. It presents very serious construction health and safety risks. It would have serious environmental costs that can't be ignored; seasonal windows to work in the river are restricted

Accessing via the debris traps presents unacceptable risk of damage to the traps themselves and the designed channel.

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Getting a 3m wide laden truck through a 4 m gap in uneven river bed/ moving gravel is not practical.

The members raised the following points;

- Can the weirs be moved to allow access at the Slang?
- If access is not needed on an annual basis can the risks be managed effectively?
- The issue of the C.P.O. was news to me; what grounds was it applied for and granted?
- Can the C.P.O. be made available to the members in due course?
- A portion of the park and the historic railings is proposed to be taken away; this was given to the people of Bray. How can the Council do this without proper consultation?
- It is a dangerous precedent; what is next year a car park?
- I would be interested in the E.I.S.
- The residents don't want this; there is health and safety implications of trucks in a residential area, accidents can happen.
- It is a nuisance for the residents and also the noise they make.
- How often would this be necessary; there is a clear alternative route at the Slang and we need to make it work?
- I recall that on a previous occasion I made the point that as a lay person I did not understand what was being proposed that night and would like to thank Eugene and Jill for making it more comprehensible.
- If this is dangerous no matter which side of the river the access is from then we are entitled to know the cost benefit analysis.
- I was in school in Bray in 1986 during the time of hurricane Charlie and this proposal is a price worth paying to never to see this occur again.
- I visited the site last week, it is a fantastic project. I went with an open mind and came away with the opinion that access at the Slang would be extremely difficult. I want to clearly state that I will support the access ramp.
- I would have no objection to you making a presentation to Wicklow County Council.

- I am familiar with the Dargle and know every inch and remember the flood in the 60's. I was a member of the Council at the time of Hurricane Charlie. I went to Wallingford to look at the design and the scheme is a magnificent job. Pat Fitzgerald asked to arrange a site meeting and to meet the engineers, only 3 members turned up.
- It is an important issue and River Lane has always been used to service the river. This is a €40 euro scheme and needs to be maintained properly. I am not in favour of putting people or property in danger.
- I have looked at this thoroughly the river has always been accessed from this point; it is not an awful lot to ask every 3-5 years, it is a small price to pay.
- I know it is difficult to have your full confidence given the time lines and the length of stay of the compound.
- I still have aspirations for Rehills Land.
- Is there another workable solution? What about the piece of land at the Fran O'Toole Bridge on the east side, is it still there?
- How long would the trucks be required two weeks/two months? This information would help me to make a decision on this. We are here to make the right decision not the popular one.
- More work and more discussions need to be done; the safety of the people is important.
- This work is a small price to pay to prevent the destruction and desolation a flood would cause.
- The C.P.O. of public lands not private lands is this legal, this needs to be addressed.
- We need to get advice on the C.P.O. and have it available for the March Meeting in Wicklow County Council; we need the full information available.

Councillor Behan proposed that the Council endorses and supports the request by the local residents to address the full meeting of Wicklow County Council when deciding on this Part 8 proposal.

This was agreed by all the members.

Councillor Behan proposed that this Council proposes the withdrawal of the current Part 8 proposal and examines in detail the alternative proposal suggested by the residents. If we make this decision in principle it would carry a lot of weight.

The members voted as follows.

	<i>For</i>	<i>Against</i>
<i>Councillor John Behan</i>	√	
<i>Councillor Christopher Fox</i>		√
<i>Councillor Steven Matthews</i>		√
<i>Councillor Oliver O'Brien</i>		√
<i>Councillor Michael O'Connor</i>	√	
<i>Councillor John Ryan</i>		√
<i>Councillor Brendan Thornhill</i>	√	
<i>Councillor Pat Vance</i>		√
Total	3	5

Marc Devereux, Senior Engineer informed the members that he will investigate the issue of the C.P.O. but thought that this superseded the 1859 Act.

The cost estimate of using the ramp versus Rehills Land would be €200,000 versus €500,000. The timeframe for the works would be unlikely to be more than two weeks. However to use the Slang would prolong the time window for the works and more costly, it would certainly be doubled.

Councillor Behan also raised the issue of 'a serious subsidence on the river bank between the Maltings and Herbert Road. He stated that the Council should immediately involve themselves to rectify the situation.

3. To Receive the Housing Report

The members raised the following points;

- When will work begin in Oldcourt?
- Will the longest serving residents be taken first?
- Will something be put in train to inform the residents of this proposal?
- We are waiting for funding, 8 houses are boarded up, is there any way we could have issued tenders before the money was available?
- Can we have the 42 units for Murphy's Land placed on the agenda under the housing report?
- The Oldcourt Association has been disbanded since last September it is important that we have good communication between groups.
- Can we have a comprehensive report from the Liaison Officer including anti social behaviour, inspections and a general overview?

Triona Irving Administrative Officer informed the members that we will have the Kilbride Lane/Murphy's Land on the Housing Report going forward. We cannot tender for Oldcourt without the approval of the Department, they provide the funding. We have placed documents on etenders to set up a framework panel of contractors. We hope to start the works in May and have 28 houses completed by the end of the year. We are meeting with the residents of 69 houses to apprise them of where things are at. The 8 houses are needed for decanting purposes; when the scheme is finished then these houses will be reallocated. Due to staff shortages it is not feasible for the Estate Development Officer to be in estates as much. We now only have 1 Clerical Officer, the Estate Development Officer and myself in housing. The Estate Development Officer assists with the rent collection on Wednesdays. Ideally there would be reports from the Estate Development Officer but this is not possible at the moment.

The members raised the following points;

- It is scandalous what is happening with the staff and how we are being treated by Wicklow County Council. We have less than half the staff we previously had.
- The staff is doing a fantastic job under pressure.
- We need to talk to the Manager; the public are not getting the service with the amount of staff we have. We need to get together as a body and tackle this situation to get better services.
- It proves that Bray is the least of the priorities of Wicklow County Council.
- There is almost an impossible level of staffing in housing for it to continue, may be this is what they want. We need to see some serious action by the C.E.O.
- There is no school warden on Schools Road since last September; Wicklow County Council has knowledge of this situation and has done nothing.
- Bray Town Council needs to be brought back; the new system of Local Government is not working.
- The 8 members need to come together and approach the C.E.O.
- It is frustrating when the Government and T.D's say that Councils are not doing their work.
- The Department need to rubber stamp the Kilbride development and get on with it. 42 units is the biggest housing development we have had in a long time.
- Traffic is going to hell and is killing the town.
- We are paying our property tax and the level of all services has gone down.
- I am waiting on the C.E.O. to come back to me and to arrange a meeting with the members of the District.
- As far as I am aware no review is being done of how Local Government is working.

4. To Receive a Report on Roads and Traffic

The members raised the following points;

- There was a policy decision made by this Council not to use a certain type of surface dressing in housing estates; there is €7 million in development levies lying in the bank, can some of this be used to fix the roads in our estates?
- Has there being a survey of the ramps in the town been carried out?
- There is an issue with dog faeces along the Boghall Road, has any fines been issued and can we be provided with the figures? Dogs should not be allowed to deface the pavement.
- People are picking up dog poo and throwing plastic bags in the hedges.
- The District Administrators has been looking at signage and posters. What do you do when owners don't pick up after their dogs?
- Is it possible to name and shame them?
- Only recently I saw nine dogs being exercised on Ballywaltrim playing fields off their leads.
- I had a letter from the Principal of St. Fergal's stating that there was an incident with a dog off the lead, which should have been muzzled. We should look at implementing a code of conduct for the use of public spaces and we could expand this when looking at the seafront byelaws.
- We could look at this in conjunction with dog bins and a dog park been provided for the town.
- People who don't pick up after their dogs will not go to a dog park.
- The northern end of seafront cycle lane has not yet been lined/marked.
- Push button traffic signals has something been done if not something needs to be done. The traffic has ground to a halt, is it the volume of cars?
- The N11 traffic is getting worse every day, we need to shout to make this a major issue.
- I have asked for a workshop on this, we need to deal with this immediately. We need to work as 8 to get action.
- I have never had as many complaints about traffic; we need to look at it if it continues at this level. It is an emergency at this stage.
- Can we look at a route to facilitate traffic at Ravenswell Road/the harbour area is it feasible?
- The key to this would be the improvement of the N11, people are finding it faster to get from A-B by going through the town.
- If the N11 improved it would make major improvements in the town. I spoke to Minister Ross a while ago in this regard but nothing was done.
- There would be a big campaign if this was anywhere else in the country.

The District Engineer informed the members that north bound at the bridge 30% of the traffic turn left, a route to the harbour would be feasible but not in the short term; it would be tied up with a right of way with larnrod Eireann; it is something we should consider. We are looking at widening Seapoint Road and putting in a third lane at the Fran O'Toole Bridge. There have been a lot of issues Tuesday last was the worst I have seen; Dublin City Council controls the SCATS system, a loop was cut at the Old Connaught junction during the works by Bord Gais. There is a dispute at the moment between Dun Laoghaire and Bord Gais.

Push button upgrades have been carried out in 2016 from public realm discretionary funding. The programme was not completed as other signal deficiencies were identified for which additional funding is required. It was previously reported that the cabling and signal heads at Vevay Road/Putland Road require upgrading. The pedestrian signals on the Upper Dargle Road at Fassaroe Estate and James Everett Park are over 30 years old. Both sets have extensive faults and the power supply at the Fassaroe installation has inadequate protection. It is recommended that additional funding of €56,000 be allocated from Public Realm funding for upgrade of these signals. Funding is still in place to carry out required ducting works at Castle Street pedestrian signals, which was identified last year.

The T11 have drafted a report on the need for a third lane on the N11.

The District Manager informed the members that the development levies are there to sustain development; it's the law the developers must contribute to related services and roads. The money is not there for maintenance.

The only way to finance road maintenance in existing is to lobby central government or put money aside in the budget.

At this point the Cathaoirleach looked for a time extension and was agreed by the members.

5. To Discuss the Review of the Parking Bye Laws

The Cathaoirleach informed the members that Wicklow County Council is seeking to standardise all parking bye-laws throughout the 5 Municipal Districts. This was discussed at a workshop on the 1st February.

A number of changes are being proposed.

Bray Municipal District shall be the authority to;
Set or modify parking charges
Set zones for parking

There shall be no increase to parking permits at this time as proposed;
Residential
Family/Carer
Replacement

Each Municipal District may, by passing a resolution, determine the manner in which fees in respect of parking shall be disposed of.

Councillor Matthews proposed the changes as per the workshop meeting and this was seconded by Councillor Vance.

The members raised the following points;

- We should retain control of how the parking system is monitored for example with regard to clamping, not privatised and free parking on Saturdays.
- Parking revenue is down because we don't have the staff; the two jobs in the area are self financing.
- Is this an attempt to standardise parking?

The Cathaoirleach stated that the submission would be made by the 8 Councillors on behalf of the District.

6. To Receive an Update on the Florentine Centre

The District Manager informed the members that we have met with financiers/developers who wish to see what our requirements would be. We are preparing documents for competition. One or two developers have expressed an interest to Savills. We will have something on etenders shortly. We want to hold a workshop meeting as soon as possible to give the members a chance to have an input into the documents and to see what the members want out of this process.

We will have sketches of the proposed deck parking on the Herbert Road and we can show them to you before going to Part 8.

The members raised the following point;

- We appreciate that there is movement on this and that it is delivered as quickly as possible with the right people.
- There is an expectation that this finally going to happen.
- It is important to identify replacement parking and acquiring places to facilitate parking.
- We should talk to the church and bring back their portion to public control.
- How long would a Part 8 process take?

- We don't want two car parks out of operation at the same time or holding up the Florentine Development.

It was agreed to hold a workshop next Tuesday 14th at 5.30 in the Civic Offices.

7. To Receive an Update on the Blue Flag

Wicklow County Council has lodged an application on our behalf

8. To Receive an Update on the Harbour Area

The District Manager informed the members that extensive tests on material in the harbour and they are within the maximum concentration. To distribute the material at sea would require a foreshore licence and at landfill the cost would be between €500,000 and €600,000. It would kill two birds with one stone if it was used for beach nourishment. As it stands we have no funds, the users feel that there is increase sediment there since the river works and we could argue the case with the O.P.W.

The members raised the following points;

- We can't let this go on for another year; it is dangerous at the moment.
- We have made enough contacts with the Department and the O.P.W. to get on with this.
- The harbours users association have asked if they can make a presentation to the Council in April and they have been told to write in.
- Has the Council had an input into the harbour moorings?
- What rights do we have?
- Do we own lands down there; we don't want the situation where people are claiming rights over lands.

The District Manager informed the members that the C.E.O. had met with a delegation of the harbours users.

9. To Receive an Update on the Cliff Walk Upgrade and Refurbishment

The Bray - Greystones Cliff Walk Upgrade and Refurbishment Study was completed earlier in the year by Bill Murphy & Associates, Consultants. The report makes a number of recommendations for the refurbishment and upgrade of the walk.

A tender for the repair works was issued on Tuesday 1st November with a closing date of 18th November. Three number tenders were received in response to this. Tenders have been assessed and the successful tenderer, Roundwood Timber Limited, appointed. Officials of the Council have held meetings with the contractor & Iaranrod Eireann regarding the necessary consents and expect to be in a position to commence works in early March.

10. To Receive an Update on the Skateboard Park

Due to time constraints this matter was not addressed

11. To Discuss the Naming of the River Walk

Due to time constraints this matter was not addressed

12. To Discuss the Review of the Seafront Bye Laws

It was proposed to hold a work shop at a date to be decided.

13. To Receive an Update on the Town Team

Due to time constraints this matter was not addressed

14. To Nominate a Representative to the Mermaid Board

Councillor Ryan proposed Councillor Matthews as the representation to the Mermaid Board and Councillor Vance seconded this proposal

15. Notices of Motion

Due to time constraints this matter was not addressed

16. Correspondence

Due to time constraints this matter was not addressed

17. Any Other Business

The District Manager stated that staff integrity was called into question earlier in the meeting. It was stated that a member had to wait for a delegation to attend the meeting to understand a drawing. Staff gets paid a wage to work and not to be vilified at a public meeting. If a member wants to have a go at me that's fine but not the staff. Any time this happens I will refute it.

Councillor Behan stated that he had previously stated that he did not understand the drawings and the presentation made it more comprehensible.

Councillor Behan addressed the Cathaoirleach stating that a full licence hearing was held in court relating to the Barracuda and that it was important to hear from you as to what actually happened and the reason the judge granted the licence. Could we have a report for the March Meeting?

The Cathaoirleach agreed.

Councillor Thornhill stated that the Bray Concert Band after 30 years meeting in St. Philomena's School was being asked to vacate the premises by the 31st June. It is a local community band and they have asked to make a presentation at the next meeting. They are part of the structure of Bray.

The Cathaoirleach asked Councillor Thornhill to brief him on the item.

* * * *

This concluded the meeting.

Signed:

CATHAOIRLEACH

Signed:

DISTRICT ADMINISTRATOR

Dated:
