

**Minutes of the Ordinary Meeting of the Municipal District of Bray held in the Council Chamber, Town Hall, Bray on Tuesday 9<sup>th</sup> May 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 Brendan Thornhill  
Councillor Pat Vance

**Also present:** Mr. Des O'Brien, Director of Services  
Mr. David Forde, District Administrator  
Mr. Liam Bourke, District Engineer

**Absent**

**Apologies:** Ms. Triona Irving, Administrative Officer  
Councillor John Ryan

A Vote of Sympathy was extended to the families of Councillor Pat Doran on the death of his wife Mary and Father Paschal Slevin formerly of St. Fergal's Parish who recently passed away. A minute's silence was observed, as a mark of respect.

**1. Confirmation of Minutes of the Ordinary Meeting dated 4<sup>th</sup> April 2017.**

Councillor Fox proposed confirmation of the minutes of the Ordinary Meeting of the Municipal District of Bray dated 4<sup>th</sup> April 2017 and Councillor Behan seconded the proposal.

**2. To Adopt the Schedule of Works**

The District Administrator presented the following Municipal District Works expenditure to the members.

	<b>Bray MD Pay Roll Budget 2017</b>	<b>Bray MD Non Pay Budget 2017</b>	<b>Bray MD Total Bud 2017</b>
<b><i>MUNICIPAL DISTRICT WORKS EXPENDITURE</i></b>			
<b>DIVISION A HOUSING AND BUILDING</b>			
A01 Maintenance/Improvement of LA Housing Units	294,933	407,819	
<b>DIVISION B ROAD TRANSPORT &amp; SAFETY</b>			
B03 Regional Road – Improvement and Maintenance	78,425	512,041	
B04 Local Road - Maintenance and Improvement	194,919	570,515	765,434
B08 School Warden Service	91,171	1,000	
B901 Herbert Road Car Park		60,286	
B901 Florence Road Car Park		62,366	
B901 North Beach Car Park - Strand Road		20,000	
B902 Restricted Parking	98,696	128,385	
B09 Parking Enforcement		10,000	
<b>DIVISION C WATER SERVICES</b>			
C04 Maintenance Public Conveniences Enniskerry		34,000	
C04 Public Convenience Maintenance	38,675	12,740	

<b>DIVISION D DEVELOPMENT MANAGEMENT</b>			
D09 Economic Development and Promotion		37,500	
<b>DIVISION E ENVIRONMENTAL SERVICES</b>			
E06 Street Cleaning	428,848	65,879	
E09 Maintenance and Upkeep of Burial Grounds	17,841	22,127	
<b>DIVISION F RECREATION &amp; AMENITY</b>			
F03 Exceptional Tree Removal		15,000	15,000
F03 Peoples Park		6,200	6,200
F03 Bray Head - Special Amenity		7,000	7,000
F03 Operation of Parks & Open Spaces	252,174	115,667	
F03 Esplanade Maintenance	93,700	47,113	140,813
F03 Recreational Grounds		15,100	15,100
F03 Grass Cutting Housing Estates		40,000	40,000
F03 Playground Maintenance	9,240	30,760	
F03 Blue Flag Upkeep - Bray	5,234	20,000	
F05 Operation of Arts Programme		44,500	44,500
<b>DIVISION H MISCELLANEOUS SERVICES</b>			
H09 Public Realm Expenditure		226,000	
<b>DIVISION J CENTRAL MANAGEMENT CHARGES</b>			
J08 Bray Municipal District Costs	707,769	279,191	986,960
<b>MUNICIPAL DISTRICT WORKS EXPENDITURE TOTAL</b>	<b>2,311,625</b>	<b>2,791,189</b>	<b>5,102,814</b>
<b>CENTRALLY ADMINISTERED EXPENDITURE</b>			
<b>DIVISION A HOUSING AND BUILDING</b>			
A02 Housing Assessment, Allocation and Transfer	59,087	200	59,287
A03 Housing Rent and Tenant Purchase Administration	36,031	77,540	113,571
A04 Housing Community Development Support	54,535	47,923	102,458
A05 Administration of Homeless Service	19,856	100	19,956
<b>DIVISION B ROAD TRANSPORT &amp; SAFETY</b>			
National Secondary Road – Maintenance and Improvement			
B02 Improvement			
B06 Traffic Management Improvement	167,616	600,384	768,000
B07 Road Safety Engineering Improvements		25,000	25,000
B11 Agency & Recoupable Services		5,000	5,000
<b>DIVISION C WATER SERVICES</b>			
C08 Local Authority Water and Sanitary Services		26,617	26,617
<b>DIVISION D DEVELOPMENT MANAGEMENT</b>			
D05 Tourism Promotion and Promotion		35,500	35,500
D05 Bray Enterprise Centre		13,213	13,213
D903 Twinning Committee Expenses		10,000	10,000

<b>DIVISION E ENVIRONMENTAL SERVICES</b>				
E02	Recovery & Recycling Facilities Operations	196,410	193,294	389,704
E05	Litter Management	11,961	6,000	17,961
E11	Operation of Fire Service	557,057	138,848	695,905
<b>DIVISION F RECREATION &amp; AMENITY</b>				
F01	Leisure Facilities Operations			
F02	Operation of Library and Archival Service	391,761	78,700	470,461
F04	Community Sport and Recreational Development		20,000	20,000
F05	Operation of Arts Programme		342,282	
<b>DIVISION G AGRICULTURE, EDUCATION, HEALTH &amp; WELFARE</b>				
G02	Operation and Maintenance of Piers and Harbours	-	5,000	5,000
G03	Coastal Protection	38,605	17,900	56,505
G05	School Meals	8,642	33,450	42,092
<b>DIVISION H MISCELLANEOUS SERVICES</b>				
H10	Motor Taxation	40,430		
<b>CENTRALLY ADMINISTRATED MD EXPENDITURE TOTAL</b>		<b>1,581,991</b>	<b>1,676,951</b>	<b>3,258,942</b>
<b>COMBINED MUNICIPAL DISTRICT EXPENDITURE</b>		<b>3,893,616</b>	<b>4,468,140</b>	<b>8,361,756</b>

The members raised the following point;

- Bins, is there any chance we could install one on the Southern Cross Road.

The District Administrative Officer informed the members that smart bins minimum cost is €2,500 and there is no money assigned in the budget this year.

Councillor Behan proposed the adoption of the Schedule of Works and this was seconded by Councillor Fox.

### 3. To Receive the Housing Report

Councillor Behan praised the housing staff for the way the consultation was carried out with the residents of Oldcourt Estate in relation to the Energy Efficiency Scheme and the letter that issued.

### 4. To Receive a Report on Roads and Traffic

The members raised the following points;

- I know you are waiting on tenders in relation to the ramps but the one on the Boghall Road is dangerous when will the work start?
- Can you lower the kerb at Kilmurray Cottages in Kilmacanogue to allow wheelchair access to the village?
- What is the current situation on the road in the Vevay?
- There is an issue with the pedestrian lights on Vevay Road/O'Byrne Road, can we look at this?

The District Engineer informed the members that it is envisaged that work will start on the ramps in two weeks. I will have a look at the kerb in Kilmacanogue. Reconstruction of defective patches have been carried out on the Vevay Road, tenders for resurfacing are due mid May. Due to the age of these lights they can't be adjusted. They need major refurbishment, the cost would be approximately €60,000 and we have no budget for this.

### 5. To Receive an Update on the Florentine Centre

The District Manager informed the members that and we hope to advertise within 2 weeks. It will be a two stage process and we hope to shortlist to 3 based on experience, financial consideration and how fast they can carry out this development. We hope to assess bids in mid June

The members raised the following point;

- Is there any update on the additional car park facilities?

The District Manager stated that we are still working on the car parking.

## **6. To Discuss a Review of the Seafront Bye Laws**

The District Administrator informed the members that our current bye laws were last amended in 1946. We will circulate a draft of the proposed Seafront Bye Laws 2017 in the next few days. The Gardai will also be consulted.

## **7. To Discuss the Development Contribution Scheme**

Councillor O'Connor requested that this item be left on the agenda as there were some questions raised over the restrictions on what the levies could or could not be used for.

The members raised the following points;

- Development levies restrictions were explained in great detail at the previous meeting.

Councillor Behan stated that he disagreed with the District Manager's opinion on this and reserved the right to raise this issue again.

- There are areas in the harbour area that need to be seriously looked at and there are funds in Wicklow County Council. A job needs to be done in this area.

## **8. To Discuss the North Esplanade Civic Amenity**

The Cathaoirleach stated that this item was on the agenda in July 2014, the Executive Engineer Stephen Fox proposal for a civic development on the north esplanade did not get a positive response. I suggest that we go back to Stephen and ask for an idea and design that the members would be in favour of.

The members raised the following points;

- I would suggest that the proposal not be too detailed in case the members would have difficulty with it.
- I would suggest extra car parking spaces set back towards the Barracuda. Spaces were lost due to the works carried out in the area; this may be an opportunity to consider this.
- I support the Executive Engineer coming back with some ideas. I would like to see a plan for the restoration of the People's Park. This area has not reached its potential and could be improved upon.
- Is there some outside assistance that can be giving to Stephen Fox, I am aware of his workload.
- I am not in favour and it would depend on how much of the area would be taken for extra car parking.
- The beach replenishment in this area was so successful there are more swimmers in the area.
- I would like to see a link from the promenade to the other side of the harbour and a link with the Golf Club Lands.
- We need to make a decision regarding the Victorian shelters and maybe we could look at this in the overall plans.
- I would like to ask for the provision of changing huts for the swimmers and perhaps revisit the area of the skateboard park.
- We promised the residents that the Peoples Park would be returned to its previous state, I would have reservations.
- The improvements that have been made to the new entrance are top class and it opens up the area.
- I would have no problem with footpaths repairs; I would just support landscaping in the park.
- Any work should be run by the residents in the area.

- Up grading paths is common sense but reducing open spaces with hard surfaces I am not in favour of.
- Any works should be done in consultation with the residents.
- The People's Park has not reached its full potential.

The District Manager stated that the executive put forward 4 options for the skateboard park, 3 were rejected. It was suggested that we look at the harbor area not in the seafront area. I agree that the members gave a commitment that no work would be done in the park, this was my understanding. The trees, paths and bandstand are looking sad and tired, we would be happy to carry out these works. They are a little tatty at the moment.

## 9. Reports and Recommendations

### Barracuda

Councillor Behan wished to put on record the gratitude and recognition of the huge job of work and giving of evidence regarding the Barracuda case that Councillor Matthews provided, it was an outstanding service to the people of Bray. Where is it at? You asked Officials to pursue this, it is an opportunity lost. The will of the Councillors was not enforced.

The Cathaoirleach stated that the Judge ruled, this is out of our hands and there is not much we can do.

### Seafront Waste Management.

The District Administrator presented the following report to the members, stating that there was a Sunday in March when bins were overflowing this was due to the unexpected good weather.

### **Seafront Waste Management**

Over the past number of years Bray MD have introduced *Smart Solar-Compactor Bins* on Bray Seafront. Currently there are 28 of these Solar-Compactor bins located on, or in, the vicinity of the Seafront, one of the most popular spots for residents and tourists alike in Bray. These bins are both *Smart* and contain an inbuilt compactor. They have a telemetry system which relays the capacity status of the bins. The bins using solar power, compact rubbish during the course of the day. As such the bins have 3 times the capacity of a normal bin. The bins on Bray Seafront are emptied on a Friday, Saturday and Sunday mornings. Additional bins have, on occasion, been installed on the Seafront for the Summer season.

As part of an old bin replacement programme, Bray MD is installing a further batch of Smart bins around the town, locations for which have been determined by Bray MD Engineering staff. When the installation of the current batch of Smart bins is complete, Bray MD will have 48 in total located throughout the District.

In efforts to keep Bray tidy, Bray MD and Bray Tourism are currently examining the possibility of getting the Litter Pickers to start earlier this year, specifically next weekend. This obviously will have an extra cost as it is two full months earlier than in previous years. The Litter Pickers will be employed from next weekend for weekend work and will work fulltime from June until the end of August. The Litter Pickers supplement the work of Bray MD staff who will continue to work on the Seafront for the busy Summer season.

The members raised the following points;

- Nobody can be prepared for unexpected good weather.
- The Order of Malta hut needs to be repainted in advance of the summer.

### The Old Dump at Bray Harbour

A report was previously circulated

The members raised the following point;

- The meeting with Dun Laoghaire Rathdown County Council on the 17<sup>th</sup> May at 4pm was mentioned.

The Cathaoirleach stated that he had been talking to the DLR Cathaoirleach Cormac Devlin, we are putting together a manageable/streamlined agenda, combining any issues we have. Michael Geaney has been in

contact with E.P.A. and is felt that the material present is low risk. The E.P.A. DLR and Wicklow County Council are working together and any updates will be passed on.

#### N11-M11 Traffic Needs Assessment

This item will be dealt with at the transport workshop.

This was agreed by the members.

#### Mount Herbert

The members raised the following points;

- A number of Councillors have been contacted regarding this issue at Mount Herbert. A comprehensive report has been carried out and this issue has not been caused by pile driving works. We had a large amount of rainfall over a short period of time. There is no leakage in the pipes in the area; a spring is causing the problem. Where do we go from here?
- It is a dangerous bank, what is our function?
- It is a public risk and a risk to anyone who has property in the Maltings.
- Is the onus on the resident of number 2 on the Herbert Road?
- Do we have a role in trying to help to alleviate the risk?
- I feel that the residents do have a responsibility, have the ground water levels been monitored during and after the works?
- Is it the role of the Local Authority to check out this area?
- Can we do the work and bill the landowners afterwards is this allowed in law?
- We should invite the landowners to have a discussion, this will not go away. Maybe we could offer some advice on what needs to be done.
- The angle of the bank it looks ready to collapse, we could inform them what their options are.
- Ground water is not restricted to one property, is there some help from the Local Authority that can resolve this; it will be an expensive solution.
- We should invite the residents to attend the Civic Offices to talk, I don't know if the residents have the capacity to resolve this.

The District Manager stated that the geotech engineering report states that the area is not affected by the works. The Environment Section could issue a notice on the landowners to make this safe, if you want to serve notices.

The District Engineer agreed to invite them in and to bring in their engineer.

### **10. Notices of Motion**

#### **Notice of Motion In The Name of Councillors Michael O'Connor and Oliver O'Brien (04/10/2016)**

That the down water pipes on the Old Town Hall be cleared out. They are currently blocked and the resulting water damage will cause harm to the Old Town Hall.

#### **Response**

The downpipes were recently inspected during wet weather. There were no overflowing gutters. However, a hole was discovered below the hopper of the downpipe on the west side of the north entrance, where rain water was escaping. The leaseholder has been notified and instructed to repair.

#### **Notice of Motion In The Name of Councillors Michael O'Connor and Oliver O'Brien (05/07/2016)**

That the Wyvern Monument outside the Old Town Hall in Bray be returned to its previous use as a flower bed. This monument is a long standing meeting place in Bray and should be given the recognition it deserves.

#### **Response**

The Wyvern may have been planted at one stage. However, it was originally designed to be and served as a fountain. The basin was capped about 15 years ago due to the rubbish it attracted and the difficulty in keeping it clean. It is no longer workable as a fountain.

#### **Notice of Motion In The Name of Councillor Michael O'Connor (08/11/2016)**

In front of the Royal Hotel in Bray there is an obelisk shaped monument to Dr. Christopher Thompson.

#### **Response**

Dr. Christopher Thompson worked as a doctor in Bray in the 1870's and he lived at 9 Duncairn Terrace. There was an outbreak of cholera in the Boghall Road area in 1876. Dr. Thompson volunteered to care for the victims of this dangerous disease. As a result, he contracted the disease himself and he died on the 16<sup>th</sup> of December 1876. He is buried in St. Paul's graveyard across Main Street from the monument. The monument recognising his contribution was erected following a meeting in the Royal Hotel on 26<sup>th</sup> January 1877.

The members of Bray Municipal District call on the town engineers to examine this monument with a view to restoring it to a fit state as befits the memory of this committed Doctor who died in the service of the people of Bray

The monument is a protected structure included in the RPS B46 under 'Courthouse and fountain'. It is structurally in good order and cleaning is not considered to be warranted. It should be noted that the monument consists of soft sandstone, which in parts is friable when rubbed. Cleaning the stone work by chemical treatment or sand blasting would damage the monument.

#### **Notice of Motion In The Name of Councillor Joe Behan (06/12/2016)**

That this Council resurfaces Loreto Lane off Sidmonton Road.

#### **Response**

The Council has recently carried out pothole repairs on the section of unpaved laneway off Loreto Avenue that is in its charge. As there is no surface water drainage available on the lane, the provision of a bound surface is not feasible. There is also a laneway at the rear of Loreto Avenue, which is off Sidmonton Road; this is more generally called Kingdom Lane.

It has recently been clarified that this is also known as Loreto Lane, which is on the schedule of roads in charge. Necessary repairs will be addressed at the earliest opportunity.

#### **Notice of Motion In The Name of Councillor Joe Behan (06/12/2016)**

That this Council reviews its arrangements for the attendance and participation by members of the public to allow for a more comprehensive engagement by the public when matters of interest are being discussed.

#### **Response**

This is a change of Standing Orders and a matter for the members

The members raised the following points;

- This is restrictive especially when an issue arises and there are a lot of members of the public in attendance. It could be a serious issues and some flexibility should be shown.
- It is important that we improve the sound system so the public can hear what is going on.
- Can we look at Standing Orders?
- I am not in favour of this and as in the case of the surface dressing issue a presentation was made at the following meeting. This gives the public time to prepare their 2/3 most articulate people not who shouts the loudest having their say.
- There is a mechanism in place, we represent the public and they work through us.
- This would not add to the meeting, it is anything but desirable not would be a free for all.
- I would advocate more input from the people of the town. There is no harm in allowing the public to speak from the floor in an organised way.
- This is democracy people want to feel part of the meeting in an organised way, people would appreciate it.

- This would be un-workable.

**Notice of Motion In The Name of Councillor Michael O'Connor (10/01/2017)**

That this Council supports the provision of a bus service to Fassaroe and mandates Wicklow County Council to provide whatever infrastructure is required to allow buses to turn. Further the Council notes that this issue is urgently required.

**Response**

Residents in Hazelwood, Fassaroe objected to and obstructed work by the Bray Town Council to provide a bus turning circle. Unless the residents agree to a viable proposal, there will be no incentive for Dublin Bus to return the service to Fassaroe. The turning area must be of adequate size to allow the bus to turn in one movement without reversing.

**Notice of Motion In The Name of Councillor Michael O'Connor (10/01/2017)**

It is agreed by the members that recycling bins and bottle banks be provided to facilitate the residents of the Little Bray area.

**Response**

Recycling facilities were formerly located at the Castle Street Shopping Centre Car Park. As Waste Management is the responsibility of the Environment Department, this request has been forwarded for their attention

**Notice of Motion In The Name of Councillor Michael O'Connor (10/01/2017)**

It is agreed by the members that a tree preservation order be placed on the trees of the former Danish Ambassador's residence.

**Response**

Tree Preservation Orders is within the remit of the Planning Department and this request has been forwarded for their attention.

**Notice of Motion In The Name of Councillor John Behan (07/02/2017)**

That the Council arranges for the installation of public lighting along the walkway beside Ashton Wood leading to Herbert Road.

**Response**

The woodland walkway is on private land

**Notice of Motion In The Name of Councillor John Behan (07/02/2017)**

That the Council arranges for the installation of a public light at the entrance to Giltspur Wood.

**Response**

The District has no public lighting budget. Funding will be requested from the Transport and Roads Department

**Notice of Motion In The Name of Councillor John Behan (07/02/2017)**

That the Council places a litter bin on Main Street beside Keegan's Bakery.

**Response**

The Main Street is generally very well served by litter bins, which are emptied regularly. This section of path is narrow in relation to high footfall and would present an unnecessary obstruction to pedestrians

**Notice of Motion In The Name of Councillor Brendan Thornhill (04/04/2017)**

That this Municipal District maintains and services the toilets on the seafront.

**Response**

The toilets are cleaned on daily basis; we can't provide a cleaner 8-9 hours a day.

**11. Correspondence**

There was no correspondence at this time

**12. Any Other Business**

Pilot Scheme in Gory regarding Disabled Parking Bays

The members raised the following points;

- There is a new pilot scheme in Gorey it is a new text alert initiative to report the misuse of disabled parking spaces encourages members of the public to report offenders via a free text service. Would it be possible to introduce this scheme in Bray Municipal District?
- This is a good idea. Marking the disabled bays is important; it needs to be a coloured box.

Allegations of planning and other irregularities in Wicklow County Council.'

Councillor O'Connor stated that members had received an email containing serious allegations and was calling on the members of Bray Municipal District to forward this matter to the relevant Minister. He stated that Greystones Municipal District has already made this call on this district to do the same. These matters are exceptionally serious and we should ask the Minister to look into this.

The members raised the following points;

- Don't come in here asking for a vote on something like this. It is a dangerous precedent that anyone can come in off the street and do this. Other members here are not asking for a vote this is scandalous.
- I agree most definitely and have total confidence in Mr. O'Brien as a public servant. You as a solicitor should have evidence before calling for an enquiry. I will not support this.
- On what basis would you ask us to send this?

Councillor O'Connor stated that he had no further information on this but it is a serious matter to be put out there. It is important that we send this to the Minister it is a serious allegation.

The members raised the following points;

- There is not a case here it is our duty to use our discernment.
- I am amazed that half a political party want an enquiry into the best deal ever done by this Council. The officials should get a clap on the back for the deal.
- Now that we are on the brink of getting this up this project up and running a public representative is calling for an investigation to slow this down.

The District Manager thanked the members for their support; the staff of Wicklow County Council is being attacked by these allegations. We will respond, things are transparent but I am deeply hurt on behalf of my staff.

\* \* \* \*

This concluded the meeting.

**Signed:** \_\_\_\_\_  
**CATHAOIRLEACH**

**Signed:** \_\_\_\_\_  
**DISTRICT ADMINISTRATOR**

**Dated:** \_\_\_\_\_