

ORDINARY MEETING OF WICKLOW COUNTY COUNCIL

HELD AT WICKLOW COUNTY BUILDINGS, WICKLOW TOWN

ON MONDAY, 15TH JANUARY 2018 AT 2:00 P.M.

Gwen Malone Stenography
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GWEN MALONE STENOGRAPHY

1 THE MEETING COMMENCED ON MONDAY, 15TH DAY OF
2 JANUARY, 2018 AS FOLLOWS:

3
4 CATHAOIRLEACH: Good afternoon, ladies and gentlemen,
5 you're all very welcome and I'd like to particularly 14:02
6 welcome the members of the public who have come here
7 today. First of all, I'd like to start by wishing
8 everybody a happy and prosperous new year.

9
10 Just one thing before I start the meeting. I'd like to 14:02
11 put forward the option of extending the meeting, if
12 necessary, to 6:00 o'clock, is that agreeable by the
13 Members?

14 FROM THE FLOOR: Agreed.

15 CATHAOIRLEACH: Okay. 14:02

16 CLLR. WINTERS: Can we extend that further, Chairman,
17 if we have to?

18 MS. GALLAGHER: Let's do it by 4:30.

19 CATHAOIRLEACH: By 4:30 we'll do it. Okay. Is there
20 any votes of sympathy? I believe there may be a few. 14:02

21 MS. GALLAGHER: Yes, Cathaoirleach.

22 CATHAOIRLEACH: Cllr. Lawless.

23 CLLR. LAWLESS: Thanks, Cathaoirleach. I'd like to
24 pass my vote of sympathy to the family of Pat Smith
25 from Greystones. Pat Smith was Secretary of the 14:03
26 Greystones AFC Soccer Club for many, many years and he
27 was also an employee of Wicklow County Council up until
28 he retired. He was a very funny man. I've known him
29 since a young girl and he'll be sadly missed within the

1 Greystones Community. So I'd like to extend our
2 condolences to his sister Mary and his brother Kevin,
3 please. Thank you.

4 CATHAOIRLEACH: Cllr. Thornhill.

5 CLLR. THORNHILL: Go raibh maith agat, Cathaoirleach. 14:03
6 I would just like to move a vote of sympathy to the
7 family and friends to Aaron Kelly, the young lad that
8 was buried last week, 10 years approximately in age and
9 who was involved with Ardmore Rovers. I'm sure we all
10 should appreciate that was devastating for the family 14:03
11 and I think that we should support the family. Go
12 raibh maith agat, Chairman.

13 CATHAOIRLEACH: Cllr. Fox.

14 CLLR. FOX: Thank you, Chairman. I would like to offer
15 my sympathies to Mr. Sean Devlin in Kilmacanogue. Sean 14:04
16 was heavily involved in the community as all the Devlin
17 family has been. They seem to be involved in every
18 organisation and association in the community and sadly
19 Sean passed away last week. So I would just like to
20 offer my sympathies to his wife, Peggy, and all the 14:04
21 family. Thanks, Chairman.

22 CATHAOIRLEACH: Cllr. Gerry Walsh.

23 CLLR. WALSH: I would just like to be associated with
24 the remarks and condolences for Patrick Smith in
25 Greystones, Cathaoirleach. I would have known him 14:04
26 through his involvement in Greystones AFC down through
27 the years and he was a committed servant to that club
28 and gave a great commitment to support the club and
29 promote sport in the area in general. Just condolences

1 again to his family. Thank you.

2 CATHAOIRLEACH: Cllr. Tommy Cullen.

3 CLLR. TOMMY CULLEN: Chairman, I'm sure you'll join
4 with me, that we would write a letter of thanks to the
5 services of Mr. Noel Dooley who has recently retired 14:04
6 from the fire service, of the many years of excellent
7 service. He is the third generation of firemen in the
8 Baltinglass area. He served in Bray in recent years.
9 His father was a Senior Fire Officer and his father
10 actually lost his life, Paddy Dooley, in 1968 during 14:05
11 the tragic accident in Baltinglass for the fire
12 service. So he is the third generation of Dooleys in
13 the Fire Service. So I would ask that the Council
14 would send Mr. Noel Dooley a letter of thanks for all
15 the years of service, excellent years he and his family 14:05
16 have given to the Council and the fire service.

17 CATHAOIRLEACH: I'm happy to second that. Thank you.
18 Cllr. Fitzgerald.

19 CLLR. FITZGERALD: I just want to offer my sympathy to
20 the family of Michael O'Brien, known as Mick O'Brien 14:05
21 who originally came from Hacketstown in Carlow, and an
22 outstanding sportsman who won medals in Dublin,
23 Wicklow, Carlow. Great sportsman and a businessman in
24 the Arklow area.

25
26 And to the family of the late Garda Superintendent
27 Peter Finn. Peter lived in Wexford but he was a very
28 prominent guard in Wicklow/Wexford area for many years
29 and he died at a relatively young age on Christmas 14:05

1 morning.

2 CATHAOIRLEACH: Thank you.

3 MS. GALLAGHER: We have some more votes of sympathy.

4 For Mrs. Bridget Roche, mother-in-law of Noelly Roche,

5 Housing Department; for Mr. Peter Hempenstall, 14:06

6 father-in-law of Sean Doyle, Housing Department; and

7 for Pat Byrne, brother of Tommy Byrne, the Machinery

8 Yard.

9 CATHAOIRLEACH: We'll have a minute's silence.

10

11 [ONE MINUTE'S SILENCE WAS OBSERVED] 14:06

12

13 CATHAOIRLEACH: Before the meeting commences I think I

14 have one proposal for a Suspension of Standing Orders

15 at 4:30. Cllr. Behan. 14:07

16 CLLR. BEHAN: Thanks, Cathaoirleach. I'd like to

17 propose a Suspension of Standing Orders to discuss the

18 fact that Wicklow County Council has effectively

19 stopped repairing public lighting throughout the County

20 for some reason, which I think is to do with lack of 14:07

21 ordering of supplies, or whatever. But in Bray at the

22 moment we have between one and 200 public lights out of

23 action and we were told at our last meeting it will be

24 May before they'll actually be repaired. I believe

25 this is a problem widespread throughout the County. 14:08

26 It's not good enough, absolutely not good enough, and I

27 think we need an explanation and a discussion and a

28 plan as to what we are going to do about it. Thank

29 you.

1 CATHAOIRLEACH: Is that agreed?
2 FROM THE FLOOR: That's agreed.
3 MS. GALLAGHER: Can I have a seconder?
4 CATHAOIRLEACH: A seconder for that? Cllr. Fox. Okay,
5 thank you, Members. 14:08
6
7 Item 1 on the agenda: To confirm and sign the minutes
8 of the Ordinary Meeting of Wicklow County Council held
9 on Monday, 6th November, 2017.
10 MS. GALLAGHER: Proposer Cllr. Snell. Seconded? 14:08
11 CATHAOIRLEACH: Cllr. Vance. Is that agreed?
12 FROM THE FLOOR: Agreed.
13 CATHAOIRLEACH: Item 2: To confirm and sign minutes of
14 Budget Meeting of Wicklow County Council held on
15 Monday, 27th November, 2017. 14:08
16 MS. GALLAGHER: Proposed by Cllr. Shay Cullen; seconded
17 Cllr. Fox. Agreed?
18 FROM THE FLOOR: Agreed.
19 MS. GALLAGHER: Thank you.
20 CATHAOIRLEACH: Item 3: To confirm and sign the 14:08
21 minutes of the Ordinary Meeting of Wicklow County
22 Council held on Monday, 4th December, 2017.
23 MS. GALLAGHER: Proposed Cllr. Ryan; seconded
24 Cllr. Walsh.
25 CATHAOIRLEACH: Is that agreed? 14:09
26 FROM THE FLOOR: Agreed.
27 CATHAOIRLEACH: We'll now move on to Item 4.
28 CLLR. VANCE: Chairman, could we just move Item 12, to
29 note the Local Government Audit Report and note that.

1 It's just at the end of number 12 there. We mightn't
2 get to it today, you know.

3 CATHAOIRLEACH: I have no issue. Do you want to move
4 it up to now?

5 CLLR. VANCE: It's just for noting anyway. 14:09

6 CLLR. FITZGERALD: I second that.

7 CATHAOIRLEACH: Okay. So a proposal to move Item 12 up
8 ahead of Item 4 to note the Local Government Audit
9 Report. Is that agreed?

10 MS. GALLAGHER: So is it noted and agreed? 14:09

11 FROM THE FLOOR: Noted and agreed.

12 MS. GALLAGHER: Noted and agreed. Thank you.

13 CATHAOIRLEACH: Item 4: To consider the disposal of
14 0.0076 hectares of land on parts of land known as The
15 Florentine Centre site, Quinsboro Road, Bray, County 14:09
16 Wicklow, to Avondale Food Stores Limited, 1 Terenure
17 Place, Dublin 6W, by way of 35-year lease (as per
18 notice previously circulated). I'll just let Des come
19 in on that.

20 MR. O'BRIEN: Thank you, Cathaoirleach. This is part 14:10
21 of overall Florentine site, the substantive part is in
22 next item on the agenda.

23

24 The bottle store is an existing shed that one of the
25 you pubs on Quinsboro Road keep their barrels and 14:10
26 bottles there and have lines to bring it into the pub
27 directly from there. We CPO'd that as part of the
28 whole Florentine site but rather than pay them
29 compensation on it we agreed we'd give them an

1 equivalent area adjacent to it and plus we would give
2 them some compensation for the disruption as well. We
3 thought that was the most expedient way of dealing with
4 this acquisition. So they have an existing 35-year
5 lease from the former owners of the site. We're going 14:11
6 to give them a similar lease, except we're going to
7 start it from year zero again and give them a new
8 35-year lease. As part of the Development Agreement
9 with the proposed developers of the Florentine site,
10 they'll have to build this bottle store first of all 14:11
11 and we will transfer the bottle store then into the new
12 store. So the Avondale Stores will have use of the
13 committee's bottle store while we're building the new
14 one and then when a new one is built they will leave it
15 and that will be demolished. So I would recommend that 14:11
16 to the Members.

17 CATHAOIRLEACH: Cllr. Vance.

18 CLLR. VANCE: I propose that, Chair.

19 CLLR. MATTHEWS: Second it.

20 CATHAOIRLEACH: Cllr. Matthews seconds. 14:11

21 MS. GALLAGHER: Is that agreed?

22 FROM THE FLOOR: Agreed.

23 MS. GALLAGHER: Thank you.

24 CATHAOIRLEACH: Item 5: To consider the disposal of
25 9,689 square metres, or thereabouts, of land situated 14:12
26 off Main Street, Bray, County Wicklow and bounded by
27 Florence Road, Quinsboro Road and Eglinton Road to
28 Navybrook Limited, 55 Percy Place, Dublin 4 (as per
29 notice previously circulated). I'll bring Des in.

1 MR. O'BRIEN: Cathaoirleach, Members of Bray Town
2 Council will be very, very aware of this as it has been
3 on the agenda continually probably for the last seven
4 years, if nearly every meeting. It's actually been
5 going on since 1996 when the Members proposed that 14:12
6 instead of just doing a multi-storey car park they'd do
7 something a bit more ambitious. It's had its ups and
8 downs over the years and eventually the company that
9 owned it went into receivership and we pursued their
10 interests in the site off the receiver in December 14:13
11 2013. In the meantime we engaged with Savills to give
12 us advice on retail investment advice on the chance of
13 getting tenants and what the rents would be and how
14 that would translate into paying for the centre. So we
15 did brochure drawings, first of all, for the 14:13
16 development.

17
18 First of all, I got a quantity surveyor to work out
19 what it would cost approximately. On the basis of
20 that, Savills then did their research on what rents we 14:13
21 would be liable to get. Towards the middle of 2016
22 they said it's just about viable. We've had various
23 meetings with the Bray Municipal District in the
24 meantime explaining exactly how it would work. We then
25 went for full planning permissions. We engaged 14:14
26 architects, engineers and planners because we felt the
27 size of the development needed an EIS. We got planning
28 permission this time last year, just a few days hence
29 from this time last year and we started then engaging

1 lawyers. Because this is actually not really a
2 straightforward sale of the site, we will continue to
3 own this site until the development is built. It would
4 make life much easier if it was just a simple sale
5 because we could have just put it up for tender and the 14:14
6 person who paid the most would get the gig, or we could
7 even at that stage done, the person who we figure would
8 give the best offering from the town, we might have
9 been able to do it. But the fact that we're holding on
10 to ownership of the site until the site is completed 14:15
11 meant we were, in effect, procuring the development of
12 the site. So we had to go through, in line with
13 European Procurement Directives, which turned out to be
14 a very long process. It has taken the best part of
15 nine months. The legal documents took an awful lot of 14:15
16 coming and going to get them completed.

17
18 what we had to go through. First of all, we did
19 actually lots of markets of the site first of all
20 through Savills. We had a corporate page ad in The 14:15
21 Irish Times; and we had a corporate page article done
22 by that newspaper on the site. Savills wrote to their
23 entire database, but they actually certainly
24 concentrated and focused on 15 people they thought were
25 best to do it and we interviewed these this time last 14:16
26 week, over the Christmas period. We were quite
27 surprised then when we put it up for the first stage
28 which is called the prequalification stage. Only four
29 of these people tendered. We only qualified for

1 various reasons two of these.

2
3 The next stage is you go into competitive dialogue
4 where you need a new set of documents made up by the
5 lawyers. We had two people and they both engaged 14:16
6 initially but towards the end we were a little
7 concerned that the second tenderer didn't seem to have
8 huge interest in it and we were a bit concerned that
9 they might not tender.

10
11 So when the competitive dialogue stage was over - and 14:16
12 that's really to agree things like what's in the
13 Development Agreement and mainly deals with how the
14 funders can step into an agreement if it doesn't work
15 out, that's important because once you go to a tender 14:17
16 stage you can't change anything. So we eventually
17 called for tender and we got the documents back at the
18 beginning of December, even though we only got one lone
19 tender in. Because time is of the essence, because we
20 really had hoped to have this out in the middle of the 14:17
21 summer, our main target is to have the business open by
22 Christmas of 2019. We went and sought a valuation
23 before the final tenders came in and we engaged
24 Bannons, who are the other big retail property house in
25 Dublin. Savills would be the other one but we already 14:17
26 had them on board.

27
28 So that's where we've got to so far. It's the end of a
29 long, well I suppose it's nearly the end of a long

1 road. I talked to the preferred bidders at this stage.
2 They would be hopeful of signing a contract within four
3 weeks of the disposal notice going through.
4

5 So I would recommend to this the Members and I'm asking 14:18
6 you to support it.

7 CATHAOIRLEACH: Cllr. Ryan.

8 CLLR. RYAN: Thanks a lot, Cathaoirleach. To be honest
9 it's quite a historic for Bray if this disposal goes
10 forward. I'd be happy to formally propose it. For 14:18
11 Councillors around the table who don't actually know
12 the history of the site, developers had this site and
13 chose not to develop it and that effectively left a
14 hole in the centre of Bray and effectively took the
15 heart out of the town. So for the last 20, over 20 14:18
16 years the town has been hugely negatively affected by
17 that, particularly from retail leakage going to
18 Carrickmines and Dundrum.

19
20 The Bray Economic Think Tank wrote a strategy for the 14:18
21 future of the town and the number one item was the
22 Florentine, encouraging the Town Council to take
23 control back and buy the parking site that they didn't
24 own and that went through the Town Council unanimously.
25 So the Council were able to secure that. Many people 14:19
26 talked about the cost of putting that site together
27 originally. It was over €20 million and the Council
28 bought it for under €2 million which was fantastic. I
29 think there's an awful lot of people in Bray who still

1 don't believe this is ever going to happen because it's
2 been going on so long. This is a really important
3 moment where we do this disposal and we know that based
4 on what the Director has said, it's very, very tight.
5 We now have the control and if this isn't built, the 14:19
6 land won't actually go across to those. The timeframes
7 are tied in too. I think that's really important with
8 penalties there if they're not met.

9
10 I am just thrilled that we've finally got to the stage 14:19
11 where we're going to final have proper, fantastic
12 retail which I believe will actually bring the whole
13 town alive again. So I'm happy to propose it. Thank
14 you.

15 CATHAOIRLEACH: Cllr. Vance. 14:20

16 CLLR. VANCE: Chairman, I want to formally second it.
17 Like what Cllr. Ryan was saying, 1994 was the first
18 time we went out for to tender on this land and it had
19 two planning permissions. They were held up in An Bord
20 Pleanála for six years and then what happened then we 14:20
21 had the economic crash and we all know what happened
22 there and the Town Council at the time discussed the
23 various times and the policy that was adopted
24 unanimately by the Council was that the Council should
25 seek to buy this land. When an opportunity came to 14:20
26 purchase this land, like what Cllr. Ryan was saying, in
27 December 2013 the Council did purchase this land, it
28 was Council policy and agreed by every member of the
29 Council at that particular time and I think it has been

1 agreed by every member of the Council since then as
2 well. So then it took three years' hard work to bring
3 it to the state it is in at the moment that we have a
4 developer who is willing to come in and provide this
5 much needed facility in the town. It's not going to 14:21
6 cure all the ills in Bray but it will certainly cure an
7 awful lot of them, Chairman. It's going to be about
8 120,000 square feet and it will go considerably to
9 sorting out some of the problems that we had. The
10 retail offering in Bray has not been good for a long 14:21
11 time. There's been leakage to outside of town and it's
12 only if we get something like this that we may stop a
13 little bit of it anyway. That's why I'm delighted to
14 formally second it as well and in doing so could I just
15 pay tribute to three people: Des O'Brien; 14:21
16 Christine Flood; and David Forde who, over those years,
17 have put in a tremendous effort to bring it to where it
18 is today. I don't think -- almost every month the
19 Florentine Centre was on the agenda and I know the
20 amount of work and effort that they put in to bring it 14:21
21 to the stage it is today. So I want to formally second
22 it. Thank you, Chairman.

23 CATHAOIRLEACH: Cllr. Lawless.

24 CLLR. LAWLESS: Thanks, Cathaoirleach. I just have one
25 query maybe Des could clear it up for me. I've had 14:22
26 residents from the Eglinton Road on to me in regards to
27 there's a laneway there that services the houses there
28 and it's always just serviced the houses there and
29 apparently, as part of the plan, it's going to be

1 pedestrianised to go into the centre. Now, I've no
2 objections to the actual centre, by the way, it's
3 literally just this query. This land -- apparently
4 this laneway was privately owned but now Wicklow County
5 Council have taken it over. I just want clarification 14:22
6 in and around that because I know the residents aren't
7 happy because that laneway just purposively services
8 their houses and I don't think they're keen to have it
9 opened up maybe for pedestrians to get into the actual
10 centre. Maybe, Des, you could give me a bit of 14:22
11 background on that. As I say, I wouldn't know all the
12 ins and outs over the years of this particular plan but
13 just this particular aspect I'd like some clarification
14 on please. Thank you.

15 CATHAOIRLEACH: Cllr. Matthews. 14:23

16 CLLR. MATTHEWS: Thanks, Cathaoirleach. Cathaoirleach,
17 today's meeting is probably one of the most important
18 meetings for Bray since it sat at this Council table
19 anyway and there's been a lot of Bray issues on the
20 agenda for the past couple of months and I want to 14:23
21 thank the Members for the time and considerations
22 they've given to Bray issues. I take it as an
23 indication and as a good sign that things are happening
24 in Bray. The Florentine site is one of those very
25 strong positive indicators that things are happening in 14:23
26 the Town. The other Councillors have outlined the
27 history of the site and anybody who lives in Bray has
28 probably, up to a certain age, maybe up to 35 years of
29 age, will only have ever known that as being a hole in

1 the Main Street, a hole in the ground and a rough car
2 park. The reason was we lost control of the site, the
3 developer had control of the site and didn't complete
4 and didn't follow through on the permissions they were
5 given. But in taking back control of the site, which 14:23
6 was a move made by the last Bray Town Council - and I
7 want to commend the Councillors on that Council who
8 took that smart and brave move to buy that site back.
9 We've taken control back of the site; we got planning
10 permission; we've gone to the market; and now we have a 14:24
11 developer who seems quite positive, seems to have the
12 backing and seems to have the will and the intent to
13 develop this site. So I will be supporting this
14 disposal today. I think it represents the best
15 opportunity for the Town and especially for the 14:24
16 Florentine site that we've had in a long, long time.
17

18 As the Manager said, it's been on the agenda, it's been
19 on the agenda definitely at every meeting of Bray
20 Municipal District. Every update has been given to the 14:24
21 Bray Members. Any questions the Bray Members have
22 asked has been answered. We had public day. We've had
23 workshop meetings. The Bray Members are informed and I
24 think they realise this is a good deal for the time.
25 It's probably the best deal we're going to get 14:24
26 considering that we still have control of that site and
27 we have prescribed what we want to go on that site.
28 I'm recommending that we proceed with this.
29

1 The only concern I had for this site was that we would
2 end up in a situation that if we sold it, that whoever
3 came in to buy it, we would lose control of it again
4 but I have been assured by the Executive, I've been
5 reassured by the Executive and in the Manager's report 14:25
6 there we can see that we still have a hand in the game,
7 that we still have control of it, that we still have a
8 very, very tight control on what's built and when it's
9 built by. That's assured me on that concern that I
10 had. Thank you, Cathaoirleach. 14:25

11 CATHAOIRLEACH: Cllr. Fortune.

12 CLLR. FORTUNE: Thanks, Cathaoirleach. Like other
13 Members, I also believe that this site needs to be
14 developed for the benefit of the people in Bray. But I
15 wish to put an amendment forward to this particular 14:25
16 proposal that's before us in the area of procurement.
17 I'll read it into the record and I can hand it up to
18 you, I have it written out.

19
20 In view of the e-mail received by the elected Council 14:25
21 on 12th January, and further correspondence received
22 today, 15th January, by the Council regarding the
23 disposal notice and, in particular, documentation
24 attached to the said notice of disposal, given the
25 apparent contradictions and confusion that emerged that 14:26
26 the CEO would write to Bannons for further information
27 regarding their previous professional involvement in
28 the Florentine site prior to their engagement by
29 Wicklow County Council in November 2017. That this

1 response be circulated to the Elected Members on
2 receipt. I'm proposing that amendment.

3 CATHAOIRLEACH: Can you hand me up --

4 CLLR. THORNHILL: I'll second it.

5 CATHAOIRLEACH: Can you hand up that amendment, Tom, 14:26
6 and I think I'll need I circulate it to all Members.

7 CLLR. FORTUNE: That's fair enough.

8 MS. GALLAGHER: Thanks very much.

9 CATHAOIRLEACH: I'm going to get that copied and
10 circulated to all Members before we take a vote. You 14:26
11 want to come in on that, do you, Cllr. Behan?

12 CLLR. BEHAN: Just on the general point. I mean
13 obviously we'll have to discuss Cllr. Fortune's
14 amendment but on the general point, I would agree with
15 everything that has been said by Councillors Ryan, 14:27

16 Vance and Matthews with regard to the necessity for
17 doing something to develop that part of the town
18 because for many, many years it has become really a
19 derelict site in the heart of the Town Centre and I
20 think has served as a huge depressing hole in the 14:27
21 ground, if you like, for people who come into the town
22 to shop and people who are trying to run businesses in
23 the town. I would commend Des O'Brien and his staff
24 for the work that they have consistently put into this
25 project. 14:28

26
27 Now the question that was raised by Cllr. Fortune,
28 which we can discuss in a minute, can be important all
29 right. I mean I see the point he's making but the

1 reality of it is that there is one bid on this
2 particular project. There is one consortium or a
3 developer who is willing to take on the plan that we
4 have agreed at Bray Municipal District level. He has
5 decided that he will take on, or the company will take 14:28
6 on and ensure that what is built is what we want in the
7 Town of Bray. I think that is the crucial issue and
8 that's really what's at stake in the vote here today.
9 That's why I will be supporting it.

10
11 But I want to make one additional point, if I could and
12 it goes back to the fiasco of the 1.78 acres on the
13 Southern Cross. Because while Mr. O'Brien had great
14 foresight in putting in a condition in the sale or the
15 leasing of 1.78 acres that there was a penalty, or 14:29
16 there was going to be a rent, an additional rent for
17 every year that that wasn't developed. On this
18 occasion a similar condition has been put in, which I
19 welcome, but I want an assurance that on this occasion
20 it will be followed up if, for some reason, the 14:29
21 development does not take place and the penalty will be
22 applied immediately rather than what happened on the
23 Southern Cross which was that it was never applied and
24 we ended up ten or twelve years later actually losing
25 money because it wasn't followed up by this Council. 14:29
26 So I want an assurance and I don't want it, with
27 respect, from the Director, I want it from the Chief
28 Executive that these conditions will be implemented in
29 full and on time because I'm voting for this on the

1 basis that we get that assurance. I would ask for it
2 to be made in public by the Chief Executive here before
3 we take a vote on it. Thank you.

4 CATHAOIRLEACH: Do you want to come in?

5 MR. O'BRIEN: Thank you, Cathaoirleach. Cllr. Lawless, 14:30
6 the Eglinton Road, we don't actually own that laneway.

7 I think the three properties on Eglinton Road had a
8 right-of-way across the laneway and the laneway

9 actually -- when you go into that laneway I think the
10 people are you are talking about are to the right of it 14:30

11 and our houses are on the left. There used to be a bit
12 of a lane in that way. So the three properties that

13 are part of this parcel would have a right-of-way
14 across the lane. There's no right-of-way into the

15 centre because that's actually the loading bays. So 14:30
16 there's a big yard there that can take arctics so you

17 wouldn't really be able to get people walking across
18 it, unless you didn't like them! I think there's no

19 worry there at all. That's not part of the scheme.

20 CLLR. LAWLESS: It's not part of the scheme. Okay, 14:31
21 that's fine. Thank you.

22 MR. O'BRIEN: Thank you, Cllr. Vance, for the nice
23 words. I just might add as well that Mark Devereux was

24 very much involved in this as well, part of this. Bray
25 Council are fed up hearing this but a lot of the 14:31

26 problems with the other scheme was it so expensive, it
27 was actually too expensive to build. We really had to

28 cut down the costs of this completely and that was

29 basically what we went and got planning permission for.

1 That's something that actually did happen.
2 Mark Devereux was very, very much involved in that.
3
4 Cllr. Behan asked about the similar conditions. They
5 are similar but not the same. In the 1.7 acres we 14:31
6 basically disposed of the site with a forever lease, I
7 can't remember how many years there was, but we
8 basically had sold the site to them but we had a little
9 sting in the tail. In the way this one is structured
10 is we're not transferring the site to them. What we're 14:32
11 doing is, we've an agreement with them that they will
12 pay us so much money. First of all, they pay a certain
13 amount in advance when they sign the contract, which
14 they will lose if they don't go ahead. If they don't
15 actually fulfil the Development Agreement, which 14:32
16 crudely is to build the centre, well; (a) obviously if
17 they don't do anything at all we can just take the land
18 back simpliciter. If obviously they are falling behind
19 on whether they are actually making good progress we
20 have liquidated damages which we put in at what we 14:32
21 estimate to be the rate; the lower end of the rateable
22 income on the site. So it's a bit different, we won't
23 be actually getting rent. What we would be doing,
24 Councillor, is taking the site back. The reason we put
25 in the liquidated damages was because, as part of the 14:32
26 competitive process tenderers got marks for how quickly
27 they could realise the project. This particular
28 consortium or particular company were undertaking to
29 have it open by August 2019, which is amazing to build

1 something out. Obviously that penalty is there and can
2 be reached if they don't reach that. It's more to
3 encourage them. It's a bit different to the other one
4 so we'll basically get the site back and we'll have to
5 start the whole process again.

14:33

6
7 Can I comment on Cllr. Fortune's amendment at this
8 stage?

9 CATHAOIRLEACH: I have two more speakers but you go
10 ahead with that.

14:33

11 MR. O'BRIEN: No, I can come back at the end.

12 CATHAOIRLEACH: Okay. I have two more speakers.
13 Cllr. O'Connor.

14 CLLR. O'CONNOR: Thanks, Cathaoirleach, and thanks to
15 your reply there to Cllr. Behan's question,

14:33

16 Mr. O'Brien. So we do have, at this stage, have the
17 assurances of the officials that should this work, as
18 has been agreed, not go ahead in the manner and in the
19 time that has been agreed, that Wicklow County Council
20 will actually step in and do something about it? I,
21 like Cllr. Behan, I was just very concerned about
22 another debacle like the Southern Cross should arise
23 whereby the people of Wicklow are owed a whole lot of
24 money because work hasn't been done up there. So I'm
25 glad to hear those assurances. Thank you.

14:34

14:34

26 MR. O'BRIEN: Can I just read out what's in the
27 contract in number 8:

28
29 "If the Development Agreement is terminated in

1 accordance with the provisions of that Agreement, then
2 this contract will automatically terminate at the same
3 time and the deposit paid shall be forfeited and
4 released to the vendor."

5
6 That will be actually in the legals.

7 CLLR. O'CONNOR: Perfect.

8 CATHAOIRLEACH: Cllr. Thornhill.

9 CLLR. THORNHILL: Cathaoirleach, go raibh míle maith
10 agat. Cathaoirleach, it's just a question that I would
11 just like to ask. Was there correspondence received by
12 management today in relation to The Florentine Centre?
13 And by any chance could we get a copy of it and have it
14 circulated amongst the Members?

15 MR. O'BRIEN: There was. Something here today from
16 Gabriel Dooley. It was very, very similar to the
17 information that was sought from The Sunday Business
18 Post and Frank Connolly. That's what I responded to in
19 the letter that I sent out to you. There's nothing in
20 that correspondence that changes the e-mail I sent out
21 the other day. I think it's a red herring. We asked
22 someone to value a site. And I mean I copied Bannons'
23 letter to you. They said it happened 12 years ago. It
24 was done by their retail consultancy side of their
25 house, not the valuation end of their business. It was
26 for a company that no longer exists. It was their
27 major shareholder. Certainly at some stage it was the
28 Ballymore Group who had no interest at all and made no
29 queries about this site and had not been involved in

1 any of the marketing from Savills. They might have
2 asked them. And most importantly, they're satisfied
3 that no conflict of interest arises. I'm satisfied no
4 conflict of interest arises. They were asked to value
5 a site. They've got -- I happen to know that Navybrook 14:36
6 are using Savills to look for tenants for their site
7 which I understand, they wouldn't divulge who they've
8 got but they said they made great headway on that. But
9 Bannons have not been involved with Navybrook. I see
10 no conflict of interest whatsoever. As for the letter 14:36
11 we received today, it changes nothing in my opinion.
12 CATHAOIRLEACH: Cllr. Cullen. Tommy Cullen.
13 CLLR. TOMMY CULLEN: Chairman, in the contract it says
14 "when practically completed". Who defines what's
15 practically completed and on whose interpretation? It 14:37
16 says that "if the works are practically completed".
17 Now what does that mean? Does that mean that it's
18 halfway completed, three-quarters way completed or does
19 it mean that the retailers have tenants, does it mean
20 that the apartments or whoever, is it occupied? 14:37
21 Because that would be an important issue with regards
22 to any penalties if it's not completed on time. If
23 there was an argument to say: 'well, in our view it's
24 practically completed' and if the Council said: 'well,
25 in our view it's not.' Is there a set of guidelines 14:37
26 that identifies and stipulates what "practically
27 completed" means?
28 CATHAOIRLEACH: Thanks. Cllr. Fox.
29 CLLR. FOX: Chairman, I think we need to just proceed

1 with this. I mean as Chairman of Bray Municipal
2 District we have discussed this at length over a long
3 period of time. If you walk down the street of Bray
4 you will be met by people asking when is this going to
5 happen? There is a huge appetite by both retailers and 14:38
6 individuals in Bray for this to get going. This is a
7 very important step today to push that process on. We
8 have received a tender and I think now we need to get
9 on with it. I fully agree with Cllr. Ryan, Vance,
10 Behan and Matthews in their comments. I'm suggesting 14:38
11 let's take the proposal and move on. The e-mail from
12 Mr. O'Brien has clarified any small issues that were
13 out there. I don't see any contradictions or conflict
14 of interest.

15
16 I, too, would like to be associated with thanking the 14:39
17 officials involved. I mean this has been a lot of hard
18 work on their part both Des, Christine, Mark and
19 David Forde and thank them for the work that they've
20 put into this to date. This is the future of Bray. 14:39
21 Let's make no mistake about it. This is an extremely
22 important development for Bray. So thank you,
23 Chairman.

24 CATHAOIRLEACH: Cllr. Fortune, do you want to come back
25 in? 14:39

26 CLLR. FORTUNE: Chair, I'd just like to come back in.
27 Look it, this project is very important. Everyone
28 accepts that. That's not what we're discussing here at
29 all. When I got this correspondence originally about

1 what was happening, I sent in some mails. I looked
2 could I get a copy of the Development Agreement. I was
3 told that it was - the usual stuff - commercially
4 sensitive and then when I pushed it I was told that if
5 I had any questions I could ask them today. Now 14:40
6 Cllr. Thornhill had asked for a copy of correspondence
7 that came in to the Executive this morning to be
8 circulated and it should be circulated the same way as
9 my amendment has been circulated. The Head of Planning
10 is saying that there's nothing different. whatever 14:40
11 that means. But the fact is when I read the particular
12 mail that came in this morning and I looked at what I
13 had before me on 12th January, there is contradictions
14 and it isn't clear. All I'm saying is, I'm an elected
15 public representative. I have a fiduciary 14:40
16 responsibility to the public. This is public money.
17 It's a very, very important project, but I want to be
18 happy in my mind, before I can make a decision on this,
19 that everything is clear and wide open and there's no
20 confusion and there's no ambiguity and there's nothing 14:41
21 else. So that document, that piece of correspondence
22 should be circulated.

23 CATHAOIRLEACH: Cllr. Matthews.

24 CLLR. MATTHEWS: Cathaoirleach, thanks for letting me
25 back in. Cllr. Fox made a proposal that it should 14:41
26 proceed to vote and I want to second that and ask that
27 we proceed to the vote on this. Time is of the essence
28 on this and I think we should proceed.

29 CATHAOIRLEACH: Before I proceed I still have one more

1 Councillor to speak. Cllr. Snell.

2 CLLR. SNELL: Thanks, Cathaoirleach. Having listened
3 to the debate here today and having spoken to a lot of
4 public representatives over the last number of weeks in
5 connection to this proposal, I think it's blatantly 14:41
6 obvious that the Members from the Bray Municipal
7 District are crying out here today for something to
8 happen with this development, as are the public in Bray
9 who have had to look at this unfortunate site for so
10 many years and years and nothing ever seemed to be 14:41
11 sorted or resolved and yet I've had more correspondence
12 over the last eight or nine years on this one project
13 than any other project in County Wicklow. I think it's
14 time that we pushed on. It seems that there is only
15 one interested party to develop this. I think all the 14:42
16 assurances has been given to all the Members here and I
17 for one would support the Members from Bray to have
18 this pushed forward for a vote here today because
19 otherwise we're going to keep going round in circles.

20 CATHAOIRLEACH: Cllr. Thornhill. 14:42

21 CLLR. THORNHILL: Cathaoirleach, go raibh maith agat.
22 Cathaoirleach, I would just like to say in relation to
23 this that I have no problem with everyone here.
24 There's no doubt about it, The Florentine Centre has to
25 go ahead. But we must remember this is going on 25 14:42
26 years, a long time down the road. The one thing that
27 concerns me and it's about the disposal of the centre
28 and it's looking at the valuation for €750,000 and for
29 the disposal of it for €2.6 million. Now when you look

1 at the Florentine site, I mean you have two acres of
2 car park space; you have three houses on Eglinton Road;
3 two houses on Florence Road; you have two shops on the
4 front of the Main Street, so the thing about it is, the
5 valuation is nearer €7 million rather than 14:43
6 €2.6 million. Now the thing about it is, I would like
7 to ask the question about the valuation. I mean after
8 all we as a Council bought a house on the Herbert Road
9 and we bought it for near a million, €900,000. So are
10 you trying to tell me that a house that's the 14:43
11 equivalent of 50 car parking spaces, now you have a
12 site and it's only €2.6 million? That doesn't make as
13 soon as to me. All I can only say here is, as a public
14 representative myself, and I'm only representing views
15 too and I know some people have been saying here that 14:44
16 an awful lot of people are talking about the site, but
17 we should be getting the best value. I say here the
18 people's best interest is not being served by selling
19 the site at this price, €2.6 million.

20 14:44
21 Now there's also a question about this Navybrook. What
22 qualifications have they in relation to this whole
23 Florentine site or whatever? I mean the whole thing.
24 Look, I tell you, I'm here three years now, right, like
25 there's people here an awful lot longer than me but I'm 14:44
26 only saying there's a few words that come to mind,
27 openness and transparency. I mean what professional
28 advice was open to Councillors in relation to the
29 valuation of all these sites? Like I mean, okay, we

1 have to go ahead and do it properly but people are out
2 there. I mean we had a few difficulties over the
3 years. Well you had the Barracuda effort. You know
4 what I mean like, we have to ask ourselves, we are all
5 around here as public representatives and we're 14:45
6 answerable to the public. It's public money. So I
7 mean at the end of the day we just have to face up to
8 it but I would just like to hear what Mr. O'Brien has
9 to say in relation to the valuation and the disposal.
10 Go raibh maith agat, Cathaoirleach. 14:45

11 CATHAOIRLEACH: I'd like to come to a conclusion now
12 because we have a long meeting ahead of us. I've two
13 more speakers that want to come back in. Cllr. Vance.
14 CLLR. VANCE: Chairman, just on this. This site was
15 amalgamated, it cost €24 million and bought for 14:45
16 €1.95 million. I mean that was a tremendous price and
17 it reflected the particular days. Anyone could have
18 come in, this was a receiver's sale, anyone could have
19 come in and bid for that site. The Council own half of
20 the site anyway so the Council were certainly in the 14:45
21 front line in that regard to this. It was Council
22 policy as well to buy it at this stage.

23
24 Cllr. Thornhill knows quite well about openness and
25 transparency. We've had this since he arrived on the 14:46
26 Council in 2014 because practically at every meeting we
27 had a report on The Florentine Centre. And also, the
28 Town of Bray is getting a development that is worth
29 between 25 and 30 million. The Town of Bray, when it's

1 built will be getting between 400 and 500,000 in rates
2 out of this. And the Town of Bray will be getting jobs
3 for the people who will work in here as well. That's
4 what we're getting out of this development. For anyone
5 to want to put this off, one single hour, never mind a 14:46
6 day or a week or a month, it's an absolute scandal for
7 anyone to even suggest something like that because I
8 can tell you this is the one item in Bray that people
9 want every single day like Cllr. Fox had said. This
10 comes up in anyone talking to me, certainly on the Main 14:46
11 Street. We need to do this. We need to do it now and
12 we need to get it up for Christmas 2019. Chairman, can
13 we take a vote on it, please?

14 CATHAOIRLEACH: One more speaker wants to come back in
15 and then I'm going for a vote. Cllr. Ryan. 14:47

16 CLLR. RYAN: Cllr. Vance has pretty much said the
17 simple thing about this is that we're deciding what has
18 to be built, they way it's to be build, when it's to
19 built. That changes the valuation of the site and we
20 do get the rates from that forever into the future and 14:47
21 the job and in the Town of Bray will have the life back
22 into it finally. I don't think anybody should really
23 stand in the way of that. Thank you.

24 CATHAOIRLEACH: I propose a vote then on the matter.

25 CLLR. TOMMY CULLEN: I asked about the practical 14:47
26 completion..

27 CATHAOIRLEACH: The Chief Executive will come back in
28 and after the Chief Executive is finished then I'm
29 going for a vote.

1 MR. O'BRIEN: "Practical completion" is actually
2 defined in the Development Agreement. Just to answer
3 Cllr. Fortune, I did offer to say at the meeting he
4 could have come up to me at any stage to ask about the
5 Development Agreement but unfortunately the lawyers who 14:47
6 drew it up put in a confidentiality clause which I
7 don't think was that necessary, but we had to fight so
8 hard about lots of things in the Development Agreement
9 I never actually noticed that. But there is a strong
10 confidentiality clause in it. Not a lot in the 14:48
11 Development Agreement but I can't actually give it out
12 and especially since on the valuation we were asked not
13 to sort of, it was confidential and it ended up going
14 all over the place. So we can't give that out. The
15 Development Agreement is basically they build the 14:48
16 centre out as we've got it, we've got rights to go in
17 and supervise it while it's going on. There's various
18 other protections in the Development Agreement. It's
19 quite simple, I can assure you.

20
21 "Practical completion" is also defined in it. A lot of
22 it is to do with building control regulations and
23 assigned certifiers. There's also an arbitration
24 clause on it that the President of the Royal Institute
25 of Architects of Ireland can nominate someone to 14:48
26 actually intervene if there's any difference of opinion
27 on any of the meanings of the contract.

28
29 Cllr. Thornhill talked about the valuation. I don't

1 know where he got his €7 million from, he maybe did a
2 valuation himself. What I've said - and I have said it
3 at several Bray Council meetings, Cllr. Thornhill, and
4 you must have been at some of them, that this site is
5 worth more as a car park than a development site. 14:49
6 There's not huge value in this for developers.
7 Developers need to make 15% profit, presumably to get
8 their funders on board and with the rents that are
9 there there is just not the money in it. That's the
10 reason why we got the other valuation because if we had 14:49
11 got a number of tenders that were all around the same
12 sort of figure, we would have been actually quite happy
13 about it. So we got, that's why we got the extra
14 valuation done.
15 14:49
16 The valuers themselves put in big -- they made very,
17 very clear in the valuation it is based on the fact
18 that they have to build out the centre within a short
19 time. That was the underlying value of that at all
20 stages. 14:50
21
22 The difference between the house in Herbert Road is
23 that it's on a much bigger site than any of these and
24 also these houses, and when we got them, were full of
25 dry rot. They had to be basically gutted out before 14:50
26 they could come back on the market again.
27
28 So there's lots of reasons, Councillor, but what we've
29 done is, we went out to e-tender the site and we sought

1 tenders. We did a lot of marketing on the site and
2 this is what we got back. We got a valuation from one
3 of the big property houses in Dublin who have come up
4 with their valuation on it. So I'm perfectly happy to
5 recommend this to the Members as being good value for 14:50
6 money if you want a shopping centre built. If, on the
7 other hand you just want the income from a car park
8 then you should actually vote against it if that's what
9 you think is good for the Town of Bray. I don't think
10 most of the Members of the Bray Municipal District 14:51
11 believe that, I don't believe it but obviously it's a
12 matter for the mention.

13 CATHAOIRLEACH: Cllr. Fortune, I'll give you 30
14 seconds.

15 CLLR. FORTUNE: That's okay. Just a clarification, 14:51
16 that's all. Mr. O'Brien said that I could come on to
17 him at any time. That's not the case at all. I sent
18 in an e-mail asking for the Development Agreement. I
19 was told I couldn't have it and I was told if I had any
20 questions I could ask them today. They're the facts. 14:51
21 I want the record proper now. They are the absolute
22 facts. And the issue here, I mean let's not start
23 playing games like happens with other things. Nobody
24 in this Chamber is against The Florentine Centre being
25 developed. Nobody. Let's put that on the record. 14:51
26 what's been discussed here is the whole process and the
27 procurement and the whole lead-in and correspondence we
28 got and what was said and what is being contradicted in
29 other correspondence. That all needs to be clear and

1 proper. I'm a public representative. I've got a
2 responsibility to the public, as everyone else has, and
3 I'll articulate in this Chamber what I believe that
4 responsibility is. I don't believe I've been properly
5 informed to make a proper decision on this particular 14:52
6 project that's before us today. It could be all
7 clarified in the next week to ten days and it could
8 back before us in the meeting in February which is two
9 and a half weeks ago. Please now let's not play a spin
10 with this. Nobody, I believe, in this Chamber is 14:52
11 against the site being development. Of course Bray
12 needs it and it would be great for Bray but we have to
13 know exactly what's going on and I don't.
14 FROM THE FLOOR: Hear, hear.
15 CATHAOIRLEACH: Take a vote then. 14:52
16 CLLR. TOMMY CULLEN: Chairman, I asked a question.
17 CATHAOIRLEACH: It was answered.
18 CLLR. TOMMY CULLEN: About practical --
19 CATHAOIRLEACH: It was answered. The question was
20 answered. 14:52
21 CLLR. TOMMY CULLEN: Can you repeat it there for me?
22 CATHAOIRLEACH: No, he answered it. He did answer it.
23 CLLR. RYAN: Listen to the bloody meeting and go on.
24 Call the vote, Chairman.
25 CATHAOIRLEACH: In fairness the question was answered. 14:52
26 CLLR. TOMMY CULLEN: I didn't hear it. What was the
27 answer?
28 MR. O'BRIEN: It is defined in the Development
29 Agreement and then in failing --

1 CLLR. TOMMY CULLEN: In plain English what does it
2 mean?
3 MR. O'BRIEN: In plain English, "practical completion"
4 is basically when the centre is ready to be opened. In
5 plain English. 14:53
6 CATHAOIRLEACH: Okay. Vote.
7 CLLR. FORTUNE: You have to take the amendment first.
8 MS. GALLAGHER: A disposal resolution cannot be
9 amended.
10 MR. O'BRIEN: Can you have a motion not to take a 14:53
11 moment but you can't actually amend a disposal motion.
12 MS. GALLAGHER: You can do three things.
13 CLLR. FORTUNE: Oh really?
14 MS. GALLAGHER: Yeah.
15 CLLR. FORTUNE: That's very convenient. 14:53
16 MS. GALLAGHER: No, it's in the Act, Section 183.
17 CATHAOIRLEACH: Apparently we can't take an amendment.
18 MS. GALLAGHER: You can pass it or not pass it.
19 CLLR. MATTHEWS: Take a vote.
20 [VOTE TAKEN] 14:54
21 MS. GALLAGHER: 29 for and three abstentions.
22 CATHAOIRLEACH: Thank you. Next item on the agenda.
23 Item 6: To consider report in accordance with Part VIII
24 of the Planning and Development Regulations 2001 (as
25 amended) in respect of the proposed development of 24 14:55
26 housing units at Farrenkelly, Greystones.
27 MR. LANE: We have a presentation. There were a number
28 of submissions so we will just give a little
29 presentation detailing some of the design criteria and

1 some of the reasons for it. Noelle Sweeney is the
2 architect and she'll deal with these. Thank you.
3 Then we'll answer any questions if there are any
4 afterwards.

5 MS. SWEENEY: This is a presentation for the Part VIII 14:55
6 application to provide 24 social housing units in
7 Farrenkelly, Greystones.

8
9 Under the Wicklow County Council Development Plan all
10 of the residential land owned by the local authority is 14:55
11 assessed with the conclusion that even if we develop it
12 all, we are still going to have a shortfall. It's
13 obvious then from the analysis that the Local Authority
14 is obliged to develop all its residential sites in
15 compliance with the densities of these sites. 14:56

16
17 The subject site is to be purchased by the Local
18 Authority with the express purposes of providing social
19 housing in this location. In 2006, planning permission
20 was granted for Farrenkelly Close. 14:56

21
22 With the construction of Farrenkelly Close, the social
23 housing percentage in this area is 3.3%. That is 1,763
24 private houses to 61 social houses and under the
25 Wicklow County Development Plan there's a general 14:56
26 policy to provide social housing in any area up to the
27 limit of 10%.

28
29 The Council now wishes to develop the second site and

1 to provide 24 housing units in this location. Once
2 this site is developed the percentage of social housing
3 in the area would be 4.5%, which is still well below
4 the 10%.

14:57

5
6 There are a number of site strategies which we
7 incorporated in the design of this site. First of all,
8 we wanted to set the development back from the road and
9 locate a bumper between the new development and the
10 road. The site access was assessed by the local area
11 engineer and because the Kilquade Road is a regional
12 road and the speed limit is high on this road, access
13 is not allowed from this location and we must only
14 enter the site from the Priory Road.

14:57

15
16 As part of our development we want to provide public
17 lighting and a new footpath for this area. We are
18 proposing to do this for the entire external perimeter
19 of our site.

14:57

20
21 As part of the development we also want to provide a
22 new pedestrian access, steps and ramps to the bus stop
23 and the local shops. At the moment the pedestrian
24 route from Farrenkelly Close to the shops is very
25 circuitous. It is represented here with this yellow
26 line. Because it's so long we're finding that people
27 are sometimes crossing the road at this point at the
28 end of the cul-de-sac on Priory Road. In order to
29 address this we are proposing to locate a new

14:58

1 pedestrian access here, which will reduce the walking
2 route to the bus stop and then to the local shops
3 considerably.

4
5 Another site strategy is to develop the site in 14:58
6 accordance with the densities prescribed to this site.
7 An original estimate was done using a three-bed unit
8 only. This, under the density, has allowed to gain 15
9 units and 75 bed spaces.

10
11 At the detailed design stage we broke down the 14:58
12 accommodation to match the actual housing needs and
13 will provide a proposal of a range of one, two and
14 three-bed units. This will give us 24 units and 72 bed
15 spaces. 14:59

16
17 So using all these site objectives we have come up with
18 this layout you see here. The large green space is
19 located to the front of the site which sets back the
20 development from the site and the range of unit types 14:59
21 you can see with the colour box. The red is one bed,
22 the blue is two bed and the three is the yellow unit
23 here. Three-bed family houses are located directly in
24 line with the (inaudible) between it and this space.

25
26 You can see from the prospective sketch here how the 14:59
27 development is buffered considerably to Priory Road
28 with this green zone located between it and the road
29 and we are also proposing to provide trees and planting

1 throughout the streets of this new development.

2
3 The design of the houses and apartments are traditional
4 and they're robust and they're a simple design. These
5 are the apartment units which are designed to look like
6 houses so that they will fit comfortably within the
7 estate.

8
9 These are the housing elevations. We've provided quite
10 a number of different elevations to give variety to the
11 streetscape.

12
13 We are proposing one amendment to the design of the
14 units themselves and this is on foot of some
15 submissions received and it's for apartment unit A 15:00
16 located here. Even though the distance between the
17 first floor window up here and the neighbouring
18 developments exceeds the 22 metres for opposing windows,
19 it's actually 30 metres. We are proposing to reduce
20 the first floor window of this unit from 1.8 metres to 15:00
21 a much smaller window of 0.6 metres.

22
23 In summary, the proposal is to provide 24 units in
24 alignment with the housing needs and a new pedestrian
25 ramp and step access. We have received full approval 15:00
26 from the Department for this scheme and we have Stage 2
27 (inaudible).

28 CATHAOIRLEACH: Cllr. Mitchell.

29 CLLR. MITCHELL: Thank you, Cathaoirleach. There is

1 obviously a pressing need for social housing. We're
2 reading about it every day. There are a number of
3 residents here, there's about 80 private residences
4 with access from this road. The road was originally
5 Priory Road which was a country lane and essentially 15:01
6 the dual carriageway was plonked on top at right angles
7 to this and it has not been properly boundaried off
8 from this road.

9
10 It is slightly different in terms of social context to 15:01
11 what was described in that although it may be in a wide
12 area, which includes, say, Charlesland that there would
13 only be 3% social houses, in this area and on this road
14 it will be about 40% social housing with the private
15 houses at the end of it, with the social houses being 15:01
16 built on the entrance on either side. A number of
17 people are very concerned about this. Some of the
18 concerns were unreasonable, particularly bearing in
19 mind the housing crisis. But what has happened is
20 there is no streetlights on this road and there will be 15:02
21 in total 130 houses on this road. The end is not
22 properly finished off, it's sort of a wilderness,
23 probably owned by the Council, I'm not quite sure. In
24 the end of that there is drinking and other, quite a
25 bit of anti-social behaviour in the end of it. There 15:02
26 are also, as I say, no streetlights on the road. Now
27 the plan here is provided streetlights for the new
28 houses, which go approximately half or maybe 60% the
29 length of the road, but on the remaining 40% of the

1 road there is no streetlights, very dark, and that's
2 adding to the anti-social behaviour.

3
4 So I think it's important, it's welcome in this that
5 the steps and ramp will be provided to the bus stop and 15:02
6 to the shops because it's actually very dangerous
7 indeed what's happening. The people are going through
8 the unmade-up end of this road where there is an
9 anti-social behaviour; they're crossing over a busy
10 dual carriageway, over a substantial concrete ramp in 15:03
11 the middle of the dual carriageway and this will make
12 it safer, though it may be that this was part of the
13 original scheme, but anyway it's now going to be done,
14 which is good. It is absolutely essential that there
15 must be streetlights put on the remainder of the road 15:03
16 which is a relatively short length, and also fencing
17 put at the end of the road to stop people going across
18 the dual carriageway and to stop the anti-social
19 behaviour on this part of the lane.

20 15:03
21 I made a submission to the Part VIII to say that this
22 was an important requirement and one or two other
23 things and this is not included and it is unacceptable
24 that we're going to build so many houses and have a 40%
25 social content on the road and not provide 15:03
26 streetlighting and not provide a proper ending for the
27 road where there is anti-social behaviour, which the
28 more houses you build, the more that could be become a
29 problem. It is extremely dangerous crossing the dual

1 carriageway with quite a high central concrete barrier
2 on it.

3
4 It's absolutely essential if this is to go through that
5 we must put streetlights on that road and we must tidy 15:04
6 up and fence off the end. Thank you.

7 CATHAOIRLEACH: Cllr. Snell.

8 CLLR. SNELL: Thanks, Cathaoirleach. I'd like to
9 formally propose that this Part VIII be accepted here
10 today. I think it's good news for people in the 15:04
11 Greystones electoral area indeed. The old cliché, it's
12 only app drop in the ocean, but 24 units is 24 units.

13
14 This is coming on the back of our previous meeting in
15 December where we passed 45 units in East Wicklow in 15:04
16 Rathnew. I think all Members sitting around the
17 Chambers here are well aware that all these projects
18 need to proceed without much hindrance. While I accept
19 that everyone's concerns must be taken on board, and I
20 want to commend the Housing Section and the Design Team 15:05
21 for listening to concerns, and indeed the Director of
22 Housing has been around to each Municipal District
23 identifying the sites and prioritising what is
24 acceptable and what will go through without any blips
25 or holdups in regards to each Municipal District. 15:05

26
27 Long before the Town Councils were done away with,
28 people who were sitting in this Chamber will recall
29 that Greystones had the first highest preference area

1 in the whole of County Wicklow for people looking for
2 social housing. I think this 24 will go some small way
3 to helping people on the Housing List and I think that
4 all the Members here should welcome that and I hope
5 they do. I formally propose this Part VIII. 15:06

6 CATHAOIRLEACH: Cllr. Murphy.

7 CLLR. MURPHY: Just two issues there I just want to
8 query. First of all, congratulations on the design, it
9 looks lovely. I might look for a transfer to
10 Greystones! Is there specific special housing needs 15:06
11 and, if so, how many? And also, the bus stop, I hope
12 that it would be suitable for a proper standard, not
13 ordinary bus stop but required for a CIE to pull in
14 with full access because it is a separate design. So I
15 just would like it that to be included. 15:06

16 CATHAOIRLEACH: Okay. Cllr. Fortune.

17 CLLR. FORTUNE: Thanks, Cathaoirleach. I can see I'm
18 going to have a great day here today! Look it,
19 everybody in the Chamber, I'll repeat something similar
20 that was said earlier, everyone in the Chamber wants 15:07
21 houses built and wants houses for everybody. So nobody
22 in this Chamber is against that. But there's some
23 issues here that just need to be addressed, I believe,
24 and Cllr. Mitchell has touched on a number of them.

25
26 My issue with this is, and the residents' issue with
27 this in the area is there's been no communication. The
28 problem is a basic lack of communication. Why do we
29 believe that it's okay for us not to communicate with 15:07

1 people? At the end of the day we're building
2 properties, we're building homes we're becoming
3 landlords in all the given areas, we have
4 responsibilities. If any of you live in a cul-de-sac,
5 maybe some of you do, and if some development is going 15:07
6 on in there, obviously everyone in the cul-de-sac are
7 concerned that everything is done properly and right
8 and all that goes with that. And that's all these
9 residents are asking. There's one mail I have here
10 from a resident and it finishes -- it talks about, they 15:08
11 understand totally the fact that homes need to be built
12 et cetera, et cetera, et cetera, but they go on to
13 finish:

14
15 "But we are residents here too and we feel we need to 15:08
16 be heard and listened to and that the Council can at
17 least come to some compromise on some of our concerns
18 and observations, instead of writing all of them off as
19 a fait accompli."

20 15:08
21 They got a response back from the Housing Section that
22 basically said no, no, no, no, no, no, no. Now, some
23 of their issues are straightforward. They're concerned
24 about Priory Road, anyone that knows it, when you drive
25 into it you're driving basically into a cul-de-sac. At 15:08
26 the end of that cul-de-sac there's a metal gate and in
27 behind that metal gate there's waste ground and there's
28 all kinds of anti-social behaviour going on. So we
29 have a responsibility under that not to make that

1 worse, not to let it carry on, we have a responsibility
2 to people who live in the area.

3
4 The parking on the road is a concern from them. Right.
5 Okay, mixed tenure, fair enough, that's a different 15:08
6 ball game. The finish. And their finish is not so
7 much with the houses, their finish is the perimeter of
8 the site. That's what their concerns are. Okay.
9 They're looking at a site being developed on the R761
10 just across the road and the whole road, the whole R761 15:09
11 is being stone cladded and they're saying: 'Okay,
12 that's grand, lovely. why can't that be done in here
13 ;and I think that's a fair question.

14
15 Streetlighting, as Cllr. Mitchell mentioned, it's 15:09
16 essential that streetlighting is put in there, and not
17 just in the estate. If we're going to have 130 houses
18 in that cul-de-sac there needs to be proper
19 streetlighting. It's not good enough that -- I know
20 there's fierce pressure on now and there's political 15:09
21 pressure coming from the Government and all kinds of
22 political stuff going on and just get houses up, get
23 houses up, get houses up. That's not good enough. It
24 has to be done properly and it has to take everyone's
25 situation into account. 15:09

26
27 The crossing at Farrenkelly is basically just an
28 accident waiting for some unfortunate child or some
29 adult to get killed and then we'll be running around

1 saying: 'why didn't we, why didn't, we why didn't we?'
2 That has to be addressed as well. Here we are putting
3 more houses in that will still have to try and access
4 that road. It's just totally unfair.

5
6 I'll finish by saying -- I'll be another couple of
7 minutes here. One is similar problems. But really and
8 truly at this stage I'd say to Joe Lane: would you
9 please get somebody senior from your Housing Section,
10 yourself or someone almost as senior as yourself to go 15:10
11 and sit down with two of the residents. Two of the
12 residents will meet you and have a conversation with.
13 And I think that is only right, I think it is only fair
14 and I think it is your duty to do that.

15 CATHAOIRLEACH: Cllr. Whitmore. 15:10

16 CLLR. WHITMORE: Thanks, very much, Chair. I would
17 agree with my Councillor colleagues in some regard. I,
18 too, would have received a lot of e-mails from
19 residents in the area who are not necessarily, their
20 concern's not necessarily the social housing but it is 15:10
21 a lack of communication. I think we do need to, as
22 Cllr. Fortune said we're building communities, you
23 know, we're not just building houses and we're putting
24 houses into existing communities. I think there is an
25 onus on us to ensure that we communicate with the 15:11
26 residents that are there to hear what they have to say.
27 A lot of the issues that they are bringing up are quite
28 easily resolved and I think that if we can go some way
29 to alleviating their concerns that we should and we

1 have a responsibility to do it. Things like
2 landscaping, you know, they're very simple. That's
3 very simple to do and I think we actually should listen
4 and do that. The public lighting is also important.
5 There has been existing issues with the maintenance of 15:11
6 the existing social housing across the road. I think
7 people are quite right to be concerned that the same
8 issues will apply on this phase as well. So I think it
9 is important that we do ensure that there's a quality
10 finish on this estate and that we maintain it as it 15:11
11 should be maintained.

12
13 So I would ask that Joe talk to the residents in the
14 area and communicate with them and to hear what they
15 have to say because I think that their concerns can be 15:12
16 alleviated quite quickly and easily. Thank you.

17 CATHAOIRLEACH: Cllr. Lawless.

18 CLLR. LAWLESS: Thanks, Cathaoirleach. Like my
19 previous speakers and colleagues the Greystones
20 Municipal District, I got various e-mails from the 15:12
21 residents in the Eden Wood area and I've spoken to one
22 or two as well on the phone. I very, very much welcome
23 the social housing as most Councillors here know,
24 housing is one of the biggest issues we'll probably be
25 dealing with on a day-to-day basis so any housing being 15:12
26 built that will alleviate and make the Housing List
27 that little bit less is very, very welcomed. But I do
28 believe that the residents living in the area should
29 also have their concerns considered as well by Wicklow

1 County Council when a development is going in. At the
2 end of the day we want mixed communities to live
3 together so, therefore, we need to communicate and make
4 sure that everyone is happy to, as much as we possibly
5 can. We're not going to please everybody. I mean 15:13
6 that's the reality. Nobody is going to get absolutely
7 everything they wish for out of this development but I
8 think we definitely need to have some sort of
9 compromise in regards to this. Again, the issues in or
10 around the parking which we're looking at the diagram 15:13
11 at the moment on to the road, I feel maybe that's not
12 quite necessary. I know on the other side in
13 Farrenkelly Close there is parking there but there's
14 actually houses there so it's directly outside
15 somebody's home and I can understand that. I don't 15:13
16 think we need parking on the other side. I think those
17 four or five spaces, we could maybe look at taking it
18 out of that. Again, the public lighting is an issue as
19 well. As you go further down the road it is quite dark
20 and yes, there is anti-social behaviour that goes on 15:13
21 and it doesn't matter whether it's a private or social
22 housing estate, if there's a dark area, there's not
23 much for teens to do, I'm afraid, they do hang around.
24 So it's not just a social housing issue either as well
25 where anti-social behaviour comes from, and I'd like to 15:14
26 make that quite clear, it does happen in private
27 estates as well.
28
29 Also, just in regards to the fencing around I think,

1 yes, stone cladding would be really nice and I think we
2 need to be looking at the finish as well that it does
3 look nice for people as well. Again, I have mentioned
4 about the lights and the car park spaces as well. So I
5 think we need to take that into consideration.

15:14

6
7 The gate down at the end of Priory Road, I believe
8 that's private land in behind that so I don't think
9 Wicklow County Council could do anything directly
10 themselves but I do think maybe they should approach
11 the landowner and see if there's something he can do to
12 prevent people from actually cutting through there and
13 that might alleviate people actually cutting -- I mean
14 that's private property they're going through
15 essentially. I think it's up to Wicklow County Council
16 to maybe contact that landowner and see if something
17 can be done about that to ease up that for those
18 residents in Eden Wood.

15:14

15:14

19
20 I'm very happy that we're getting the houses and I
21 support, wholeheartedly, the building of the social
22 houses but I do think we need to look at the other
23 issues around before this goes ahead. Thank you,
24 Cathaoirleach.

15:15

25 CATHAOIRLEACH: Cllr. Walsh.

15:15

26 CLLR. WALSH: Thank you, Cathaoirleach, like the other
27 speakers I would welcome these 24 units. That's 24
28 units that we didn't have before this. It's badly
29 need. Overall this is welcomed. The points made by

1 the previous speakers and first introduced by
2 Cllr. Mitchell are valid. There have been issues with
3 anti-social behaviour. We see the lack of
4 streetlighting. The crossing there, the proposed new
5 pedestrian crossing is to be welcomed. There had been 15:15
6 issues in the past and there will continue to be issues
7 about people taking shortcuts across to the shopping
8 area. That definitely needs to be addressed before it
9 becomes a tragedy.

10
11 The fencing, there's an issue in relation to fencing
12 there so that needs to be addressed there to look at
13 the anti-social behaviour.

14
15 There has been issues around the current estate there, 15:16
16 Farrenkelly Close Estate, in relation to lack of
17 maintenance down through the years. So that's
18 something we need to bear in mind, again with this new
19 development. And there's also been issues in relation
20 to rubbish. So maybe that's a matter for the 15:16
21 Environment Section. There has been ongoing issues in
22 this area and we need to give a commitment at this
23 stage that these issues will not be repeated in this
24 new development.

25
26 Overall, as I say, this is to be welcomed, 24 extra
27 units that we didn't have. Thank you.

28 CATHAOIRLEACH: Cllr. Winters.

29 CLLR. WINTERS: Thanks, Cathaoirleach. In Wicklow

1 Municipal District since we have started to get our
2 discretionary fund we have ended up filling black spots
3 of lighting right throughout our district where one
4 estate or one development just didn't quite meet up
5 with the next development and we have ended up with a 15:17
6 black spot. So I think that probably needs to be
7 addressed now because in the presentation we got she
8 said streetlighting will be provided but I assume it's
9 only for the actual development and for that area. So
10 I would like if that could be looked at now rather than 15:17
11 the Municipal Districts having to come back in a couple
12 of months' time and using their own discretionary
13 funds. Are we able to change a Part VII today or can
14 we add it on as additional items to the Part VIII or
15 how does that affect the vote? If we vote for the 15:17
16 Part VIII today, do all of those other things then just
17 fall by the wayside or can we add them on now? Thanks.
18 CATHAOIRLEACH: Cllr. Bourke.
19 CLLR. BOURKE: Cathaoirleach, thank you. I would just
20 like to congratulate Joe and his team there. It looks 15:17
21 like a very positive development to my mind, except I
22 would query one I thing. I thought that the County
23 Council would be leading the way on cycle paths. There
24 doesn't seem to be any cycle paths within the estate.
25 I was hoping that that might be something we could take 15:18
26 a lead on, considering we are going to be one the
27 biggest house builders in the County for quite awhile.
28 CATHAOIRLEACH: Thank you. Cllr. McLoughlin.
29 CLLR. MCLOUGHLIN: Thank you, Cathaoirleach. I would

1 concur with my colleagues and I suppose at this stage
2 they've said most of what I'd like to say. Of course
3 we need social housing, but a lot of the issues that
4 have taken is from pure non-consultation with the
5 residents in the area and there has been substantive 15:18
6 issues with Farrenkelly social housing and issues that
7 have gone on within that estate and I think it is very
8 disingenuous to the people who live up there that there
9 has been no consultation with them, no meeting with
10 them to discuss what their issues are. 15:18

11
12 Of course we need lighting and it's a no-brainer. We
13 also need that road to be closed up properly so there
14 isn't that access to the Farrenkelly Road. At this
15 stage you have young people playing chicken across the 15:18
16 dual carriageway and it is a horrendous accident
17 waiting to happen. So I am glad they are going to
18 bring a footpath down to the actual bus stop but
19 whether that will actually appease that remains to be
20 seen. 15:19

21
22 It is actually against National Guidelines, the amount
23 of social housing in just one area at 40%. This is
24 something that was not recommended and it was supposed
25 to be more sustainable throughout a whole townland as 15:19
26 opposed to just in one area. With this mind I think we
27 should be seriously looking at CCTV for the area so
28 that people could feel safe. Everybody. Not just
29 those not in social housing but those in the social

1 houses can feel safe in the area and anti-social
2 behaviour can be addressed in that way.

3
4 I think, you know, we can't but say it is great to see
5 social housing happening but I do think it is hugely 15:19
6 important that it's not just built, and the residents
7 who live in the area forgotten. They have to be
8 listened to and their concerns have to be adhered to.
9 Thank you.

10 CATHAOIRLEACH: Cllr. O'Neill. 15:20

11 CLLR. O'NEILL: Thanks, Cathaoirleach. I'd fully
12 support the proposal here. I've never heard as much
13 talk from Councillors, every time we talk about a
14 Council estate, it's anti-social behaviour. You know,
15 we should realise that throughout the County and 15:20
16 throughout the country, you know, it's not necessarily
17 in social housing estates that there's anti-social
18 behaviour. They could be snorting coke down there in a
19 six or €700,000 house and no one says boo to them, you
20 know. I think it's a poor attitude to hear some many 15:20
21 talk about the anti-social behaviour, to think of the
22 people who will occupy those houses, they're branded
23 already.

24
25 I would like to congratulate the architect. There's 15:20
26 one issue there that I raised before and I'd like to
27 see it happen again and that being that I know from the
28 experience of west Wicklow that it's not really clear
29 to me on the drawing, and I didn't see a detailed plan

1 of it, but I don't know whether they are a terrace
2 eight houses or four houses or whatever, but I have
3 been always one to advocate semi-detached housing, like
4 what we have in West Wicklow, which were built some
5 time ago I know, where we have a terrace of houses 15:21
6 where we don't have a side or a back entrance. You
7 know, that's the real anti-social -- they'd be
8 anti-social housing in my book, you know. I'd fully
9 support them even as they are, but I'd like to see that
10 developments from here on in. I know I was defeated on 15:21
11 that proposal some months ago, but I honest to God
12 think there's plenty of land in this country and
13 semi-detached houses should be at the very least.

14
15 I know in West Wicklow here at the moment, in the 15:21
16 Blessington area, we have problems down the line with a
17 terrace of houses where Irish Water are now in charge
18 of the sewerage and whatever but we have one instance
19 now in Carrig Glen where there's a terrace six houses
20 and where the sewerage exits from the back of the 15:22
21 house, the houses on the left or right of that block
22 are private now, they have been bought up and the one
23 in the centre is still under social, he's a tenant of
24 the Council. It's a problem which is going on probably
25 eight weeks where there's no one responsible for 15:22
26 clearing the sewerage, where the sewerage is actually
27 backing up and into houses.

28
29 So it's those little problems that I was envisaging and

1 I would like us as Councillors to think and dwell on
2 that instead of branding the people who are going into
3 these houses as anti-social.

4 CATHAOIRLEACH: I would ask the Director to come back
5 in. 15:22

6 MR. LANE: Okay. There's a few things there. First of
7 all, I hear what you're saying regarding consultation
8 but the other side of that, there is a statutory
9 process. I understand what you're saying but there is
10 a statutory process. Once we enter into that 15:23
11 everybody's submission is treated the same as seen from
12 this report and we have attempted to address a lot of
13 the issues raised.

14
15 As detailed in Noelle's report, we have within the 15:23
16 perimeter -- we have a footpath and public lights
17 within the perimeter. We will attempt to talk to the
18 Department about providing lights all the way down. In
19 the absence of that, it will have to go back to a local
20 source of funding but we will attempt to talk to the 15:23
21 Department first. People don't realise that there is a
22 QS cost that the Department can allow or disallow. We
23 will attempt to include it. In the absence of that we
24 will be back. This would be outside the Part VIII and
25 public lighting that like that can be looked at in the 15:23
26 early context, if we don't get funds.

27
28 Look, the estate development, the anti-social
29 behaviour, we're trying to provide some resources

1 throughout the County for this and again we will put
2 this on a risk basis and we will try to do something
3 with that. As people know, there are a number of
4 priorities, I suppose, with the Housing Section at the
5 moment and we may not be allowed expend as much
6 resources as we'd like on the estate development or
7 anti-social behaviour but we will keep that one in
8 mind.

15:24

9
10 As regards the design of particular units. No, Miriam.
11 There are five universally designed apartments fully
12 compliant on the ground floor. So they're fully
13 compliant, but they're universally designed but they're
14 on the ground floor. As regards the other design issue
15 which is the terrace, the max on the terrace is three
16 but really effectively the middle one is the only one
17 effectively, looking at that.

15:24

15:24

18
19 Streetlights there 40%. Yeah, it's Phase 2 of a
20 development that went on 10 or 11 years ago.

15:25

21
22 The parking issue. As detailed in the report, the
23 parking will be looked at. At the moment we are over
24 the guideline. Those particular ones people are
25 talking about, which is just at the corner of the
26 junction, which is what you are looking at there, a
27 road safety audit will be carried out. We think
28 they're needed in one or two of the designs. Other
29 than that it will be tight. It will be up to the bare

15:25

1 minimum. However, we want to look, at the detailed
2 design stage there will be a safety audit to see of
3 those particular ones whether we'll remove one or two
4 again. Again, whether we go with what you have at the
5 moment or reduce, we're still fully compliant. So we
6 could remove two of them with in audit. You're quite
7 close to the junction then. But then there will be
8 less in the estate and that will cause its own
9 problems. Okay.

15:25

10
11 The issue that you mentioned. To the best of my
12 knowledge, that particular piece of land that you're
13 talking about fencing is not within the control of the
14 Local Authority. We will liaise with their engineer
15 and see what solutions we come up with, but to the best
16 of my knowledge that end onto Priory Road is not within
17 the Local Authority's ownership.

15:25

18 CATHAOIRLEACH: Cllr. Fortune.

19 CLLR. FORTUNE: Just, Joe, what you might do is,
20 though, your opening comments, would you send us out,
21 in writing, a list of what you're going to look at
22 putting in, based on the stuff we asked you? If we
23 don't get it writing we'll all just forget about it.

15:26

15:26

24 MR. LANE: Two of them are really --

25 CLLR. FORTUNE: No, you made a comment in your opening
26 remarks. What I'm asking you is, will you write to us
27 and tell us exactly what you have in mind?

15:26

28 MR. LANE: Except most of it of it --

29 CLLR. FORTUNE: Please.

1 MR. LANE: Yeah, I will.

2 CLLR. FORTUNE: The remark, and I know I'm speaking for
3 the Council in my own area, about anti-social behaviour
4 was nothing to do with the existing housing or houses,
5 it was got to do with that corner of the road that no 15:26
6 one seems to own. Whether ye own it or whether it's
7 privately owned, but it is a problem for all the houses
8 in that area and it needs to be looked at. That's the
9 issue and we can't just glib over it because someone
10 wants to make a smart point. 15:27

11 CLLR. O'NEILL: I didn't make a smart point.

12 CATHAOIRLEACH: Cllr. Ryan.

13 CLLR. MITCHELL: I agree with Cllr. Fortune's comments
14 on that. Just as I understand that, that actually is
15 the old road, that piece of land, which would have been 15:27
16 in Wicklow's ownership. Whether it was sold to
17 somebody else I find surprising given the sort of
18 little space it is. But I thought that is actually in
19 the Council's ownership. But it is absolutely
20 essential that we should get this list and that the 15:27
21 Council finds the money to put these lights in and put
22 a fence up, if it's our land.

23 CATHAOIRLEACH: Cllr. Lawless.

24 CLLR. LAWLESS: Joe, can I just ask a general question
25 and Cllr. Winters kind of mentioned, are we allowed do 15:27
26 any changes to a Part VIII at this stage? And what
27 happens if say we don't approve the Part VIII today
28 what's the process then? What happens then? Just for
29 clarification, I suppose, and plus with residents being

1 here as well, they'd be interested to know that
2 process. As I say, with that private piece of land at
3 the end as well, I would hope that you would actually
4 find out who owns it, Joe. That would be first thing
5 to do. And ask them to do something about it, as 15:28
6 quickly as they possibly can. It has gone on for quite
7 some time. Maybe if you can just explain the
8 Part VIII. Are we allowed any of these amendments? I
9 am glad to hear you will try, with the Department, to
10 look for further lighting as well. 15:28

11
12 The removal of two car park spaces, it's some
13 compromise but maybe not what everyone wants. Maybe if
14 you could just explain that as well, Joe, it would be
15 great, the Part VIII please. Thank you. 15:28

16 MR. LANE: Ye can make the amendments as you see fit.

17 CLLR. LAWLESS: Today?

18 MR. LANE: Today. I mean if it's something material
19 I'd have to go back and do a new Part VIII. So if it's
20 something like adding another ten houses going, going 15:28
21 up a level. Let's say you went up a level, well then
22 that might have another effect on something else. It's
23 probably unsafe to go without doing a Part VIII.

24
25 If you took out an entrance on to Priory Road, I would 15:29
26 consider that probably is dangerous and probably
27 instruct ye otherwise. So like I mean, it depends what
28 you're talking about. If it's something small that the
29 Local Authority can do.

1 CLLR. LAWLESS: Well, say just for the car park space
2 on the main road. Say we amended today that we approve
3 the Part VIII but take out the car park spacing; what
4 way does that work and how does that operate?
5 MR. LANE: If ye took out all of them we'd still have 15:29
6 sufficient car spaces then you will be at the margin
7 inside but you would be compliant with the planning.
8 What we were suggesting was to look at the safety audit
9 and see how many in the safety audit would they allow.
10 CLLR. WINTERS: Could we add on the streetlighting? 15:29
11 MR. LANE: You can but it's outside -- you can add on
12 or that can be done normally. That can be done
13 normally. Because it's over -- like you can do that in
14 the absence of me doing that, but that development
15 would not be material to this and, therefore, it would 15:29
16 be under our normal maintenance. But the problem is
17 the Department may not fund that.
18 MR. CURRAN: We can do that because it's a relatively
19 small stretch of road for starters and there's probably
20 development contributions from the private development. 15:30
21 In any case it's something we can do. As Joe said,
22 it's outside the development site so it isn't covered
23 by the Part VIII. Certainly the fencing, if it's in
24 our ownership and the streetlighting we can do before
25 the development takes place. There's no question about 15:30
26 that.
27 CLLR. FORTUNE: Can we look at the surrounding of the
28 site as well? Like I asked earlier.
29 CLLR. MCLOUGHLIN: The walls.

1 CLLR. LAWLESS: Can we add that in.

2 CLLR. FORTUNE: And treat it the way other estates are

3 treated in the area? Give people a bit of equality.

4 MR. LANE: Which walls?

5 CLLR. FORTUNE: Whatever is going to be surrounding the 15:30

6 development.

7 CLLR. LAWLESS: Instead of railings have stone cladding

8 around. See where Priory Road, just so it

9 aesthetically looks a lot nicer, Joe. I don't really

10 think it's a big ask, instead of just having grey steel 15:30

11 railing all the way round. You know, make it look a

12 bit prettier.

13 MR. LANE: Again, one of the difficulties with that

14 wall is, the railings as you see there, the safety

15 audit may have issues if you put a wall there. So I 15:31

16 have to be bound by that safety audit.

17 CLLR. LAWLESS: Well, what are the safety issues, Joe?

18 MR. LANE: But like this was -- if you look at it, this

19 is opening up, this is opening up an area and putting a

20 railing in. What you're doing is walling that off 15:31

21 totally. It's just aesthetics.

22 CLLR. FORTUNE: But the aesthetics are important to the

23 people in the area. Why would we not? You know, I

24 just don't understand it.

25 CLLR. WINTERS: Surely people living in the houses 15:31

26 would prefer to be looking out at a railing than

27 looking out at a wall?

28 CLLR. FORTUNE: I don't know about that.

29 CATHAOIRLEACH: I think we should maybe take a vote on

1 it. You can tidy these things afterwards.

2 CLLR. LAWLESS: Sorry. I'd like to propose an
3 amendment then to the Part VIII. I'll support the
4 Part VIII if we have the removal of the parking spaces
5 out on Priory Road; the extra streetlights; and if a 15:31
6 wall can be done, a nice cladding wall in regards if it
7 falls within health and safety. That's what I'd like
8 to propose please.

9 CLLR. WHITMORE: I'll second that.

10 CATHAOIRLEACH: We better repeat that. Lorraine, do 15:32
11 you have it?

12 MS. GALLAGHER: Removal of car parking spaces on Priory
13 Road?

14 CLLR. LAWLESS: The four or five car park spaces on
15 Priory Road. That the extra lighting is looked at 15:32
16 getting for the further road and that the boundary
17 fencing be looked at, stone cladding within health and
18 safety parameters if it falls under health and safety.
19 If that makes any sense. I don't know whether that
20 makes any sense at all. 15:32

21 MS. GALLAGHER: If the Department funds it.

22 MS. LAWLESS: Yeah. And then I'd be happy to support
23 the Part VIII. I think then the residents from
24 Eden Gate are getting some compromise of what they were
25 looking for. Thank you. 15:32

26 MR. LANE: Can I just amend that slightly if that's
27 okay.

28 CLLR. LAWLESS: Thank you, Joe.

29 MR. LANE: Replace the fencing on Priory Road, subject

1 to the audit, and remove all car park spaces. we'll
2 minus which isn't material, but we'll minus one within
3 the development. Can we -- you have five there. Can
4 we bring that in with the audit, our audit was to see
5 could we get the five, even if we put in two or three 15:33
6 there. It would take two out of the junction.
7 CLLR. WHITMORE: Say that again?
8 MR. LANE: The audit was to see could we have the five
9 and we thought we could, just because it is close to
10 the junction. I have absolutely no problem bringing 15:33
11 that down to three or two but I could do with two more
12 because we are outside if you take the whole five out.
13 CLLR. LAWLESS: Yeah, we'll compromise on two, Joe.
14 MR. LANE: So that's replace the fencing with the wall,
15 subject to the health and safety argument and then have 15:33
16 that replacing the five down to two.
17 CLLR. LAWLESS: And the lighting.
18 CLLR. WHITMORE: And the lighting.
19 MR. LANE: And the lighting. we'll also look at the
20 fencing at the bottom end. 15:34
21 CLLR. MCLOUGHLIN: Just to be clear, we don't want a
22 wall that's like the wall at Farrenkelly Estate, we're
23 looking at a stone clad wall?
24 CLLR. LAWLESS: That's what I've said.
25 CLLR. MCLOUGHLIN: He just said "wall", you have to be 15:34
26 careful.
27 CLLR. LAWLESS: I did say stone cladding.
28 MR. LANE: This is subject to the Department funding
29 it.

1 CLLR. MCLOUGHLIN: Yeah, absolutely.

2 CATHAOIRLEACH: Cllr. Snell.

3 CLLR. SNELL: Thanks, Cathaoirleach.

4 CATHAOIRLEACH: We'll finish now. I have to wrap up
5 here now. 15:34

6 CLLR. SNELL: Thanks, Cathaoirleach. I did propose
7 that this be accepted here today and I would be looking
8 for a vote on it. Could I just make an observation.
9 As I said, at our previous meeting there was a
10 Part VIII passed for 45 units. There was not one 15:34
11 question asked and while I don't want to stifle debate,
12 and obviously I don't have the power to stifle debate,
13 I welcome the discussion on it, but an awful lot of
14 work should be done at Municipal District level and I
15 know in the east we certainly go through each and every 15:34
16 one of our Part VIII's and everything to do with our
17 District. I find it turning into a bit of a circus and
18 that's not to be derogatory to any of the speakers. I
19 feel now that we're talking about putting stuff in when
20 we know right well that the Department, the Housing 15:35
21 staff have costed and the quantity surveyors have put
22 everything into this. We're now talking going changing
23 walls for railings without looking at the safety audit
24 and everything else that's behind that. Like this is
25 not just something that appeared on the agenda here 15:35
26 today. The Director of Housing has gone around to most
27 Municipal District areas. This should have been
28 discussed in detail. I still find there's a level of
29 contradiction between Members from the Greystones

1 electoral area where they don't fully understand what
2 type of wall they're looking for now and I think it's
3 farcical at this stage. So I want a vote on this,
4 Cathaoirleach.

5 CLLR. FORTUNE: That's your opinion, it's not 15:35
6 necessarily right.

7 CATHAOIRLEACH: You've made your point. In fairness,
8 I'd like to go for a vote if you don't mind.

9 CLLR. FORTUNE: I'd like to thank Cllr. Snell for the
10 lecture before we take the vote. 15:36

11 CLLR. SNELL: No problem. You're welcome.

12 CLLR. MITCHELL: I asked for these things at the --

13 CLLR. LAWLESS: You did, Derek.

14 CATHAOIRLEACH: Do I have a seconder for Cllr. Snell's
15 proposal? Do I have a seconder? 15:36

16 CLLR. LAWLESS: With the amendments.

17 MS. GALLAGHER: Seconded by Cllr. Walsh.

18 [VOTE TAKEN] That is 28 for; three not present; and
19 one abstaining.

20 CATHAOIRLEACH: Okay. Members, I've two more very 15:37
21 short items before -- I'm very anxious to get on to the
22 Bray Development Plan, particularly in light of the
23 people who've waited patiently for the last hour and a
24 half. I'd like to bring Item 13, the: Local Government
25 Act, 2001 Ethical Framework for Local Government 15:38
26 Services Annual Declarations, that this is noted. Is
27 that agreed?

28 MS. GALLAGHER: Can I just say, the Ethics Officer has
29 asked that the Disclosure Donations Forms be complete

1 and returned no later than Wednesday, 31st January,
2 2018 and the Annual Declarations of Interest forms be
3 completed and returned no later than Wednesday 28th,
4 February. Just in relation to the donations statement
5 forms, the correct period, if you haven't filled it in, 15:38
6 the correct period is for 1st January, 2017 to 31st
7 December, 2017. That's on your front page. So if you
8 could amend that. If you have filled it in already
9 just talk to Deirdre please, the Ethics Registrar.
10 Thank you. 15:38
11 CATHAOIRLEACH: Okay. I'm just going to take Item 8,
12 which will be very brief.
13 MR. CURRAN: This is the Chief Executive's report. I
14 will take it as read.
15 CATHAOIRLEACH: Item 7. Sorry. 15:39
16 CLLR. VANCE: Can I just come in on Item 8.
17 CATHAOIRLEACH: I just want to finish item 7.
18 CLLR. FOX: Take it as read.
19 CATHAOIRLEACH: Take it as read. Just Item 8 then.
20 CLLR. VANCE: Chairman, just information on Item 8. 15:39
21 The East Midlands, the Regional Assembly have put back
22 the final date, it was the 26th, to 16th February.
23 CATHAOIRLEACH: We can do the presentation in February
24 if that's agreed by the Members.
25 CLLR. VANCE: Absolutely. That's fine. 15:39
26 CATHAOIRLEACH: Sorcha is proposing a workshop to deal
27 with the issue if you want to come with a proposed date
28 you can write to Members.
29 MR. O'BRIEN: We will deal with it at February's

1 meeting and then if the Members need it we can come
2 back and do a workshop as well.

3 CATHAOIRLEACH: We'll deal with it in February then.
4 Thanks.

5 CLLR. VANCE: We can make the presentation before 16th 15:40
6 February as the final date on it.

7 CATHAOIRLEACH: Okay. Members, Item 9: To consider
8 the Chief Executive's report on submissions to the Bray
9 Municipal District Local Area Plan 2018 and to consider
10 making or amending the Local Area Plan. 15:40

11 MR. O'BRIEN: Cathaoirleach, the plan was on display
12 for the requisite time and we got 3,000 submissions,
13 more or less. That went through on your Chief
14 Executive's report that you would have all got before
15 the Chief Executive made a number of amendments, 22 15:40
16 from memory. Most of these were from the NTA and the
17 Department. The Members then considered it obviously
18 and they all submitted proposed amendments, which some
19 of them were amendments of the Chief Executive's
20 proposed amendments. So it's now a matter really to 15:41
21 consider these amendments and ones that are passed will
22 be put on display for a four-week period and then we'll
23 come back to the Council probably in the May meeting.

24 CATHAOIRLEACH: Members, I propose the way we deal with
25 this, to put some kind of logic or order in it is that 15:41
26 we follow the spreadsheet at the beginning of the
27 74-page document that Sorcha circulated last Wednesday,
28 the document entitled: "Schedule of Proposed
29 Amendments to Draft Plan". You'll note on pages 2 and

1 3, all the proposed amendments are listed out. The CE
2 has 23 amendments and the Members have approximately 30
3 amendments. They're set out in chronological order
4 following the logic of the different chapters in the
5 Proposed Town Plan. So I suggest that we take it 15:42
6 chapter by chapter. Now I'll be guided by Members who
7 are making proposals as to whether those proposals are
8 related to the Chief Executive's proposals or not. In
9 some case they won't have anything to do with the Chief
10 Executive's proposal, in some cases it will be 15:42
11 amendments to the Chief Executive's proposals. So
12 where they are amendments to the Chief Executive's
13 proposals that will effectively deal with the Chief
14 Executive's proposals and I needn't go through the
15 Chief Executive's proposals. So I'd ask for guidance 15:42
16 from Members on that aspect.

17
18 The second thing I'm suggesting is that because of the
19 number of people who have come, taken time out to come
20 here today and to attend this meeting in relation to 15:43
21 the Golf Club lands, I'm suggesting that we deal with
22 the Golf Club lands first so that we can allow those
23 people not to have to wait around for the full meeting,
24 if that's acceptable to the Members. Cllr. Fox.
25 CLLR. FOX: Chairman, there are quite a number of 15:43
26 people here in the gallery who are deal with
27 Kilmacanogue issue as well and with your indulgence
28 maybe we could take them second to allow them to go
29 about their way. They have been here for an hour and a

1 half.

2 CATHAOIRLEACH: I wasn't aware that they were here but
3 certainly I will do the same for Kilmacanogue. Is
4 there anyone else, any particular other grouping who's
5 waiting around? No. Okay. 15:43

6

7 In relation to the Golf Club lands, I have a number of
8 proposals here on the agenda, two from Cllr. Behan and
9 one from Cllr. Matthews.

10 CLLR. MCLOUGHLIN: What page are you on? 15:44

11 MR. O'BRIEN: Okay. At the beginning of that document,
12 Schedule of Proposed Amendments to Draft Plan, just
13 inside that there's a list of the various amendments.

14 CATHAOIRLEACH: It's the spreadsheet that I'm referring
15 to. Two spreadsheets on two pages, page and 3. That's 15:44
16 the logic I'm going to follow.

17 MR. O'BRIEN: Then on Chapter 10, and about halfway
18 down you'll see "J Behan number 5 golf course", "J
19 Behan number 6 golf course" and "S Matthews number 8
20 golf course". They refer to the numbers of the 15:44
21 Members' amendments.

22 CATHAOIRLEACH: They're on page 17, page 20 and page
23 55. The CE has an amendment as well on number 13.

24 MS. WALSH: Sorry, Cathaoirleach, could I just add that
25 there's a number documents involved so if anybody needs 15:45
26 help with which document they're looking at, Bernadette
27 and Lisa can give them a hand from the floor if there's
28 any confusion at all.

29 MR. O'BRIEN: Shall I synopsis what the Members have

1 proposed?

2 CATHAOIRLEACH: Okay.

3 MR. O'BRIEN: Cllr. Behan has two amendments covering
4 the same thing so I presume they're an either/or,
5 Councillor. One is basically to increase the size of 15:45
6 the park from two hectares, there's a park proposed in
7 this plan, as in the previous plan, of two hectares,
8 he's proposing to have that increased from two hectares
9 to 3.5 hectares and to be located along the river
10 front. He has a map then showing where that is. 15:46
11

12 Cllr. Behan's sixth amendment is basically to omit
13 special local objective number 3 which relates to the
14 retail mainly developments on this and he's
15 recommending to omit that and change the zoning, all of 15:46
16 it, to housing.
17

18 Cllr. Matthews' eighth amendment, he has just a very
19 sparse amendment adding after "the two hectare park"
20 the words "along the riverside" so the two hectare park 15:47
21 would be along the riverside. So they're the three
22 amendments. Do you want me to come in at this stage?

23 CLLR. BEHAN: Chairman, maybe we could talk about them.

24 CATHAOIRLEACH: Cllr. Behan, you'd like to speak.

25 CLLR. BEHAN: Thanks, Cathaoirleach, and thank you for 15:47
26 agreeing and for suggesting that people particularly
27 who are waiting here for a long time and have an
28 interest in a couple of these major issues, of dealing
29 with them first and thank you to the Members for

1 facilitating that.

2
3 The first point I want to make is a general point which
4 is that this is the first time in history that planning
5 decisions relating to Bray and Bray Development Plan is 15:47
6 being made in this Chamber. Up to the amalgamation of
7 the Local Authority Services, the Development Plans for
8 Bray were made by Bray Urban District Council and Bray
9 Town Council. Instead of, and as has been said before
10 about other issues, instead of having a direct, local 15:48
11 democracy element with regard to Bray and the people
12 who represent Bray, obviously the power to decide is
13 being spread out to all 32 Members of the Council.
14 While you can say that's a fait accompli there's
15 nothing we can do about that, I think it puts a huge 15:48
16 responsibility on all of us to try and ensure that
17 decisions we make are for the benefit of the people of
18 Bray it, as it is primarily a plan that is going to
19 affect the people from Bray.

20
21 The second point is, because we've adopted this kind of
22 process which is a kind of an Area Plan rather than a
23 Town Plan, this is actually the very first occasion
24 that any of us members have been able, in public, to
25 talk about the Development Plan for Bray. We have been 15:48
26 allowed to have workshops. We've been allowed to put
27 in amendments. We have never, until this moment, been
28 allowed to discuss the plan in public at a Council
29 meeting. And we're almost at the end of the process

1 before we've had a chance to have an input and to talk
2 about, at a full Council meeting, what the issues are
3 that concern us.

4
5 I think that's a very flawed system. I think it does 15:49
6 not serve the people of Bray very well at all.
7 Unfortunately it's a system we're left with but I don't
8 think it allows us to have the full consideration that
9 we need to have on these important issues. That's the
10 first general point. That could apply to a lot of 15:49
11 what's going to happen here this evening.

12
13 Secondly, in relation to this amendment number 5 I want
14 to make it absolutely clear, this is not my amendment
15 as per se. I am one of five Members from Bray. We are 15:49
16 all equal in this and the five of us are proposing it.
17 And that's an important distinction because I
18 understand why the Director has put my second one tied
19 on to the first one. The second one is very much
20 dependent on what happens with the first one and it's 15:50
21 not agreed to by any of the other Members. But this is
22 one, number 5, although it is in my name it's only
23 because of alphabetical order because one name had to
24 go on the Order Paper. But in fact the proposers of
25 this motion and this amendment are Cllr. O'Brien, 15:50
26 Cllr. Matthews, Cllr. O'Connor, Cllr. Thornhill and
27 myself. And we make up five of the eight Members of
28 the Bray Municipal District. So if this decision was
29 being made in Bray Urban District Council this

1 amendment would be passed because we've already got a
2 majority in Bray for it. And I want to really make
3 that point very clear as well. Democratically the
4 Councillors in Bray feel this is the right amendment to
5 put in here. Okay.

15:50

6
7 The third point I want to make is that I personally
8 have come on my own particular journey with regard to
9 this issue because when Bray Urban District Council
10 originally formulated a plan for the Golf Club I was
11 one of the Councillors who voted to have a zoning on
12 that land of developing a retail and mixed use
13 development up to the river wall effectively. And I
14 did that on the basis that back in the year 2005, or
15 2006, whenever it was, we, at that time, thought the
16 only way we would have a Flood Protection Scheme in
17 Bray was that a developer, called Pizarro, who owned
18 that land, if they got planning permission for a full
19 development on the golf course that they would then
20 fund the flood protection works. So while SWAP and the
21 people in Little Bray were very concerned about losing
22 the floodplain I, myself, made a calculation back then
23 that we needed to have a Flood Protection Scheme and
24 the only way we were going to get it was that the
25 developer was going to put it in.

15:51

15:51

15:51

15:51

26
27 Now the developer went bust; the company went into
28 receivership; the recession came along and in fact what
29 actually happened, which was a fantastic result, the

1 Government stepped in and the OPW provided the scheme,
2 the taxpayers provided the scheme. So a scheme was put
3 in by the taxpayers, by not Pizarro and despite what
4 you might have read or despite what some people might
5 understand about this that in some way Pizarro are or 15:52
6 the developer or the liquidator or the receiver had
7 some hand in actually providing the Flood Protection
8 Scheme, they didn't. The public paid for it and it is
9 there now and, therefore, the issue is now the people
10 in Little Bray, who were flooded on more than one 15:52
11 occasion in the past, have asked that now that the
12 Flood Protection Scheme is in that we do the last part
13 of the job, which is to ensure that what was the
14 floodplain, the escape route for water in the past be
15 preserved. 15:53

16
17 They're called SWAP for a reason. They only want to
18 swap a site to move it back up on to higher ground.
19 They're not looking to deprive the developer of
20 profits. They're not looking to destroy the town. 15:53
21 They're only saying that if their houses got flooded in
22 the future, and none of us know, with climate change as
23 it is now and extreme weather events happening every
24 year, none of us know that perhaps on some day that
25 wall my be overtopped and their houses could get 15:53
26 flooded again. They firmly believe that floodplain,
27 the extra acres that the Director is talking about that
28 we have put in our motion, they believe that that will
29 give them some relief and allow the water to get out of

1 their houses rather than come into their houses. They
2 want it to escape. What we are proposing is to leave
3 that floodplain and construct it as a park, a
4 continuation of The People's Park going effectively
5 from the Upper Dargle Road all the way to the Seafront 15:53
6 and we're saying that the rest of the development,
7 whatever you agree that that might be - I personally
8 think it should all be residential, but that's got
9 nothing to do with this motion - that that would be
10 moved on to higher ground. I think myself that that is 15:54
11 a very reasonable proposition. I want to pay tribute
12 to Members around this Chamber who are not from Bray,
13 many of whom attended explanations and presentations
14 that were made by the people from SWAP, the people
15 representing the people in Little Bray, who explained 15:54
16 their concerns about the floodplain, because I know
17 many of you went to a lot of trouble to attend those
18 meetings. They were very heartened with the response
19 that they got. They were very uplifted with the fact
20 that you engaged with them, that you took them 15:54
21 seriously and that you said you would consider, very
22 carefully, what they said. They can't speak here today
23 but they are here behind me, they are still very
24 hopeful that you would, at least today, keep this idea
25 alive for another four weeks because a decision we make 15:55
26 today is not the final decision. As has been said,
27 whatever is done today in this Plan goes out on public
28 display and a final decision is going to be made in
29 May. So even if you have your mind made up or you

1 think that the officials are right, or the planners are
2 right, you don't necessarily have to choke it at birth
3 today. I'm asking you please, Members, to give it a
4 little bit more thought and to allow everybody in the
5 Town of Bray, who will be affected by this decision, to 15:55
6 have an opportunity to comment on it before the final
7 decision is made.

8
9 So, Members, please, I ask you to support this
10 proposal. 15:55

11 FROM THE PUBLIC GALLERY: Hear, hear, Joe. [APPLAUSE]

12 CATHAOIRLEACH: Cllr. Matthews.

13 CLLR. MATTHEWS: Thank you, Cathaoirleach. Firstly,
14 before we start I want to thank the Planning Team for
15 all the work that they've done in preparing this plan 15:56
16 and for all the time they gave us in assisting us in
17 putting our amendments into correct language and
18 helping us with maps, et cetera.

19
20 The second group I want to thank are all the Wicklow 15:56
21 Councillors who attended the presentation made by the
22 SWAP Group and I know it was in the cold depths of
23 winter when a lot of you went and the weather wasn't
24 great but a lot of Councillors did go to that
25 presentation. I think they received a very fair 15:56
26 presentation from a community group who have no other
27 interest in this but to protect their homes. The
28 presentation was, I think it was well received by most
29 Councillors. A lot of Councillors from around the

1 Council that wouldn't be familiar with the area, they
2 expressed support for SWAP at those presentations and I
3 hope they can continue to express their support here
4 today on this objective when it comes to a vote.

5
6 I have consistently been opposed to development on this
7 floodplain for the past ten or 12 years. I went back
8 through my files and I found the original submissions I
9 made to An Bord Pleanála and Bray Town Council at the
10 time on this development and my party colleagues, the
11 Green Party, were the party around the Bray Town
12 Council Chamber at that time who opposed this
13 development on a floodplain and I still hold that view.

14
15 There's been a very cogent argument made on both sides
16 of this debate and the truth of the matter is, none of
17 us know exactly what would happen in the event of a
18 catastrophic flood event in Little Bray such as the one
19 we saw with the 1986 Hurricane Charlie. It also came
20 close in August 2013. We just don't know what's going
21 to happen. That's the whole nature of climate change.
22 Because of this uncertainty I choose to err on the side
23 of caution and there's an underlying principle in
24 environmental management that you adopt, a
25 precautionary principle, if you're unsure then you err
26 on that side of caution.

27
28 The flood works themselves, and I think everybody in
29 the area would agree, they're a fantastic job. They

1 give great comfort to people who live in that area.
2 They give great comfort to landowners, to property
3 owners, to businesses in that area that they have
4 significantly reduced the risk of flooding to that
5 area. However, what they have not done is eliminate 15:58
6 the risk of flood. I don't think anybody in this room
7 or outside this room could tell me, or tell anybody,
8 with certainty, that the flood risk has been eliminated
9 for Little Bray. I don't know, I'd invite that
10 question to anybody if they can answer it. 15:59

11
12 The defences have been designed, well designed in my
13 opinion. They've been designed with a one in 100 year
14 failure for a river or a rain event and they've also
15 got a one in 200 year design to fail for coastal 15:59
16 events. That's far better than what we had. But I
17 have just a brief quote here from an EU presentation
18 that was made on flood prevention. It's quite short,
19 Chairman. It's called "Best Practices on Flood
20 Prevention, Protection and Mitigation". I just want to 15:59
21 you bear in mind that this presentation was made in
22 2003. That's 15 years ago. Think about what we've
23 learned and what we've seen in terms of flooding, not
24 just in Ireland but throughout the world over that 15
25 years. I'm quoting now: 15:59

26
27 "The structural defence measures will remain important
28 elements and should primarily focus on the protection
29 of human health and safety and valuable goods and

1 property. We will have to keep in mind that flood
2 protection is never absolute and may generate a false
3 sense of security. The concept of residual risk,
4 including potential failure or breach, should therefore
5 be taken into consideration." 16:00

6
7 It goes on to say:

8
9 "We will have to keep the unpredictability of nature in
10 mind. Flood protection is never absolute and things 16:00
11 can go wrong. The question regularly arises as to what
12 safety is available and at what price and how much of
13 the remaining risk has to be accepted by society?"

14
15 So that provides both sides of the argument there. Is 16:00
16 there a risk and is it acceptable to society? And is
17 that risk acceptable to Members around this table?

18
19 When this development is completed the developer will
20 leave and hopefully he will leave a high quality Town 16:00
21 Centre residential development. But if we do suffer
22 flooding, if the defences fail it will be Wicklow
23 County Council, it will be the Department of the
24 Environment, it will be the taxpayer and the local
25 community who'll have to pick up the tab for it. We've 16:01
26 seen events recently in areas like Mount Mellick, which
27 never saw flooding like that before. In the Inishowen
28 Peninsula in Donegal quite recently we saw it. We've
29 seen coastal storms. We've seen the first storm in the

1 Atlantic, ex-Storm Ophelia, how far it came up.
2 Unprecedented. These events are going to get more
3 intense and more likely to happen. That feeds into
4 that quote there I said "flood defences give a false
5 sense of security".

16:01

6
7 At the outset here when I was talking, I said I don't
8 know what could happen here but none of us know what
9 could happen. I'd be willing to be proven wrong for
10 the rest of my life and never see those flood defences
11 tested and never seem them breached, and I hope I'm
12 proven wrong and I hope it never happens, but if it did
13 happen, wouldn't it be wise to have built in this
14 precautionary principle?

16:01

15
16 The final point I want to make - and this clinched the
17 argument for me recently. I was at an event and I was
18 speaking to the leading climatologist in the country,
19 probably the most respected researcher and professor on
20 climate change and flooding and I asked him about this
21 proposal and I asked him about the Dargle and he was
22 familiar with it. I said to him we designed flood
23 defences for a one in 100 year failure, but it's about
24 eight or ten years old, that design. Now, if you look
25 at the changes that have happened in the last ten years
26 and what we have seen and what we know is going to
27 happen, or what we know is quite likely to happen, I
28 asked them would a one in 100 year event now be
29 considered a one in 50 year event and he said that

16:01

16:02

16:02

1 would not be too conservative an estimate to make. In
2 other words, what we designed ten years ago may not now
3 be suitable for that. That clinched the deal for me.
4

5 He also suggested to me that the CFRAM studies the OPW 16:02
6 studies are overly reliant on historical data and they
7 don't take enough account of climate change and the
8 events that could unfold from climate change. I've
9 looked back through it and I'd be in agreement with
10 what he says. 16:03

11
12 The truth is we don't know what could happen. The
13 decision here today will probably influence the
14 outcomes of any flood event that happens in Little
15 Bray. I would ask the Councillors to really think 16:03
16 clearly and think long-term and think sustainably about
17 the future of Bray before they cast their vote on this.
18

19 One last point, the planners have said that if we were
20 to retain this as open space it would serve as a 16:03
21 disconnect to the town. I don't believe it would serve
22 as a disconnect. I think it would actually be an
23 invitation to both sides of the community to meet at
24 this point, at the river in this beautiful landscape we
25 have, in this continuation of a green, open 16:03
26 recreational amenity area, joining The People's Park to
27 the Promenade; two Victorian laid out parks that people
28 come from all over Ireland and admire and we have an
29 opportunity to place the missing link between a

1 victorian park and a victorian seafront, with our own
2 slant on it but for the benefit of all the community.
3 Thank you, Chairman.

4
5 [APPLAUSE FROM THE PUBLIC GALLERY]

16:04

6
7 CATHAOIRLEACH: Cllr. Kavanagh.

8 CLLR. KAVANAGH: Thank you, Cathaoirleach. I would
9 like to support this amendment made by the five
10 Councillors from Bray. SWAP has been in existence for, 16:04
11 I believe, somewhere in the region of 14 years. So for
12 14 years these people have been trying and trying and
13 trying to ensure that their houses and the future of
14 their homes is safe and secure. They have been trying,
15 for a long time, to make a presentation in this Chamber 16:04
16 to the 32 Councillors who will be voting here today.
17 They weren't successful in that for one reason or
18 another. In their final attempt the planning process
19 had gone too far to allow it to happen so, therefore,
20 they went to a lot of trouble to go around to each 16:05
21 region or to each area within the Council and make
22 presentations. They have put so much work, so much
23 hard effort into this. I think that we owe it to them
24 to listen to what they're saying. We don't live in
25 Bray, the majority of us, they do. They are asking for 16:05
26 our vote to keep this flood defence system in
27 existence, not to destroy it.

28
29 As Cllr. Behan said, we are being asked, all 32 of us,

1 to vote on something which only relates to those
2 people. So we need to think long and hard. 14 years
3 is long time in their lives and I think we need to
4 support them on this. Thank you very much.

16:05

5
6 [APPLAUSE FROM THE PUBLIC GALLERY]

7
8 CATHAOIRLEACH: Cllr. O'Connor.

9 CLLR. O'CONNOR: Thanks, Cathaoirleach. I'd also like
10 to express my agreement with the previous speakers.

16:06

11 The land we are talking about here is very, very
12 clearly a floodplain. It makes absolutely no sense to
13 build upon it. Flood defences have been put in place
14 and they have been done very, very well and hopefully
15 they'll succeed for many, many years in the future.
16 They've been put into place at huge expense and it
17 makes absolutely no sense to take away the area where
18 overflow water will go if the river does overflow.

16:06

19
20 If this development goes ahead on the lower ground the
21 only place where the overflow water can go is into
22 people's homes. That will be a disaster for the people
23 themselves in Little Bray but it will also be a
24 disaster as far as our State funds go, because they're
25 the ones who are going to have to - excuse the pun -
26 bail out the Local Authorities when it comes to pay for
27 this damage that might be done.

16:06

16:06

28
29 Neither ourselves, the five Councillors in Bray, nor

1 SWAP, are talking about the prevention of any kind of
2 development down there. Development is not the issue.
3 The issue is where the development occurs. It makes
4 absolutely no sense for this land to be developed on
5 the lower level beside the river, which is the
6 floodplain.

16:07

7
8 where they get their term, or the name of their
9 organisation is SWAP. They want this development
10 swapped from the lower level up on to the other level
11 so that the water actually has somewhere to go. As
12 you've heard before, the majority of Bray Councillors
13 are opposed to this development as it's planned and
14 where it's planned, and support of the people of Little
15 Bray and SWAP. SWAP have fought a long and a hard
16 battle to safeguard their homes and to safeguard, in
17 general, this whole area of Bray.

16:07

16:07

18
19 Pizarro, whose huge debt has been taken over by NAMA,
20 plan for open ground on the higher level and for
21 buildings on the lower level. They have it backwards.
22 Absolutely backwards. This development should go ahead
23 but it should go ahead on the higher ground. So I'd
24 ask you to support the amendments. Thanks.

16:07

16:08

25
26 [APPLAUSE FROM THE PUBLIC GALLERY]

27
28 CATHAOIRLEACH: Cllr. Vance.

29 CLLR. VANCE: Thank you, Chairman. Just in that regard

1 to what Cllr. Behan was talking about Bray Urban
2 District Council. The Councillor well knows that there
3 was 12 Members on that, there's eight Members on it at
4 the moment, so if you talk about majorities and stuff
5 like that, we don't know whether there would be a
6 majority on it now, if there was 12 Members on it.

16:08

7
8 Two Councillors did vote for it and they didn't vote
9 for it willy-nilly. These Councillors, the previous
10 Councillors gave an awful lot of thought to this land
11 before it was zoned. The careful consideration they
12 gave to it was to get the balance right, to get the
13 balance of community facilities, housing, retail,
14 commercial and open space. That's the time and effort
15 that went into this particular plan at that time. The
16 site was granted planning permission by An Bord
17 Pleanála in 2010. It was for ten years. There's an
18 existing -- we have two and a half years left of that
19 particular plan. So effectively the developer down
20 there could come in tomorrow and give a notice to start
21 and could build on that particular site as it now
22 stands. He has two and a half years left to complete
23 it.

16:08

16:09

16:09

24
25 Now, two schools have already been built on this land.
26 The road systems are in. The storage tanks are in.
27 And they were all delivered as part of this scheme.
28 Almost 30%, almost 30% of that land has already been
29 built on with the previous zoning that was on it. That

16:09

1 is a fact. That was thought at the particular time
2 when the Councillors were looking at this particular
3 plan. One of the bonuses from a councillor's point of
4 view was that there was huge community gain in this
5 because there was going to be a football field in it 16:10
6 there that would be used by the public and there was
7 two brand new schools and if anyone has been to Bray
8 and seen the schools there, they would see there's two
9 magnificent schools there at the moment and they're
10 ready for occupation. I don't know if they've exactly 16:10
11 gone in yet or not.

12
13 Anyone else that knows Bray would know that Bray has
14 suffered because the retail offering has been very poor
15 and there's been leakage out of Bray, significant 16:10
16 leakage out of Bray retail because it has not been
17 offered the retail that's necessary for a town of its
18 size. It's also, there's regional plans that Bray is a
19 metropolitan growth down. Outside of Dublin it has a
20 designation of one. So effectively the retail element 16:11
21 in the town has not met the requirements that the
22 people desire in that particular area.

23
24 We can also say, I mean The Florentine Centre will
25 there a certain amount, but it's going to be a smallish 16:11
26 centre in the sense that there's going to be about
27 120,000 square feet in regard to shopping and in regard
28 to a cinema there, but it's not going to deliver the
29 retail element that's necessary for an area the size of

1 Bray. Also, the reason we agreed the retail element in
2 the location where it is close to the Town Centre was
3 to protect the Town Centre. I don't think there's
4 anyone in this Chamber that knows a successful centre
5 that was built outside the town that didn't damage the 16:11
6 Town Centre. That was the sole reason, the sole reason
7 for building on this land or for seeking to build on
8 this land was to give the Town Centre, to try and give
9 a lift to the Town Centre and to bring it as close as
10 possible, and there was a pedestrian bridge from the 16:12
11 Town Centre right into this development. I think they
12 were really important issues that were discussed at
13 that particular time.

14
15 Now the design of the floodplain, I went to 16:12
16 Wallingford, I'm the only member of the Council still
17 left that went to Wallingford in England and we seen a
18 model there, a model of the whole Little Bray area and
19 people don't realise as well that the OPW, you know,
20 commissioned, I think with SWAP's help, an independent 16:12
21 engineer to fly down from Scotland to Wallingford and
22 we met him there on the day to have a critical look at
23 what was proposed in this particular model. They could
24 model for a 100-year storm, a 200, 300-year storm and
25 they did at that particular time. I certainly 16:13
26 marvelled at the detail that was in that particular
27 model. We've had previous experience in that regard to
28 dealing with this particular area and modelling and
29 that because in the Seafront area in Bray, an area

1 where there was much greater pressure on me as a
2 councillor at that particular time to do something
3 different and the councillors at the time had the guts
4 to do the job that was done and I can tell you this
5 much, there hasn't been one person that has talked 16:13
6 negatively to me to that particular development down on
7 Bray Seafront as well. The same type of theory was
8 used and not alone that, probably one of the most
9 foremost engineers in regard to modelling and flood
10 protection, I think it was Prof. O'Sullivan, that he 16:13
11 was commissioned to have a look and to help design this
12 particular scheme. So I mean the independent engineer
13 came and had a look and could find absolutely nothing
14 wrong. He found it was a superb scheme.

15
16 Then we have obviously, we had the design and we have
17 the €46 million that was spent, €46 million. There's
18 no town in Ireland has had €46 million spent on a Flood
19 Protection Scheme. None. And I was very pleased to
20 open that. Very proud to open that because this is 16:14
21 something that people of Little Bray have wanted for,
22 for a very, very long time. It gives them a form of
23 protection. And like Cllr. Matthews, nobody can say
24 ever say you'll never have a flood again. Please God
25 we won't. But it gives them a great deal of protection 16:14
26 and it's built and designed for that.

27
28 I'm asking all the Councillors to reject this
29 particular proposal because there's a number of issues

1 with those. There's two and a half years left of a
2 valid planning permission that exists at the moment.
3 There would be a loss of retail space. At least 30% of
4 this land has already been built on. There would be a
5 loss of housing as well, or certainly inadequate 16:15
6 planning and height, the height on the higher level, if
7 the housing was moved on to that, would have to be
8 increased to meet the housing targets. And it goes
9 against what I believe good planning as well.

10
11 Finally, could I say, the big issue SWAP had, to my
12 mind, was that they don't dispute that if an event
13 happened and there was flooding that the flood would
14 come from upstream like it has in the flood that I was
15 in in the sixties and my father was in in the thirties, 16:15
16 it came from upstream and it goes into Little Bray and
17 then as we all know it goes into the Golf Club lands.
18 That has been designed to cater for that, this plan
19 has. I believe the culvert which contains a huge pipe,
20 you could drive a double-deck bus through it's that 16:16
21 big. And effectively that, I believe, covers the
22 concerns, covers the concerns that SWAP have in regard
23 to --

24 FROM THE PUBLIC GALLERY: It does not.

25 CLLR. VANCE: -- alleviating any particular flooding 16:16
26 that would go into the Golf Club lands. That's a fact.
27 That's built into this particular plan. I believe that
28 the plan that's gone there is particularly designed for
29 Little Bray, it's working extremely well and I think

1 there's absolutely no need whatsoever, whatsoever, to
2 build a linear park as a floodplain. Thank you.

3 FROM THE PUBLIC GALLERY: Not when you build on a
4 floodplain.

5 CATHAOIRLEACH: Cllr. Ryan. 16:16

6 CLLR. RYAN: Thanks, Cathaoirleach. One of the things
7 just in general about the Development Plan, we always
8 look for and seek public consultation and I think
9 that's one of the fantastic things that there has been
10 just so much public consultation and engagement from 16:17

11 the public in terms of this. So I think that's
12 something that's really important to state at the
13 outset. We've had many different things that we've
14 gone to public consultation and people haven't been
15 interested and they haven't engaged so I think that's 16:17
16 wonderful that they actually have. I know there was a
17 lot of process from the Planning Department to
18 facilitate that and I'd like to pay credit to them for
19 that approach.

20 16:17

21 Cllr. Matthews earlier on said that it was a big day
22 for Bray today here at the Council and I absolutely
23 think it's a big day for Bray. I think the first
24 decision we made earlier on with regard to Florentine
25 is a great decision and will make a huge difference to 16:17
26 the town.

27
28 I think, equally, this decision is the exact same
29 because it will have a huge impact for a very, very

1 long time on Bray as we know it. I'm born and bred in
2 Bray. I love the town I would never ever do anything
3 that I believed was in any way going to affect people
4 in the town badly. I remember standing in 1986 in the
5 Dargle at the time of Hurricane Charlie and being 100% 16:18
6 committed to saying that we have got to make sure to
7 put a flood defence scheme in place. Obviously it took
8 a hell of a long time but it doesn't just happen that
9 €46 million gets spent in a town, there's a lot of
10 effort by a lot of people to make sure that that 16:18
11 actually happened and I was very proud to be part of
12 making that happen.

13
14 So, the big question for me is: what impact will it
15 have if we actually went with the proposal to swap the 16:18
16 lands? And in looking at this very deeply, and in
17 looking at the impact that Dundrum has had on Bray in
18 terms of the shopping and the retail, in terms of the
19 impact of Carrickmines on this town and soon the impact
20 of Cherrywood on this town, I think if we do the swap 16:19
21 that is being proposed that we could really kill the
22 town because what I want is one town. One Bray town.
23 I believe if we go with the SWAP proposal you'll split
24 the town and you'll have one Bray and you'll have
25 another new town or new conurbation on the higher level 16:19
26 which is closer to Dun Laoghaire and Rathdown. For
27 that reason I really want to see what we can do to keep
28 a town together so that it can provide something very
29 different to what Dundrum and Cherrywood and

1 Carrickmines provide, a real lived town experience with
2 a civic centre with the Dargle River at the centre. I
3 think it would be absolutely fantastic.

4
5 So the big thing, obviously as was said already, SWAP 16:20
6 have been saying that we should swap the lands for the
7 last 14 years, but the big game changer was the flood
8 defence scheme which isn't just a defence scheme,
9 there's also a relief scheme as part of that. Anybody
10 who's seen the impact already that that €46 million 16:20
11 spend has actually made, I think talks about how much
12 safer they feel going to bed at night, even when a
13 storm does brew up. But the piece that Cllr. Vance
14 alluded to is the next piece because it's not over. It
15 is the relief part of this scheme and it's crucial to 16:20
16 understand that because for people who actually do know
17 it, that when there was a breach before the water went
18 down through Dwyer Park into the second fairway of what
19 was Bray Golf Club and that exact point will be covered
20 off. The relief part, it's actually going to be a 16:21
21 culvert built which will be 375 metres long, a height
22 of 10 metres and at some points the width will be 22
23 metres long. That will give an immense amount of
24 relief should something, some event happen over the one
25 in 100 year storm. So it's not just the defence but 16:21
26 also the relief that will come from that shooting any
27 water straight down into the harbour.

28
29 when you look at all of these things you sort of say to

1 yourself, on the balance of what's right for Bray and
2 the development of Bray and when you look at the
3 community gain in terms of the schools, and by the way
4 I don't know if everybody understands the way it's been
5 actually put together but a lot of the playing pitches 16:22
6 and the school facilities are actually there for the
7 public. They're not just for the schools. They are
8 for the schools during the school hours, but they're
9 actually open to the public outside of that and I think
10 that's something that the people of Bray will be 16:22
11 delighted to hear. I believe that when we bring the
12 Florentine on board and have that developed by next
13 Christmas one year, and when we have this, the river
14 will be the focal point of the town and the town will
15 be one town and that's why I'd really encourage people 16:22
16 to sort of say, the flood defence scheme is in place;
17 the relief scheme will be in place; this can be the
18 making of Bray. Thank you.

19 CATHAOIRLEACH: Cllr. Whitmore.

20 CLLR. WHITMORE: Thanks very much, Chair. I have 16:22
21 spoken to both sides on this debate just because it's a
22 complex issue and I did want to get my head around all
23 the different aspects of it. I suppose my preference
24 would have been that we were able to speak to both
25 sides at the one time so that, you know, if someone 16:23
26 puts forward an argument that we would have been able
27 to get a response for the alternative side. As it is,
28 I spoke to both sides independently and I'd like to
29 thank them for their time for that.

1 Fundamentally I'm coming back to this. My background
2 is water management and marine processes and things and
3 as Cllr. Matthews said, like essentially when you're
4 modelling something you cannot guarantee the results of
5 the model. You build a model, you build assumptions 16:23
6 into it based on your current understanding of things
7 but it is still only a model and it is only a predictor
8 of situations and future activities. I think in the
9 absence of any guarantees that you do have to fall back
10 on the precautionary principle that Cllr. Matthews 16:23
11 spoke about. That's essentially where you recognise
12 that there are risks and you weigh up whether or not
13 you're prepared to take those risks. I think sometimes
14 in these discussions we can tend to base our decisions
15 on models and engineers and not talk enough about the 16:24
16 generational capacity and understanding of particular
17 areas and take the history into account when making
18 these decisions. So whilst we talk about one in 100
19 year one in 200 year floods, these things, it's not
20 going to take 200 years for that to happen, it could 16:24
21 happen next week. I think that's something that we do
22 need to remember. I will be supporting this amendment
23 of Cllr. Behan's. I can understand the rationale of
24 trying to keep the town together, however, I wouldn't
25 see a linear park in there as something that would 16:24
26 divide it and I think that could be something that
27 could draw people into the area and actually be seen as
28 an asset to bring the two parts of the town together.
29 I will be supporting this.

1 [APPLAUSE FROM THE PUBLIC GALLERY]

2
3 CATHAOIRLEACH: Members, I'm just conscious of time.
4 I'm suggesting that we have the option of extending the
5 meeting till 7:00 o'clock, if that's agreed by Members. 16:25

6 FROM THE FLOOR: Yeah.

7 CATHAOIRLEACH: I'd ask Members not to repeat the same
8 things that have been said by other Members.

9 MS. GALLAGHER: 7:00 isn't a target.

10 CATHAOIRLEACH: 7:00 is not a target, people have lots 16:25
11 of places to go to. It's the worst-case scenario.
12 Cllr. O'Brien.

13 CLLR. O'BRIEN: To me, at this stage, it's becoming a
14 bit like a circus, I can tell you. Firstly with 45 or
15 46 minutes spent on a Flood Protection Scheme, that if 16:25
16 the planning was proper in the first place there would
17 be no houses built there. Now that we've built there
18 the Flood Protection Scheme is costing 45 million and
19 now we have Cllr. Ryan mentioning some massive
20 monstrosity called a culvert that will be as high as a 16:25

21 double-decker bus and it would be 22 metres wide and
22 this is the way we're going to get the water to run
23 away. When in the name of God are we going to learn
24 that even the Egyptians knew what side of the river you
25 built on and what you did and stuff like that? When 16:26
26 are we going to learn and going to stop doing stupid
27 stuff like that? I mean they did in Cork, they did it
28 in Limerick and they did it, I think, Dublin as well in
29 places and they're reaping the rewards of this asinine

1 planning that's going on. Now there's probably
2 something more to this asinine planning than meets the
3 eye to me, the stupid person that I am, it could have
4 something to do with shillings and development and
5 making profits and stuff like that. I also felt what 16:26
6 Cllr. Matthews mentioned there, that the town would be
7 nicer with the river being not built around and built
8 upon and having the floodplain there and have it as a
9 focal point for the town to bring the people together.
10 My worry is, someone said, oh, the town would be a bit 16:26
11 too far away, you might have 100 metres to walk to th
12 shops, you know. well, if you build where you're going
13 to build, lads, you might have to swim 100 metres out
14 of your houses and that would be a far bigger worry for
15 people. I am seriously worried about what happens here 16:26
16 because I have never come across more genuine people
17 than the people in SWAP. I mean they do this
18 voluntary. And the amount of fundraising they'd to do.
19 I think I saw something in their massive programme they
20 put together, and all the work they've done down the 16:27
21 years, I think I saw a figure of 8,227 or something.
22 So it costs money for them to protect their own homes.
23 By right it should be written into legislation there
24 should, end of story, be no building on floodplains and
25 there should be none of this we'll culvert this, we'll 16:27
26 do that, we'll build that. I mean if you look at the
27 Missouri and Mississippi in America, what happened
28 there and they spent years doing the same think, banked
29 it up, banked it up, banked it up and eventually we had

1 that absolute disaster in New Orleans where the whole
2 thing collapsed away because Mother Nature was being
3 interfered with. I would hope to God that we go back,
4 I don't see, I was just reading the CE's recommendation
5 that we don't support this and I would actually like to 16:27
6 know what his rationale for that is? I was going to
7 ask the question that they seem to be saying, the
8 floodplain was still going to operate. I think we have
9 got answer to that, there's going to be that massive
10 big culvert that was going to do the job there. I will 16:27
11 be backing the SWAP people 100% on this. I don't think
12 there's any -- Cllr. Vance mentioned things about
13 losing a few houses here and there. The country is big
14 enough, there's enough open space to build houses and
15 build a new town somewhere else that we don't have to 16:28
16 cram everything in and be caught to something, I don't
17 know what it is. I definitely would be supporting SWAP
18 and I hope my colleagues here on the Council would do
19 the very same.

20
21 [APPLAUSE FROM THE PUBLIC GALLERY] 16:28

22
23 CATHAOIRLEACH: Cllr. Fox.

24 CLLR. FOX: Thank you, Chairman. First of all, can I
25 thank Noleen McManus and SWAP I met them and I found 16:28
26 them very courteous and they put forward their argument
27 in a very rational fashion. It left me, when I spoke
28 to Noleen, it left me that I was hungry to learn more
29 about the facts. I naively thought that when water

1 came over the wall of a river it flooded naturally but
2 I wanted to get to the heart of the matter and delve
3 into the depths of the actual figures. I suppose when
4 I did it was a classic case of the heart against the
5 head, you know. My heart said SWAP were such a genuine 16:29
6 group that I should commit to what they were suggesting
7 but my head, once I had seen the figures, clearly
8 steered me in a different direction. I sat down and I
9 read the draft and I thought the Draft Plan and the
10 proposal for this site made absolute sense. 16:29

11
12 Obviously Cllr. Ryan said that the 46 million spent on
13 the flood defence was a game changer and that is how I
14 feel. I feel there is no way in the world I would
15 support development on that site without the flood 16:29
16 protection works.

17
18 Then, again, when you delve down into the detail, you
19 know, the culvert, I think it takes 50,000 cubic metres
20 of an overflow. 16:30

21
22 So, look, my heart and head, you know, are in direct
23 conflict with one another but I had to follow my head.
24 I had to say that for retail connectivity, and proper
25 development of the site, hand on heart I agreed with 16:30
26 the Draft Plan. I agreed with what was within the
27 draft.

28
29 I know the fact there is planning permission on the

1 site, a commencement notice could come in immediately.
2 I mean we have already granted planning on the site. I
3 will be supporting the draft. I will be voting against
4 the amendments to amend the draft. In saying that,
5 look, I just want to pay tribute to SWAP. They have 16:30
6 been very, very courteous and it doesn't give me any
7 satisfaction to go against them. Okay. Thank you.

8 CATHAOIRLEACH: Cllr. Thornhill.

9 CLLR. THORNHILL: Cathaoirleach, go raibh maith agat.
10 Thanks very much and I'm delighted to speak on this 16:31
11 very important item. I'll just start by painting a
12 picture briefly. Bray, once an upon a time, was a
13 great town, vibrant and had great employment, had its
14 own factories and if we look at the Seafront it was
15 awash with tourists and whichever, but I mean over the 16:31
16 years - and I'm not from Bray myself - it has gone
17 downhill. One of the things I would like to elaborate
18 on especially in relation to this case is -- I mean one
19 of the things I would like to elaborate on would be
20 about the people involved. 16:32

21
22 The people involved in this and I must say to the
23 people from the SWAP who would be headed by
24 Noleen McManus, I would congratulate them, they are
25 passionate people and very ordinary people and I know, 16:32
26 because I have worked in Bray for 23 years and I have
27 met these people, ordinary people and not unreasonable
28 people either at the same time, and the thing about it
29 is that some of these people have lived through times,

1 1986, 1965, they are the most recent times in relation
2 to the floods. I was only talking last night to Noleen
3 McManus and she was telling me about 1965 and 1986, the
4 floods. I mean people living in their houses and these
5 people that had gone through the times that were in it, 16:32
6 I mean that they do realise what the problems could be
7 if you have, you know, flooding.

8
9 Now one little thing that I would just like to allude
10 to, this appears to be like a David versus Goliath 16:33
11 situation and I would also like to allude to
12 Cllr. O'Brien's remarks too because I mean we're
13 starting to live now in a situation where it's all big
14 business but we should remember ordinary people as
15 well. They are what make up the community and they are 16:33
16 what made up Bray. Like I mean okay, we'll talk about
17 retail. Retail going here, going down, whatever. I
18 mean at the end of the day we're talking about this
19 Florentine Centre. Now do we want another centre? I
20 mean there's two centre. 16:33

21
22 Another point made by another Councillor was Dundrum,
23 Carrickmines, Cherrywood. Well in the past I remember
24 at certain meetings alluding to these places and
25 somebody said, we shouldn't be comparing, we weren't 16:34
26 good enough. But unfortunately that's the way we are
27 where we are. But going back to the overall situation,
28 these people from SWAP, of their own volition they have
29 carried out the boot says, entertainment evenings, they

1 had to come up with money to fight these oral hearings.
2 Fair play to them. Like I mean they had the interest
3 of Bray at heart.
4

5 In 2005 people got together, a bunch of business 16:34
6 people, whichever, Pizarro & Company, and they decided
7 all right, okay, we're going to do this and that. Then
8 they put up maybe 90 million to buy maybe the Golf Club
9 and now it's gone bust. But who's paying for
10 everything? The taxpayer. The taxpayer. And at the 16:34
11 end of the day these are ordinary people and what
12 they're looking for is very unreasonable. They're
13 looking to build on the higher ground. And the thing
14 about it, it makes sense. And the thing about it, when
15 you think about it, there's a linear park on one side 16:35
16 of the Fran O'Toole Bridge and then on the other side
17 you've The People's Park and I will compliment the
18 Council at this stage, the work that is being done
19 there to regenerate that area is fantastic because up
20 to now we'd always Seafront, Seafront. Now we have a 16:35
21 great, we can do one side of the Fran O'Toole Bridge
22 and the other side. I am all with the SWAP people in
23 this and I would urge my colleagues to think seriously
24 about it and those people involved because at the end
25 of the day we should all be coming together. It isn't 16:35
26 all about money and big business; it's about a
27 community. Go raibh míle maith agat.

28
29 [APPLAUSE FROM THE PUBLIC GALLERY]

1 CATHAOIRLEACH: Cllr. Fortune.
2 CLLR. FORTUNE: Thanks, Cathaoirleach. I think this is
3 a really important issue for Bray. I know Bray quite
4 well. I lived in Bray, I went to school in Bray and I
5 have family living in Bray so I know Bray as well as 16:36
6 anybody knows it. I think potentially it's a fantastic
7 town that does need attention but it is potentially a
8 fantastic town.
9
10 I have listened to all the various debates. I went to 16:36
11 two meetings with Noleen and got a good understanding
12 of it, a very common sense approach. I really think
13 that when residents articulate a problem and a concern
14 and a fear the way SWAP have done it with this
15 particular issue, I don't think officialdom has a right 16:36
16 to basically say to them: 'we know better and we hear
17 what you're saying.' You know I had that experience
18 many, many years ago when I wasn't a public
19 representative and I came down to this Chamber with a
20 plan for the village I live in with a colleague and 16:37
21 were told by 15 Councillors here in the Chamber and by
22 officials that it was fantastic and it would be
23 brilliant and blah-blah-blah. Then when the plan was
24 done about eight months later it was totally ignored.
25 So I really come from a position where residents have 16:37
26 to be listened to. I think the professional way and
27 the knowledgeable way that this whole project has been
28 put from the point of view of the concerns of the
29 people in Little Bray has to be listened to. I

1 certainly think that what Cllr. Behan, O'Brien,
2 Matthews, O'Connor and Thornhill have proposed here
3 today is what is wanted in Bray, they're the majority,
4 and I would formally second the proposal that they have
5 put forward.

16:37

6
7 [APPLAUSE FROM THE PUBLIC GALLERY]

8
9 CATHAOIRLEACH: Thanks, Councillor. I'd just briefly
10 like to say, I'd just like to thank SWAP for their
11 contribution to democracy in this County. They crossed
12 the hills on a cold November night to Baltinglass to
13 meet me and I'd like to compliment them for making that
14 huge effort. I don't think there is any doubt about
15 their genuineness and well meaning. I'd just like to
16 thank them on what they've done over the last few
17 months.

16:38

16:38

18
19 I'd like to go now to the CE to respond.

20 MR. CURRAN: Can I respond briefly and I'll hand over
21 to Des then. We spoke earlier about The Florentine
22 Centre and it is in terms of improving the vitality of
23 the Town Centre that is really important. This site I
24 think is also important in terms of retail units,
25 connectivity, housing units. It is a hugely important
26 site in terms of the development of Bray. There's no
27 doubt about that. In terms of housing units,
28 absolutely essential. There isn't a huge amount of
29 scope in Bray in terms of retail and connectivity.

16:38

16:38

1 There was, as was said earlier, €46 million spent on
2 flood defences. The flood defences are designed in
3 such a way that they flood waters could still flow away
4 from the area towards the river and the sea, if that
5 was necessary, 50,000 cubic metres of overflow. For 16:39
6 that reason, we'd recommend that there'd be no change
7 in terms of that area and we've recommended a minor
8 amendment. Des, if you want to comment?

9 MR. O'BRIEN: Thank you, Chief Executive. I might be
10 repeating what a lot of Members have said but, I 16:39
11 suppose from the point of view, I'm Head of Planning
12 here but I also have been the Bray Town Manager up to a
13 few years ago and now the Municipal District Manager,
14 and I would come to Bray 40 years ago, and I've seen it
15 being the shopping centre for the County. Basically, 16:39
16 yes, losing its vibrancy as we go along, as
17 Cllr. Thornhill mentioned.

18
19 If you look at the figures for the potential spend from
20 Bray, the square feet of shops in Bray and the amount 16:40
21 of spend, the average spend the shop would have, Bray
22 is underresourced retail wise. We all know people are
23 going to Carrickmines, they're going to Dundrum and we
24 really want to stem that flow. Obviously earlier on
25 today The Florentine Centre is very, very important to 16:40
26 anchor the Main Street as the main place to do
27 business, we but we still don't have enough floor area
28 to service the people that we have in Bray. There is
29 only one place to go, is it go over the bridge into the

1 golf course land. There might be some possibility to
2 do a bit more where the SuperValu site is but really to
3 get a good bang increase in retail and get the brands
4 that people travel at the moment for, we need the golf
5 course land.

16:41

6
7 I suppose the other Councillors have said that it needs
8 to be as tight as possible. Every foot you have to
9 walk away, you'll end up with two competing centres and
10 we've seen it around the country. You can see Carlow
11 centre is dying and our aim was to have it as close as
12 possible. You might say well what's 40 or 50 or 60 or
13 70 metres? It means an awful lot because people don't
14 really want to walk that far. You will see people
15 going to church, they want to park in the altar wells
16 if they can. This is just a fact of life. It is very,
17 very important for Bray to get back to the state it was
18 that we have this as close as possible to the town.
19 But then to look at what the risk is. I mean we are
20 well alive to the risks in Little Bray. We were
21 plugging away trying to get a flood scheme in Bray for
22 ages and it was only when we realised that there could
23 be a loss of life in Little Bray that we went way up
24 the charts in the OPW funding list. Little Bray could
25 be two metres under the prevailing level in a little
26 hollow and when the river shoots out, lots of
27 single-storey housing, a lot of people who are older
28 than myself and there's a good chance someone could
29 die. That's how we got up the, well up the list of

16:41

16:41

16:41

16:42

1 possible schemes that would be done in the OPW. In
2 fact the benefit cost ratio on this was 5. It's
3 unheard of. Generally they want it to be 1.5. That
4 was based on these issues. So we're very, very alive
5 to the problems in Little Bray. 16:42

6
7 Some people brought up that you can't rely on a flood
8 scheme and that's true. This is as a probability of
9 one in 100. Actually when we modelled it in
10 Wallingford, and this is not like the mathematical 16:43
11 model that Cllr. Whitmore was talking about, this is
12 actually a physical model, it was a scale model done
13 completely like the river itself. So it's far more
14 direct than making assumptions. It actually turned out
15 to have a 300 year return. But regardless of that, you 16:43
16 can have a one in 1,000 year storm next week. They can
17 happen any time. There's actually not a return period.
18 The fact that Bray hasn't had a flood now for 30 years,
19 and generally they'd been getting one every 25 years,
20 doesn't mean to say we're due for one. You can have 16:43
21 your return the following day, and we know that.

22
23 When Christine Flood was Town Clerk and Mark was stand
24 in Chair we set up an evacuation for emergency flood
25 response. We had volunteers and we'd done some dry 16:44
26 runs on it. Basically we had sort of rules and it was
27 basically the wall in Park Lane, if that gets to a
28 certain point, we evacuate the town. We have buses
29 organised, we have halls organised. That's ongoing and

1 that will have to continue going on. we'll probably
2 have to make bigger efforts because the chances of a
3 flood happening are going to be smaller and it's
4 probably going to be harder to concentrate people's
5 minds. I just want to accept any flood scheme can fail 16:44
6 at any time and you have to allow for that.

7
8 The floodplain at the golf course lands isn't much use
9 to Little Bray because floodplains have to be upstream.
10 The idea of a floodplain is the water overflows, the 16:44
11 flow in the river decreases and the flow decreases the
12 level falls. Having a floodplain, once it's gone
13 through your town is of no use. It might, on a
14 very sluggish river like the Shannon where it falls
15 about five inches every mile, but that's not the case 16:45
16 in Bray. Bray is a very, very steep riverbed there.
17 Having a floodplain downstream will do no good for the
18 people upstream at all.

19
20 what's important about the golf course lands for Little 16:45
21 Bray is it conveys water out. The waters overflows
22 somewhere upstream and in Hurricane Charlie it
23 overflowed well upstream, flowed down the Dargle Road
24 into Little Bray and then there's an impediment on
25 getting it out in Dwyer Park and that way. So it takes 16:45
26 awhile for water then to find its way out again. where
27 it went out was into the golf course lands. This point
28 that is being made by SWAP was made 14 years ago and we
29 took it on board and it is actually quite hard to model

1 that mathematically because there's too many
2 imponderables so we actually modelled it Wallingford
3 and we found there was 18 to 19 cubic metres per
4 second. So when the planning application came in, we
5 insisted that there would be a conveyance method to get 16:46
6 rid of this water. We asked them to do it for 25 cubic
7 metres per second to have a factor of safety. If you
8 could actually bring that up, just to show -- this is
9 an excerpt from the planning application. Thanks,
10 Lisa. It won't be ugly because this is actually in the 16:46
11 middle of a shopping centre. This was actually in the
12 middle of the car park and if you look -- the colour
13 has come out of it. That's meant to be all blue. This
14 was one we got from the planning drawings.

15
16 This is what we got when the planning application came
17 in. That's the entrance from Dwyer Park. That's the
18 gate at the moment to the golf course. Now this
19 dimension here is about nine metres wide. Nine metres
20 wide is a very wide single carriage national primary 16:47
21 road and then you can see it gets much wider along
22 here. This is the width of the river. This is the
23 width of the culvert. This is not like a six inch pipe
24 taking water out, this is a huge undertaking. If you
25 look on this part here, I think this is where the 16:48
26 culvert here and this is the overflow. That's up to
27 ten metres high. Now, you don't need ten metres high
28 because it's just the way the car park was constructed.
29 But this is a huge culvert and it's designed to take

1 all the flow from it. So we have actually modelled all
2 this. It's not that we weren't alive to these
3 problems. These problems are real. But we have
4 actually taken these into consideration and we got the
5 developers, I'm sure we can get further information to 16:48
6 get to this the right level and then you have various
7 inlets into the river then at that stage. We have
8 designed inlets in the river at the moment because the
9 wall of the -- like what happened in Hurricane Charlie
10 is what wall was there got knocked over eventually and 16:48
11 the water whooshed in. So we have flat valves along
12 there and it was mentioned that these failed. That was
13 because one of them wasn't actually in the place at the
14 time and that was repaired.

15
16 They're very, very important because now you've got a 16:49
17 big wall there, you have to get water back into the
18 river and relieve upstream on it. So that's really how
19 much I can say about the flood scheme.

20
21 One thing I'll say as well, when the planning 16:49
22 application went through, there are Flood Risk
23 Management Guidelines and what they say basically is,
24 regardless of what flood protection you do, you
25 shouldn't have any housing in an area, even in a 16:49
26 probability of 0.1% which is one in a thousand year
27 probability. However, there is a justification test,
28 if it's justified, and on this particular site, the
29 OPW, our partners in doing it, always accepted it was

1 justified but it went to Bord Pleanála as an
2 independent third party and they accepted it was
3 justified in the planning permission.
4

5 So really that's why I think it's very important for 16:50
6 the future of Bray that this zoning stays in place and
7 I would ask you to keep that in mind when you're
8 deliberating.

9 CATHAOIRLEACH: Cllr. Behan, you want to come back?

10 CLLR. BEHAN: It's just to, if I could as the person 16:50
11 who proposed it, even though I proposed it on behalf of
12 my colleagues I want to make one or two points, if I
13 can, before you go to a vote, Cathaoirleach.

14 CATHAOIRLEACH: That's okay.

15 CLLR. BEHAN: The first point you'll remember what 16:50
16 Mr. O'Brien just said there, none of that is in place
17 at the moment. That's in the planning permission. As
18 the developer said in his submission, he is more or
19 less saying well, you won't have your flood scheme
20 unless we get our planning permission. You won't have 16:50
21 the flood relief. We've got the flood defence but we
22 don't have the flood relief. That's a picture on a
23 screen. Whereas in reality we have a floodplain at the
24 moment. Let's not forget that.

25 16:51
26 The second point is that a lot has been made about
27 retail and having this massive big shopping centre
28 that's going to compete with Dundrum and Carrickmines.
29 Now, I for one do not believe that's ever going to

1 happen. I really don't. And in fact if you look at
2 the submission of Pizarro, not the thing we got last
3 week, if you look at their submission on the plan they
4 actually have stated their intention to look for a
5 reduction in retail. And why have they looked for a 16:51
6 reduction in retail? Because of the advent of internet
7 shopping. That they believe that convenience shopping
8 is on the decrease. We all know that's true. And
9 people are shopping online and they're buying from a
10 small outlet. They're not actually travelling to a lot 16:51
11 of shops to buy the way they might have in the past.
12 So the comparison shopping idea might have been
13 relevant 15 years ago, it's not relevant today.

14
15 It's a bogus argument to say that if we get this zoning 16:52
16 here today we're suddenly going to have a shopping
17 centre that is going to compete with Dundrum,
18 Carrickmines and Cherrywood. Anyone who knows the
19 Castle Street area, the road that just leads off, where
20 Mr. O'Brien was showing there Dwyer Park, the road that 16:52
21 comes into the Town of Bray, you'll know that you
22 barely can get two cars on either side of it. It's a
23 single lane each way. Now to suggest that a thousand
24 cars are going to be able to drive in and out there
25 every day, not have any queues and drive into the other 16:52
26 shops and when they eventually get in there they're
27 going get out and they're going to walk up the Town of
28 Bray to do their shopping. It's rubbish. It's
29 complete rubbish. It's a completely false, bogus

1 argument. It will not happen.

2
3 The second part of my proposal, which won't see the
4 light of day if we don't agree to the first part, was
5 that I think that we have an opportunity to make a 16:52
6 living community, a residential community on that site
7 and forget about all this rubbish about a big retail
8 shopping centre. We actually could have a high density
9 residential development that could answer the housing
10 needs of a lot of Bray and the surrounding areas 16:53
11 because it's right beside a primary and a secondary
12 school; it's right beside the Seafront; it's right
13 beside the DART station; it's right beside the
14 Superquinn Shopping Centre; and it's right beside the
15 Town Centre, and the people who live there would 16:53
16 actually be the people that would regenerate the Town
17 Centre. However, I'm only saying that because that was
18 the second motion that I would be proposing. But I
19 accept if we don't win this first one, if we don't get
20 this vote through today that idea is dead as well. 16:53

21
22 I come back and I appeal again, I know a lot of talk
23 has gone on, particularly in the bigger parties here
24 around this table in the last few days, the bigger
25 political parties about trying to make sure this does 16:54
26 not go through today, despite the fact that I'm quite
27 sure there are some of you sitting here today that
28 certainly have your doubts and would, in normal
29 circumstances, give this a chance and for the last time

1 I'm saying this: Give it a chance. Just allow it to
2 go through today for four weeks for the people of Bray
3 to have a chance to give their opinion on it because
4 this is the decision for the future of Bray and it's in
5 your hands whether you allow the people to have a few 16:54
6 weeks more to consider it or not. Again, as a last
7 time, Cathaoirleach, I'm asking for you to support this
8 proposal. Thank you.

9
10 [APPLAUSE FROM THE PUBLIC GALLERY] 16:54

11
12 MR. O'BRIEN: Just a small point. Just factual things
13 really. The culvert doesn't need to be in place at the
14 moment because you have a conveyance through the golf
15 course so the fact it's not there -- 16:54

16 CLLR. BEHAN: We have a floodplain as well at the
17 moment.

18 MR. O'BRIEN: I'm giving you what is the engineering
19 theory on it, the floodplain downstream is of no use to
20 you. What you have there is a conveyance channel and 16:55
21 you still have the conveyance channel. If any
22 development happens there would have to be a culvert.
23 That's all, Councillor, I'm saying on that.

24
25 As to the reduction in retail, in your County 16:55
26 Development Plan you already reduced the amount of
27 retail based on new figures that we were allotted to
28 Bray. So that would be consistent with the County
29 Development Plan.

1 CATHAOIRLEACH: Cllr. Thornhill and then I'm going to
2 go for a vote.

3 CLLR. MATTHEWS: Can I just ask a question on culverts.
4 CLLR. THORNHILL: Cathaoirleach, some submissions,
5 hardcopies that were handed to me by SWAP that I forgot 16:55
6 to mention they were supposed to be handed over to
7 yourself.

8 CLLR. MATTHEWS: Cathaoirleach, just a question.
9 CATHAOIRLEACH: You want to give me something?

10 CLLR. MATTHEWS: That's not part of the process, 16:55
11 Cathaoirleach.

12 CLLR. THORNHILL: Just for yourself. (SAME HANDED)
13 CATHAOIRLEACH: Cllr. Matthews.

14 CLLR. MATTHEWS: Thank you, just a question, a point of
15 information on the culvert. What will the culvert be 16:56
16 used for when it's not conveying water? And under
17 whose management would it be? Thank you.

18 MR. O'BRIEN: It will just be a dry culvert. It would
19 be used in the event of a storm event.

20 CLLR. MATTHEWS: Under whose management? 16:56
21 MR. O'BRIEN: I would say it would have to be the
22 management of the Local Authority.

23 CLLR. MATTHEWS: We're not clear. There could be a
24 privately managed management company involved.

25 MR. O'BRIEN: I doubt it. Look, we haven't gone that 16:56
26 far yet and when we get planning permission we can
27 discuss that. I would see it as part of the flood
28 infrastructure that will need to be managed by the
29 County Council.

1 CLLR. MATTHEWS: Okay, thank you.

2 CATHAOIRLEACH: I suggest now that we go ahead with a
3 vote on the proposed amendment by Cllr. Behan.

4 MS. GALLAGHER: This is the first proposed amendment by
5 Cllr. Behan on behalf of his five colleagues, 16:57
6 Councillors O'Brien, O'Connor, Matthews and Thornhill
7 and seconded by Cllr. Tom Fortune. Amendment 5, page
8 17. [VOTE TAKEN] That's 13 for; 18 against; and one
9 not present.

10 CATHAOIRLEACH: I now go on to Cllr. Behan's next 16:59
11 amendment.

12 MS. GALLAGHER: Amendment number 6.

13 CATHAOIRLEACH: On page 20.

14 MS. GALLAGHER: Seconded by Cllr. T. Fortune.

15 CATHAOIRLEACH: I'll go for a vote on that as well, 16:59
16 please.

17 [VOTE TAKEN]

18 MS. GALLAGHER: That's 19 against; 11 for; and two not
19 present.

20 CATHAOIRLEACH: The next item on the same topic is a 17:00
21 proposal by Cllr. Matthews, page 55.

22 MS. GALLAGHER: Seconded by Cllr. T. Fortune.

23 CLLR. MATTHEWS: Do I get to speak on it?

24 CATHAOIRLEACH: If you want to speak.

25 CLLR. MATTHEWS: I do. It's a completely separate 17:01
26 amendment. It is nothing to do with rezoning. I know
27 what way Tommy Annesley is going to vote. I have to
28 work on the Arklow element! I thought coming from
29 Arklow you'd understand.

1 Cathaoirleach, I've made this submission and I'm going
2 to explain, and I make no reference to flooding, flood
3 attenuation, to flood mitigation or to flood risk as
4 part of this proposal. Under the objective that we
5 have for the Golf Club lands, we've agreed already, 17:01
6 there's an agreed objective in there that we would have
7 two hectare public open space. Now I see the developer
8 has made a proposal or he has submitted an amendment,
9 if you want to have a look at the maps there, where he
10 is proposing to put his reduced 1.3 hectare public open 17:02
11 space and it's hived off into a corner of the site.
12 It's disconnected from the main bulk of what the
13 proposed development would be. It's to the rear of
14 properties. It serves very, very little. We can get
15 the map up there. If you want to get the drawing up 17:02
16 there maybe Members would have a better understanding
17 of what I'm talking about. From what I've seen the
18 main road through to the site actually severs this park
19 from the river frontage. Have we got a map? Could we
20 have a map of the development as it stands, the 17:02
21 permissions there at the moment? We have it in the
22 Pizarro submission.

23 MS. VANCE: Cllr. Matthews, we don't have it here
24 today.

25 CLLR. MATTHEWS: However I'll go on. So what I'm 17:03
26 suggesting in this is rather than letting the developer
27 decide what part of the site he's going to apportion
28 for this two hectares we've agreed but 1.3 hectares
29 he's suggesting is that we provide this in the form of

1 a linear park to the south of the site, running along
2 by the river front. The reason for this is, I believe,
3 that the provision of high quality, well designed
4 managed open space and parkland at this location will
5 provide for residential amenity and open space for the 17:03
6 entire development, but also for the town as well.
7 It's not off to the rear of this new site and new
8 development. I think it would add the unadded
9 attraction to the entire river area for the entire
10 town. Placing it at that point would enhance the 17:04
11 public realm throughout the area. It would provide a
12 community gain, not just to the new development but to
13 the entire town. It would provide greenway linkage.
14 At the moment we have a proposal in from The People's
15 Park for the Dargle River walk that eventually could 17:04
16 join up to Enniskerry. This linear park would connect
17 The People's Park to the harbour. When you get to the
18 harbour we're working on proposals to go northbound
19 through Shanganagh, southbound along the Seafront to
20 Greystones, the Wicklow way. Cllr. Fox is working on 17:04
21 the Wicklow way to the cliff walk. It provides another
22 link in a joined-up green urban infrastructure and I
23 think it's something we should aspire to. It will fill
24 in the last little piece of it there.

25
26 Just for clarity, on the question of the disconnect,
27 this would probably be about 45 metres in width, about
28 500 metres long. Basically it would extend a long the
29 Dargle River and I don't believe that would provide a
17:04

1 disconnect at all. Any piece of built environment can
2 provide a disconnect if it's not managed. If you have
3 a street that's unlit or unwelcoming, it can serve as a
4 disconnect to the community. If you have a roadway
5 that's busy or wide, it will serve as a disconnect to 17:05
6 the community. And if you have a river, it always
7 serves as a disconnect to the community. But by
8 providing this river frontage, this park along the
9 river frontage, it would actually serve as, and I know
10 I stated this in the last one but it would, it invite 17:05
11 both communities together and I think it would offer
12 the core Town Centre area, people would like across and
13 they would see this new community over there but they'd
14 be invited into it. They wouldn't be just looking over
15 at the new apartments with their shops over there. And 17:05
16 the same for the community over there. We will have
17 shopping and we will have retail in it and it's
18 important that we have shopping and retail in it. It's
19 needed. That's why I didn't support Cllr. Behan's last
20 amendment. I'm okay with that. But we also want to 17:06
21 entice those people to the town as well, not to live in
22 some sort of isolation over there. This is a new
23 development, we're all down with our own shops. It's
24 really to bring the two communities together.

25
26 The proposal doesn't require any rezoning at all. This
27 is not a proposal to rezone any land. This is a
28 proposal that the objectives that we stitch into this
29 SLO is that the two hectares is linear to the river, on 17:06

1 the south. The other aspect of where the developer's
2 proposing his parkland to be, it's behind these high
3 buildings to the north. This should be located to the
4 front of this development where it will serve both
5 communities best.

17:06

6
7 If you wanted to discuss flooding or channel ways, if
8 somebody wanted to do that, it could probably be looked
9 on positively in terms of that. I'm not suggesting
10 that. If it came before the Board for a new
11 application, as the developer has suggested he's going
12 to put in a new application, if it did come the Board
13 may look at this positively and say well, there is
14 flood attenuation in there. Again, that's speculative
15 because there is no application in at the moment.

17:07

17:07

16
17 I would urge the Members to support this. I think we
18 should decide what's best in our town and where the
19 open space provision should be and where the
20 recreational amenity should be. Exactly as we're doing
21 on the Fassaroe lands, we have been very prescriptive
22 on the Fassaroe lands and that's going to bring some
23 fantastic community benefit, not just to the Fassaroe
24 development, but to Bray as well. I think we've the
25 opportunity to do that here, to put this parkland in a
26 location that we decide and which is best for us, it's
27 not developer-led, it's democratically led, it's led
28 with the Councillors who were elected by the people and
29 I think we have a good understanding of what's needed

17:07

17:07

1 there. I'd urge the Members to support this. Thank
2 you, Cathaoirleach.

3
4 [APPLAUSE FROM THE PUBLIC GALLERY]

5
6 CATHAOIRLEACH: Cllr. Vance.

7 CLLR. VANCE: Chairman, as I said before, when I was a
8 Member of the Council discussing zoning in this area,
9 we discussed all these particular items. Whereas this
10 particular proposal is better than the other two in the 17:08
11 sense, but it goes away from the one specific reason is
12 that the Town Centre is going to be disconnected the
13 further you go into this particular site. That's my
14 big problem with this particular proposal because one
15 of the reasons for, there was a lot of debate from the 17:08
16 previous Council in that regard to this and it was
17 because of the disconnect and we wanted to keep the
18 Town Centre and not provide an out of town, the further
19 out you go the further disconnect you have and
20 effectively it doesn't help the Town Centre at all. 17:09
21 This was all about rejuvenation of the Town Centre.
22 Unfortunately when you push it further back you have
23 this particular problem. So that's why I'm opposing
24 this, Chairman. Thank you.

25 CATHAOIRLEACH: Cllr. Kavanagh. 17:09

26 CLLR. KAVANAGH: Thanks, Chair, I just want support
27 this. I think it would be a very good compromise for
28 the people from Little Bray and the Members of the SWAP
29 organisation. It's not an enormous amount of land and

1 the idea that a town is going to be split because of
2 something like this is just ludicrous in the extreme.
3 Bray is a very well laid out town. This is not going
4 to detract from that. I think it is will actually
5 enhance it and I think it would certainly bring peace 17:09
6 of mind to the people who are desperate to ensure that
7 there would be no flooding to their homes in the
8 future. Thank you.

9 CATHAOIRLEACH: I will go for a vote on this.

10 CLLR. MATTHEWS: Cathaoirleach, can I just respond to 17:10
11 that, if I can respond to those submissions.

12 CATHAOIRLEACH: Just be brief.

13 CLLR. MATTHEWS: I will be brief, Cathaoirleach, but
14 it's a very important issue for the town so I want to
15 respond to it. 17:10

16

17 The question of disconnect, it's not a mathematical
18 question, okay. There's no definitive answer to that
19 question. You're talking about urban design and an
20 urban planner's opinion on it. Now opinions, we could 17:10
21 line up three urban planners and they could say: 'Yes,
22 it will disconnect', and I could find three others that
23 would say: 'No, it will not disconnect'. Bray is
24 quite a densely populated town but it's very, very well
25 laid out. It's about four miles wide. So to go from 17:10
26 the centre of our town to the extremities, you're only
27 about two miles. Bray is well laid out and I think
28 this will serve the town better. This will actually
29 bring both communities together. Generally communities

1 are divided by a river. we built the boardwalk and we
2 built the river walk and the Ravenswell Road and it's
3 been hugely welcomed and it's a great addition to the
4 town and it really lifts the entire area. Now we have
5 an opportunity here to put this in place, to join The 17:11
6 People's Park and to join the harbour together, so
7 somewhere that will be pleasant and inviting and
8 actually lift the entire town. I think it will
9 complement it. I think it will add to the shopping
10 experience, it will add to the recreational experience. 17:11
11 People don't want to just go in and go down busy
12 shopping streets. Look at the way shopping and retail
13 is now. They classify it as an experience to go
14 shopping now. Okay, it's not an experience I
15 particularly like but you go and you walk and you enjoy 17:11
16 and there's a design and it's laid out and there's
17 places to eat and there's places to sit around and
18 enjoy and meet people. It's not just about rushing in
19 and out of shops shopping. So I don't accept the
20 disconnect. I know some people may but again it's not 17:11
21 something -- it's something that's subjective and I'm
22 suggesting that it would not, it's only about 45 metres
23 wide. In fact if you want to reduce it at the retail
24 part of this site I would be open to that if we make it
25 up at the other end where it joins the harbour, which 17:12
26 might be actually a nice design. As The People's Park
27 starts to drift in at that point, ours could meet it
28 with the same dimension and drift back out again. I
29 think on paper this sounds fantastic. I'd love to see

1 a drawing of it. I'd like to ask the Councillors to
2 support this vision of joining up this area in Bray.
3 Thank you, Cathaoirleach.

4 CATHAOIRLEACH: Do I have a seconder for that proposal?
5 CLLR. O'BRIEN: Seconded. 17:12

6 MS. GALLAGHER: Proposed by Matthews, seconded by
7 Cllr. O'Brien. [VOTE TAKEN] That's 11 for; 17
8 against; and four not present.

9 CATHAOIRLEACH: Just the last vote we're going to have
10 on the Golf Club plans is the CE's proposal number 13. 17:14

11 CLLR. BEHAN: What page is that on?
12 MR. O'BRIEN: 36. That basically puts a target
13 provision of 1,000 units rather than "no less than" and
14 changes "park" to "open space". They're just minor
15 amendments. 17:14

16 CLLR. VANCE: I propose that, Chairman.
17 CATHAOIRLEACH: Proposer Cllr. Vance.
18 MS. GALLAGHER: Seconded?
19 CATHAOIRLEACH: Do we have a seconder?
20 CLLR. RYAN: Yes. 17:14

21 CATHAOIRLEACH: Cllr. Ryan. Cllr. Behan, would you
22 like to speak?

23 CLLR. BEHAN: Yeah, I'd like to speak on it,
24 Cathaoirleach. So effectively what the Director is
25 saying there is, we're now taking the pressure off the 17:15
26 developer to provide housing units during a housing
27 emergency. Notwithstanding what I said earlier about
28 the fact that I don't believe a big retail outfit is
29 going to work there, actually what the Director is now

1 saying is that well he doesn't have to deliver, it's
2 now a target whereas it was already a requirement
3 before. So this is a relaxation of a restriction that
4 would was being put on a person to get planning
5 permission there.

17:15

6
7 I also would argue with the question of taking away a
8 public park and putting in the word "open space" which
9 means that it may or may not be designed in such a way
10 that would be of use to people who live down there. So
11 anyway everybody is probably at this stage tired of the
12 Golf Club talk, although I do think it's very important
13 but I would be opposing this proposal, Cathaoirleach.

17:15

14
15 [APPLAUSE FROM THE PUBLIC GALLERY]

17:16

16
17 MR. O'BRIEN: Cathaoirleach, generally in Development
18 Plans you don't want to have things set in stone
19 because you are looking for a target of 1,000 and the
20 development says we can't get the 1,000, we're in
21 material contravention. We are still looking for at
22 least 1,000 but if they actually show us in the
23 application they can't do it, then we'll take that on
24 board.

17:16

25
26 It went from "park" to "open space" because it could be
27 a playing pitch, it could be something else, rather
28 than just a public park. It is just to give
29 flexibility.

17:16

1 [VOTE TAKEN]

2 MS. GALLAGHER: That's 19 for; eight against; and five
3 not present.

4 CATHAOIRLEACH: Members, thanks for the Kilmacanogue
5 group for staying here so long. I'd like to move on to 17:18
6 that item now. You'll see it on --

7 CLLR. O'NEILL: Can I just ask how many were absent
8 from that vote?

9 CLLR. WINTERS: Five.

10 CLLR. O'NEILL: Five absent, including three here. 17:18

11 CLLR. RYAN: When you're gone, you're gone!

12 CATHAOIRLEACH: Cllr. Fox.

13 CLLR. FOX: Thank you, Chairman.

14 CLLR. MATTHEWS: What are we on?

15 CATHAOIRLEACH: We're on the second page of the 17:19
16 spreadsheet, map 4, Kilmacanogue. Cllr. Fox, number 1
17 proposal. Page 28 of the amendments.

18 CLLR. FOX: Thank you, Chairman. It's Chapter 7 on the
19 list. Thank you for letting this go forward to allow
20 people in the gallery to go home earlier than what 17:19
21 would have been.

22

23 Just the background on this is, back a few years ago in
24 one of the Development Plans there was a proposal to
25 put a road from Kilmacanogue to Bray on a map which met 17:19
26 with huge opposition, pretty much it was unanimous
27 opposition to it. Now we have an alternative proposal
28 whereby that road has been removed from all plans.
29 There was a fear that this proposal was going to be a

1 reopening of that previous proposal.

2 CATHAOIRLEACH: Christy, are you on to your proposal
3 number 1 or number 3?

4 CLLR. FOX: This is proposal number 3. Amendment
5 number 3. 17:20

6 CATHAOIRLEACH: Okay.

7 CLLR. MCLOUGHLIN: What page is that on?

8 MS. GALLAGHER: Page 36.

9 CLLR. MCLOUGHLIN: 36?

10 CLLR. FOX: On that list it's Chapter 7 and both myself 17:20
11 and Cllr. Matthews have amendments in on this. So the
12 background was previously that the road was removed
13 from plans. There was a fear in Kilmac that this was a
14 reopening of that in a phased basis. Now I've been
15 assured that that's not the case. However, there are a 17:20
16 number of residents who access the N11 directly, which
17 is a very unsatisfactory situation we have. It has
18 effectively held up any solution to the garage exit on
19 to the N11 which we all know is seriously substandard.
20 So what I am proposing is that a small cul-de-sac road 17:21
21 moved forward down the slope to the west in line with
22 the bottom of Kilfenora Lane would be included. Now I
23 know the planners have said that the line on the map is
24 indicative and it's not set in stone.

25 17:21

26 I have also sought to remove or reduce the secondary
27 area. There was secondary zoning proposed up to the
28 90-metre contour line. I'm reducing that down under
29 the 80-metre contour line.

1 As I said, the road should be purely to serve the
2 residents who access the N11 directly, to offer a safe
3 solution for those people.

4
5 I would also support the idea of a greenway from that 17:22
6 point on to Bray, subject to the landowner being
7 consulted and some form of agreement reached. So
8 that's what I'm proposing, Chairman.

9
10 There is one other small amendment which would be seen 17:22
11 as a mapping error which is number one on that.

12 CATHAOIRLEACH: We'll deal with this one first and then
13 we'll come back it. Do I have a seconder?

14 CLLR. BEHAN: I just want to second Cllr. Fox's
15 proposal and to say that he and his family have served 17:23
16 that area as public representatives now for probably 40
17 years. Nobody knows the area of Kilmacanogue better
18 than he does. Nobody around this Chamber. I know he's
19 put a lot of thought and consideration into this. He's
20 attended a number of public meetings about it and I 17:23
21 know he has considered carefully all of the points that
22 have been made. I think at the public meeting I
23 attended it was very clear that there are a number of
24 residents who are probably there a very long time who
25 are effectively coming out on to the N11, coming out 17:23
26 into a death trap. While the NRA may propose something
27 there in the future, I think what he is proposing is
28 something that will offer a better chance of having a
29 permanently safe exit and access for those people. On

1 that basis I want to second it.

2 CATHAOIRLEACH: We'll go for a vote then.

3 MR. O'BRIEN: Cllr. Matthews' number 11 is

4 substantially the same point except it's a map. It's

5 the same site, it's just that Cllr. Matthews is to take 17:24

6 away all the zoning there, whereas Cllr. Fox is to take

7 away a bit more than half.

8 CLLR. FOX: The removal of the road in Cllr. Matthews'

9 is the difficulty I have. Cllr. Matthews is proposing

10 to remove the service road. 17:24

11 CATHAOIRLEACH: Cllr. Matthews, do you want to speak?

12 MR. O'BRIEN: It just means if you take Cllr. Fox's

13 amendment, Cllr. Matthews' will basically,

14 realistically, fall. It might be best to have a debate

15 on two of them first of all. 17:24

16 CATHAOIRLEACH: Cllr. Matthews, would you like to speak

17 on your amendment?

18 CLLR. MATTHEWS: Yeah, thanks, Cathaoirleach. I'm okay

19 with Cllr. Fox's minor road to improve the safety --

20 MR. O'BRIEN: Page 65 by the way. 17:24

21 CLLR. MATTHEWS: -- to improve the safety of those

22 residents there. However, the secondary zoning that's

23 proposed there, the increase in secondary zoning,

24 that's my map, is it?

25 MR. O'BRIEN: Yes. 17:25

26 CLLR. MATTHEWS: That's what I'm proposing. Can we see

27 the map for Cllr. Fox's zoning proposal also?

28 CLLR. FOX: If Cllr. Matthews wants to remove zoning in

29 its entirety I don't have a difficulty.

1 CLLR. MATTHEWS: If we can remove the zone back to what
2 I proposed there, I'm okay with Cllr. Fox's minor road,
3 because it's actually for the benefit and safety of the
4 people out there.
5 CLLR. FOX: That's fine but I don't want the road to be 17:25
6 removed.
7 CLLR. MATTHEWS: It would be just a local service road.
8 CATHAOIRLEACH: Are you saying, Cllr. Fox, that you
9 agree to Cllr. Matthews' proposal?
10 CLLR. FOX: I'm proposing the road would be put in 17:25
11 whereas Cllr. Matthews has sought to remove the road.
12 CLLR. MATTHEWS: Cathaoirleach, my proposal is to not
13 have that secondary zoning there. But if through
14 Wicklow Roads Department we can put in a minor road
15 there to service the needs of those residents there, I 17:25
16 have no problem with that at all because it will
17 improve the safety.
18 CATHAOIRLEACH: Can you amend your proposal then, would
19 that be a solution?
20 MR. O'BRIEN: Cathaoirleach, the reason that zoning was 17:26
21 put in in the first place was it was recognised that
22 the road is needed for the people who front on to the
23 N11, but the chances of the Council having funds to put
24 in a fairly new road just for a half dozen houses would
25 be very slim and that's why we put in the zoning there, 17:26
26 because anyone who had to develop the land would have
27 to provide the road. Maybe the Members may be able to
28 provide the money for the roads themselves. I thought
29 at the time when we put it through that was our feeling

1 and I thought your one was a reasonable compromise that
2 a road might get provided. I just don't think, my
3 experience of the Council, their chances of finding
4 money for a merging road out of ordinary Council
5 coffers would be slim. 17:27

6 CLLR. FOX: It's an amendment to the draft so we can
7 come back to it if May, can't we? Perhaps I could
8 consult with Cllr. Matthews.

9 MR. O'BRIEN: No, because if you don't put the zoning
10 in at this stage you can't come back and add it in 17:27
11 again. Oh, that's the Draft Plan, excuse me. You're
12 right. You're right.

13 FROM THE PUBLIC GALLERY: Ultimately we're trying to
14 protect the mountainside. That's really what it's all
15 about. It's vital that the zoning is kept as it is. 17:27

16 CATHAOIRLEACH: Sorry, you can't contribute to the
17 meeting. Cllr. Fox.

18 CLLR. FOX: What I propose is, at this stage we will
19 remove the secondary zoning but include the roadway to
20 the service the houses that currently access the N11 17:27
21 directly, if Cllr. Matthews is happy with that?

22 CLLR. MATTHEWS: I agree to that.

23

24 [APPLAUSE FROM THE PUBLIC GALLERY]

25 17:27

26 CATHAOIRLEACH: That's your proposal being amended
27 then?

28 CLLR. FOX: Yeah.

29 CATHAOIRLEACH: Cllr. Matthews, you are dropping your

1 proposal?

2 CLLR. MATTHEWS: I'm happy to join in that proposal
3 that we remove the secondary zoning and we retain the
4 option of the service road. What Cllr. Fox said.

5 CATHAOIRLEACH: Are we clear on that? 17:28

6 MS. GALLAGHER: Everybody clear?

7 CLLR. FOX: And include the greenway as proposed in the
8 draft.

9 CATHAOIRLEACH: And it includes the greenway as
10 proposed 17:28

11 MR. O'BRIEN: There's no amendment on that. It's there
12 already.

13 CATHAOIRLEACH: We'll go for a vote.

14 [VOTE TAKEN]

15 MS. GALLAGHER: That's 27 for and five not present. 17:28

16 CATHAOIRLEACH: I will go for Cllr. Fox's amendment
17 number 1 then, page 28. This is the last thing to do
18 with Kilmacanogue.

19 CLLR. FOX: There is also one slight mapping error
20 where there was a white line along the road in the 17:29
21 village. There was no objection from the CE on that.
22 There's a small mapping error and the Chief Executive
23 has no objection to that. Is that okay?

24 CATHAOIRLEACH: Is that your proposal? Is that agreed
25 by the Members then? 17:30

26 CLLR. VANCE: I'll second it.

27 CATHAOIRLEACH: Is that agreed?

28 MR. O'BRIEN: It's actually part of the published
29 amendment.

1 CATHAOIRLEACH: Okay, that's agreed. I'll just revert
2 now to the chronological order that I hoped to start
3 out with. We'll just to go back to Chapter 2, again
4 back to the spreadsheet. It's back to Cllr. Fox, the
5 first item: Overall Vision and Development Strategy, 17:30
6 Chapter 2. We have three different proposals on that
7 chapter. The first one is Cllr. Fox, proposal number
8 1, page 28.

9 CLLR. FOX: Members may or may not know the layout of
10 the village of Kilmac but it has in quite close 17:31
11 proximity a small village or cluster called Kilmurray.
12 Now, Kilmurray is intrinsically linked with
13 Kilmacanogue, it has sporting facilities and employment
14 zones within it and I think it's a better fit to have
15 Kilmurray and Kilmacanogue amalgamated into one 17:31
16 settlement area. So I'm proposing to amalgamate the
17 cluster of Kilmurray to within the settlement boundary
18 of Kilmacanogue and the maps submitted be agreed.

19 CLLR. BEHAN: I'll second that, Cathaoirleach, thank
20 you. 17:31

21 CATHAOIRLEACH: Okay. Do you have any comments?

22 MR. O'BRIEN: Just to say the Chief Executive is
23 against this because we think that Kilmurray is better
24 under the rural parts of the County Development Plan
25 rather than in an urban village, as we said in the 17:32
26 report.

27 CATHAOIRLEACH: Okay. Go for a vote then.

28 [VOTE TAKEN]

29 MS. GALLAGHER: That's 26 for; one against; and five

1 not present.

2 CATHAOIRLEACH: Second amendment on Chapter 2,
3 Cllr. Matthews, page 38.

4 MR. O'BRIEN: I will come in, Cathaoirleach. The Chief
5 Executive has proposed an amendment which was as a 17:33
6 result of Department submissions and it was about
7 population, taking into account the CSO revised
8 figures. Cllr. Matthews' amendment is amending the
9 Chief Executive's amendment and the Chief Executive has
10 no objection. I'd say if we take the Chief Executive's 17:34
11 amendment number 1 as amended by Stephen Matthews
12 amendment.

13 CATHAOIRLEACH: So they're combined?

14 MR. O'BRIEN: Yeah.

15 CATHAOIRLEACH: Okay. 17:34

16 CLLR. MATTHEWS: I'm okay with that.

17 CLLR. VANCE: I'll second that.

18 CATHAOIRLEACH: Is that agreed?

19 FROM THE FLOOR: Agreed.

20 CATHAOIRLEACH: Thanks. Okay, Chapter 3, residential 17:34
21 development. First proposed amendment Cllr. Behan,
22 page 4.

23 CLLR. BEHAN: Cathaoirleach, this is in relation to
24 Enniskerry, it's just a small piece of family-owned
25 land and it's just really to try and tie down the 17:34
26 opportunity for the family to have five dwelling units
27 on a site. Now it's already zoned for residential
28 anyway but I want to propose that the CE, as he doesn't
29 see it necessary but he doesn't have an objection to

1 it, which is great from my point of view that something
2 I say, the Chief Executive doesn't have an objection to
3 it. But on a serious note, I would like it, if
4 possible anyway, if Members would accept it, and it can
5 go on public display then for observations to come back 17:35
6 in four weeks, or after the period.
7 CLLR. VANCE: Chairman, I'll second that.
8 CATHAOIRLEACH: Is that agreed by Members or does
9 anyone have any objection?
10 FROM THE FLOOR: Agreed. 17:35
11 CATHAOIRLEACH: Okay. Next item page 28, Cllr. Fox.
12 It's called number 1 again, Cllr. Fox. I don't know
13 why you got number 1 twice. Sorry, it's the same one
14 for each chapter.
15 CLLR. FOX: We've dealt with that. 17:35
16 CATHAOIRLEACH: Sorry, my mistake. Chapter 5,
17 Cllr. Matthews.
18 MS. GALLAGHER: We've done Chapter 3. Is there any in
19 Chapter 4 to be done?
20 MR. O'BRIEN: Chapter 4 had no amendments. 17:36
21 CATHAOIRLEACH: There's none in Chapter 4 so Chapter 5
22 is the next one. Cllr. Matthews, page 39,
23 Cllr. Matthews, number 2.
24 CLLR. MATTHEWS: I will just see what that is first.
25 CLLR. MCLOUGHLIN: It's the same type, isn't it? 17:36
26 MR. O'BRIEN: Cathaoirleach, this is a modification to
27 the Chief Executive's amendment and the Chief Executive
28 has no objection to the modification. The Chief
29 Executive's one is general refinements on Bray

1 retailers.

2 CATHAOIRLEACH: Number 2, is it.

3 MR. O'BRIEN: Yes, number 2. It was just take out the
4 word "Centre" from "Town Centre".

5 CLLR. MCLOUGHLIN: What page are you on, Des? 17:36

6 CATHAOIRLEACH: Page 39 of Cllr. Matthews' proposal.

7 MR. O'BRIEN: And page 17 of the Chief Executive's
8 amendments. These are just taking out "Town Centre"
9 and was making the height of buildings a little less
10 ambiguous. Cllr. Matthews made a modification to make 17:37
11 it even less ambiguous.

12 MS. GALLAGHER: If we could have a seconder for
13 Cllr. Matthews.

14 CATHAOIRLEACH: Do we have a seconder? Cllr. Fox. Is
15 that agreed by the Members? 17:37

16 FROM THE FLOOR: Agreed.

17 MR. O'BRIEN: Is there a proposer and seconder for the
18 Manager's suggested amendment?

19 CLLR. VANCE: Cllr. Matthews proposed and I seconded
20 it. 17:37

21 MR. O'BRIEN: That's grand.

22 CATHAOIRLEACH: Okay, the CE's amendment number 3.

23 CLLR. MCLOUGHLIN: What page are you on, Cathaoirleach?

24 MS. WALSH: Page 18 of the Chief Executive's report.

25 CATHAOIRLEACH: We're going through as well all the 17:38
26 CE's proposals. The CE has 23 proposals, we're now on
27 number 3.

28 CLLR. WHITMORE: What page on this?

29 CATHAOIRLEACH: What page is it on?

1 MS. WALSH: It is on page 18.

2 MR. O'BRIEN: Basically, it was omitting Heiton's car
3 park from the requirement. Sorry, I've got the wrong
4 one. I have shorthand here but I can't remember read
5 my writing. 17:38

6 MS. WALSH: This is a proposed amendment to the
7 objectives for the development of the former Heiton
8 Buckley site and the wording of the Draft Plan as
9 published indicated that there should be active
10 commercial, sort of retail commercial use on all street 17:39
11 frontage and we're recommending that that be amended so
12 it just relates to the street frontage along Castle
13 Street, but not necessarily along Dwyer Park because
14 that's in behind Castle Street, so you wouldn't
15 necessarily want commercial development close to 17:39
16 housing there.

17
18 The other amendment that the Chief Executive is
19 recommending is in relation to the plot ratio. We had
20 asked for -- a plot ratio is a measure of density so we 17:39
21 had asked for a very high plot ratio of two. That
22 means if is a site was one hectare, which is 10,000
23 square metres, you'd would have to have 20,000 square
24 metres worth of development floor space on the site.
25 We felt this site was very suitable for high density 17:39
26 development. We did get a couple of submissions on
27 that and it was suggested that that was overly
28 prescriptive so what we suggested is that we leave it
29 as "a very high density will be required in a three to

1 four-storey development" so it gives some flexibility
2 about how that's laid out.

3 MR. O'BRIEN: Just to explain that a bit further. The
4 old Heiton's car park is a little island inside that
5 site so it's very hard to get the full density because 17:40
6 you would be next to I think there's even a bungalow
7 there in Dwyer Park, isn't there? we can't really get
8 full-on density as if it was a greenfield site.

9 MS. WALSH: Also within that proposed amendment we're
10 dealing with the former Everest Centre, which is just 17:40
11 north of that site. So that's again considered an
12 opportunity site. In light of the change suggested
13 with regard to the Heiton site, that the density
14 shouldn't be overly prescriptive, again just change the
15 density requirement to a high plot ratio instead of a 17:40
16 plot ratio of two. So, again, we would expect a high
17 density development. Development that has been
18 previously permitted on that site was I think a four or
19 five-storey development. So we have an expectation of
20 higher density on those sites. 17:41

21 CATHAOIRLEACH: That's amendment number 3. Do I have a
22 proposer?

23 CLLR. SNELL: I'll propose it.

24 CATHAOIRLEACH: Cllr. Behan seconded. Is that agreed?

25 FROM THE FLOOR: Agreed. 17:41

26 CATHAOIRLEACH: Okay. Next Chapter 6. We'll go to
27 Cllr. Matthews, number 3, page 40 of the amendments.

28 CLLR. MATTHEWS: I don't think there's any objection to
29 this, is there?

1 MS. WALSH: Cathaoirleach, Cllr. Matthews' amendment
2 again is a modification to the Chief Executive's
3 already recommended amendment number 4 and it was
4 Cllr. Matthews picking up on some errors in our
5 recommended amendment. So we have no objection to that 17:41
6 one.
7 CLLR. FOX: It is agreed.
8 MR. O'BRIEN: So the Chief Executive's amendment was
9 basically the Department of Education asked for a list
10 of all the schools, which we did. 17:41
11 MS. GALLAGHER: Do I have a seconder to Cllr. Matthews?
12 CLLR. FOX: I'll second it.
13 CATHAOIRLEACH: Cllr. Fox. That is CE's number 4 as
14 modified by Cllr. Matthews' number 3 page 40. That's
15 agreed, is it? 17:42
16 FROM THE FLOOR: Agreed.
17 CATHAOIRLEACH: Next one then, Cllr. Thornhill, number
18 1 page 68.
19 MR. O'BRIEN: This was not to now allow any driveways
20 over access ways over open space. The Chief Executive 17:42
21 is against this because it takes away any flexibility.
22 Someone could have a back garden crossing a very small
23 bit of space and there could be another house it.
24 We've done that quite often in planning in the past.
25 CATHAOIRLEACH: Okay. Cllr. Thornhill. 17:42
26 CLLR. THORNHILL: Cathaoirleach, go raibh maith agat.
27 Thanks very much for giving me the opportunity to speak
28 on this.
29

1 Now I understand completely where Mr. O'Brien and
2 everyone is coming in relation to this, but I want to
3 zone in on a particular estate. Now this estate, 18
4 years now this has been going up to the courts, up and
5 down and Bord Pleanála and it involves an estate, 17:43
6 Sidmonton Court, and there's a green area. It's an
7 infilled site and this has been going on for a long
8 time. One question I would like to ask anyway would
9 be, now I know it's a very big county, but when you see
10 something like this going on for years and years and 17:43
11 years, because I've been contacted by the residents, I
12 wonder has the Chief Executive been made aware of what
13 has been going on in this particular case? Because we
14 have a situation where this brown field site, now
15 there's an application for four houses, four 17:43
16 two-bedroom houses, right, and they want to break an
17 entrance into this brown field site by going through
18 Sidmonton Court. Now my reading of this is this, is
19 four two-bedroom houses, that could be what, eight
20 cars, plus services, plus the fact that you have 17:44
21 pedestrians. So I mean like, you've have a very narrow
22 entrance going into the estate and then you're going
23 across a little green space. To me now it's quite
24 clear from my previous job, you know, that this is very
25 dangerous. You would have on-street car parking there 17:44
26 as well. Now the thing about this estate is, you know,
27 with these mature estates you'll have people know, you
28 know, like sizing down, so that means you're going to
29 have a younger population, so you're going to have an

1 extra younger population, and you're going to have more
2 cars getting into a small area. Now on top of that, I
3 don't know am I allowed to say this, but that
4 particular brown field site, if it's built on
5 completely, people are complaining there about -- 17:45
6 because this site, running down beside is a stream and
7 is subject to flooding. I'm only making you aware of
8 the whole situation because it's been going on and on
9 and on and I'd like to know exactly what the story is.
10 I think this shouldn't be allowed. 17:45

11
12 If there's an entrance into this brown field site it
13 should be from the front and there is an entrance but
14 it would be big enough for four two-bedroom houses so
15 the whole thing should be looked at. I'm only 17:45
16 expressing the concerns of the people that are there,
17 whichever. But from a practical point of view I can
18 see, and I can see it should be looked at, so, I mean,
19 go raibh maith agat, Cathaoirleach.

20 CATHAOIRLEACH: Cllr. Matthews. 17:45

21 CLLR. MATTHEWS: Cathaoirleach, this is a land use
22 policy and it should really deal with policy-specific
23 issues, not specific sites. However, I do understand
24 where Cllr. Thornhill is coming from and I don't want
25 to get into discussing individual planning applications 17:46
26 and pieces of land, but I am suggesting, as an
27 amendment to Cllr. Thornhill's proposal that might be
28 more acceptable that we include a policy on open space
29 similar to that that we have the current Bray Plan.

1 Sorcha might tell me now that it's already in the
2 Wicklow Plan. I didn't get a chance to check it. But
3 we have a policy 9.4.5 on open space. Is that there in
4 its exact wording in the Wicklow Plan? I'll submit it
5 now. If it's not I'd like to propose it as an
6 amendment to Cllr. Thornhill's amendment.

17:46

7 CATHAOIRLEACH: Cllr. Vance.

8 CLLR. VANCE: Chairman, I'd oppose this for a couple of
9 reasons. I know where Cllr. Thornhill is talking about
10 and if there is a court case going through we should
11 not be interfering with it in any shape or form and
12 we should not be designing a plan like this to suit any
13 individual's case in a particular court case. This is
14 not for this particular plan to shape something like
15 this. I know exactly where it is and I can tell you
16 there's a history on it and the history's not too great
17 from the Board's point of view on this particular site.
18 I don't think we should get involved in this at all if
19 there is a planning application there or if there is a
20 planning application going through the courts. This is
21 not for what this plan is for.

17:47

17:47

17:47

22 CATHAOIRLEACH: This is a general policy on open space
23 and play objective so it shouldn't be tailored just for
24 one for particular situation.

25 CLLR. VANCE: That's what I mean and that's what is
26 being done.

17:48

27 MR. CURRAN: You could have a problem as well, if you
28 have an estate developed, say Phase 1, and to build
29 Phase 2 you could through a small amount of the open

1 space, you could really restrict that. So you could
2 make life very difficult for our own social housing and
3 for other private developers.

4 CLLR. MATTHEWS: Can I come in on my amendment?

5 CATHAOIRLEACH: Cllr. Thornhill.

17:48

6 CLLR. THORNHILL: Cathaoirleach, I would just like to
7 make it clear to me exactly what Cllr. Matthews --

8 CATHAOIRLEACH: Cllr. Matthews, would you make clear to
9 us all what your policy is?

10 CLLR. MATTHEWS: We have a current policy in the Bray
11 Plan and it's existing at the moment and that plan
12 still exists until this one is adopted. I'll read it

17:48

13 out and I've just submitted it there. It's extracted
14 from this policy so it's a current policy we have. I
15 think it would satisfy Cllr. Thornhill's concerns, it

17:48

16 would also satisfy the planner's concerns as well. We
17 need to have a little bit of flexibility. If we're
18 going to go for higher densities, if we're going to go

19 for infill development, we can't be too prescriptive
20 and too restrictive. We do have an open space policy
21 at the moment and I'll read it:

17:49

22
23 "It is a policy of the Council to protect, enhance, and
24 maintain existing open space. The Council will not
25 normally permit development that will result in the

17:49

26 loss of public or private playing fields; parks;
27 children's play spaces; residential amenity open spaces
28 or land zoned for recreational or open space purposes.
29 The Council will not normally permit development that

1 would result in the loss of open space within the
2 Municipal District of Bray, except where specifically
3 provided for in this LAP."
4

5 So I've just amended the Bray Plan to update it to the 17:49
6 Municipal Districts LAPs and it is basically extracted
7 from that policy. I don't think anyone could argue
8 with it.

9 MS. GALLAGHER: Is there a seconder?

10 CLLR. BEHAN: I'll second it. 17:49

11 CLLR. MATTHEWS: If Cllr. Thornhill wants to second it.

12 CLLR. THORNHILL: Cathaoirleach, do I take it so that
13 that green space that he told me it can't be built
14 across?

15 CLLR. MATTHEWS: We have a policy of protecting open 17:50
16 space now but there's a level of flexibility where it's
17 needed.

18 CLLR. VANCE: There has to be a level of flexibility.

19 MS. GALLAGHER: Could I have a seconder for

20 Cllr. Thornhill's proposal in the first instance? 17:50

21 CLLR. FORTUNE: I will.

22 CATHAOIRLEACH: Could I just ask that it's read out
23 again because I'm not fully up to speed with it. I'm
24 sure a lot of Members aren't either because it's just
25 come out of the blue here and we haven't had a chance 17:50
26 to read it.

27 CLLR. MATTHEWS: Do you want to circulate it and we'll
28 move on to the next thing?

29 CATHAOIRLEACH: If you just read it out maybe.

1 MR. O'BRIEN: We have an amendment from
2 Cllr. Thornhill. We don't want to be taking new
3 amendments on the day. Is Cllr. Thornhill going to
4 accept your amendment?
5 CLLR. THORNHILL: Yeah. 17:50
6 CATHAOIRLEACH: He is, yeah. Just read it out because
7 I'm just trying to get my head around it. Just read it
8 out slowly, please.
9 CLLR. MATTHEWS: "It is a policy of this Council to
10 protect, enhance and maintain existing open space. The 17:50
11 Council will not normally permit development that will
12 result in the loss of public or private playing fields;
13 parks; children's play spaces; residential amenity open
14 spaces; or land zoned for recreational or open space
15 purposes. The Council will not that normally permit 17:51
16 development that would result in a loss of open space
17 within the Municipal District of Bray, except where
18 specifically provided for in this LAP."
19 CATHAOIRLEACH: Has anyone any comment on that?
20 CLLR. MATTHEWS: It's a policy we have under the 17:51
21 current plan at the moment and it's worked well to
22 date.
23 MR. O'BRIEN: The plan is saying "except where provided
24 for in this plan" so basically there is no flexibility.
25 CLLR. MATTHEWS: "Not normally" is the flexibility and 17:51
26 we have in our land use zonings we have permitted and,
27 what's the word for it? Not normally permitted,
28 considered.
29 MS. WALSH: Don't anymore, no.

1 CLLR. MATTHEWS: We used to.

2 MR. CURRAN: You see what you need to allow for is
3 phasing of developments. You'll have Phase 1, you'll
4 build it out. You'll need the access road --

5 CLLR. MATTHEWS: Well then remove -- let me think about 17:51
6 that for a moment.

7 MR. O'BRIEN: There's many developments, especially in
8 Greystones now, in my estate, Redford Park, where
9 someone has got either a back garden or other land and
10 they come across, I mean you might call it a wide grass 17:52
11 verge or a liberal open space and it's useful to get a
12 couple of houses in here and there and it doesn't
13 really take away from the open space. In particular,
14 one in case, I actually wouldn't call it open space
15 anyway, I'd call it a grass verge because it's on each 17:52
16 side of a footpath. But we're talking about
17 generalities rather than specifics.

18 CLLR. MATTHEWS: Okay, well remove the "except where
19 specifically provided for in this LAP" and then we
20 adopt a policy that we've had in place for years. Is 17:52
21 that acceptable?

22 CATHAOIRLEACH: Okay.

23 CLLR. VANCE: I'll second that.

24 CATHAOIRLEACH: Okay. That's agreed then.

25 MS. GALLAGHER: Sorry, remove the wording? 17:52

26 CLLR. MATTHEWS: Sorry, we can remove that last bit.

27 MS. GALLAGHER: "Except where specifically provided" in
28 the last sentence?

29 CLLR. MATTHEWS: The last sentence can be removed.

1 CLLR. SNELL: Can we have a copy of that,
2 Cathaoirleach, it is quite confusing. I would go back
3 to Cllr. Thornhill's suggestion there. While I share
4 his concerns I certainly don't think this Chamber
5 should be getting involved in anything that's already 17:53
6 in front of the judicial system. But there is
7 provision within what the Chief Executive's saying in
8 regards to planning law and, you know, they're talking
9 about that they would obviously not create a traffic
10 hazard. So people have the provision through 17:53
11 individual cases to take a case to An Bord Pleanála.
12 They can make observations through the normal planning
13 procedures. Traffic hazard is something that would be,
14 obviously, primary to any planning application. I
15 think Cllr. Thornhill should perhaps look at that and 17:53
16 withdraw it.

17 CATHAOIRLEACH: It's been dealt with now. Okay.
18 Chapter 7, and I'm just conscious, like we're only an
19 hour off 7:00 o'clock now.

20 CLLR. MATTHEWS: We'll get there. We'll get there. 17:54
21 CATHAOIRLEACH: Cllr. Matthews, you say "we'll get
22 there", you're the main culprit here! It wouldn't be
23 the first time a Green Councillor brought lots of
24 amendments late in the evening! Page 34, Cllr. Fox.

25 CLLR. FOX: That was the Kilmac one. That's dealt 17:54
26 with.

27 CATHAOIRLEACH: No, page 34, the Dargle walk.

28 CLLR. FOX: Sorry. What about Chapter 7?

29 CATHAOIRLEACH: That's what I'm talking about, Chapter

1 7. Page 34 of the amendments.

2 CLLR. FOX: There is an objective in the Draft Plan to
3 have a walkway along the Dargle up toward Rehill's land
4 which I fundamentally agree with, however at one
5 particular point it impacts quite severely on a few 17:54
6 landowners' gardens, a few household gardens. I have
7 just inserted that it would be done in agreement with
8 affected landowners, okay.

9 MS. GALLAGHER: Do we have a seconder?

10 MR. O'BRIEN: The Chief Executive is against this 17:55
11 because if it's in agreement with landowner it means
12 you have a power of veto on the thing. If it's in
13 consultation --

14 CLLR. FOX: That means you have full the power to
15 consult and then you go ahead anyway. 17:55

16 MR. O'BRIEN: Well, if there's agreement then they've a
17 power of veto on it. This is actually -- I mean this
18 is a general thing, anyway the one you're talking
19 about, we actually own the land.

20 CLLR. FOX: But it's through a garden. 17:55

21 MR. O'BRIEN: But it's our land. Haven't put a fence
22 up yet.

23 CLLR. FOX: what I suggest is, put this out on display
24 and we can come to some agreement.

25 MR. O'BRIEN: To be honest, if we're actually saying on 17:55
26 our land that that we won't to do something with it,
27 which has been a policy of the Bray Plan for a decade
28 or two, we're basically giving landowners the right to
29 veto an entire walkway.

1 CLLR. FOX: My experience is that most walkways when
2 they're developed are done so most successfully when
3 there's consultation and agreement reached with
4 landowners. If you don't reach agreement it generally
5 doesn't happen for starters. So, look, I'm not happy 17:56
6 to support what's in the plan if we can't consult an
7 and agree with landowners. I think it's a very
8 dangerous precedent.

9 CATHAOIRLEACH: Cllr. Matthews.

10 CLLR. MATTHEWS: Chairman, I understand where Cllr. Fox 17:56
11 it is coming on this and he's probably done more work
12 on walkways and landowners than anyone else in the room
13 here so I respect and I take his position on it. But
14 it's a strip of land, it's actually publicly owned
15 lands and CPO'd as part of the Dargle flood defences 17:57
16 and there was money paid for that land. It's been an
17 objective of our plan for a long, long time to make
18 most use of the Dargle River. Now there's no way I
19 would support going through private land without the
20 proper legal consent of the landowner. But what we're 17:57
21 doing here is we're going on public land and I've no
22 problem consulting with the people most affected by
23 this, who'd be the people who'd be closest to it but
24 we're talking about providing something for the greater
25 good and for the greater population to enjoy, rather 17:57
26 than three or four back gardens that come on down to
27 the river. We've lost our two-hectare linear park and
28 we're looking here now at also breaking up the river
29 walk. I just think you've got to think of the greater

1 good and not just think of one or two people, that may
2 have an issue but I think we can resolve it and we can
3 resolve it well.

4 CATHAOIRLEACH: Cllr. Snell.

5 CLLR. SNELL: Cathaoirleach, the wording here is "in 17:58
6 agreement with affected landowners" so if the Local
7 Authority or anyone else it's the landowner I'm sure
8 you're going to give consensus to yourself?

9 MR. CURRAN: You could argue that the adjacent
10 landowners are affected. I don't know, unless you want 17:58
11 something in consultation with them and that ensures
12 that there's full consultation with everybody that's
13 affected because it gets very restricted then. If it's
14 cast iron it has to be agreed.

15 CLLR. FOX: So some of the land in question goes 17:58
16 through people's back gardens, I mean within ten metres
17 of the family home.

18 CATHAOIRLEACH: It may not be the legal landowner but
19 it's effectively their back garden.

20 CLLR. FOX: I just think it's a good practice to 17:58
21 consult and agree something with them. There are
22 various options on both sides of the river so I think
23 an agreement can be reached.

24 CATHAOIRLEACH: Cllr. Vance.

25 CLLR. VANCE: Chairman, I had the experience a few 17:59
26 years ago in regard rights of way and walks and stuff
27 like that and I always felt actually the most
28 successful way you could do it would be to sit down
29 with landowners and try and discuss, you know, various

1 things like that in regard to that and were talking
2 about walks in Wicklow and various things. So really
3 and truly it can be very difficult given landowner
4 ownership and everything else. You can't browbeat
5 people into doing particular things. I'd prefer a 17:59
6 system with consultation that you go and talk to
7 people. I think you get a lot more out of it than
8 that. I don't like the word "affected" by the way, you
9 know.

10 CATHAOIRLEACH: Okay. Cllr. Ryan. 17:59

11 CLLR. RYAN: I just back up what the Chief Executive
12 said. I think in consultation it's fine. I think it's
13 really important they're consulted but I don't think
14 you can have the situation where they can say, no, good
15 luck. 18:00

16 CATHAOIRLEACH: Cllr. Behan.

17 CLLR. SHAY CULLEN: Can we change that wording?

18 CLLR. BEHAN: Cathaoirleach, if you just think about
19 the wording. What Cllr. Fox is saying is "the
20 agreement of the landowner". Now there may be a 18:00
21 dispute about who owns the land but if someone is the
22 landowner, you can't actually come in and create a
23 walkway without their agreement. So I don't see
24 anything wrong with the wording that Cllr. Fox has put
25 in. There may be a question, the Council might argue 18:00
26 they're the landowner. Well the landowner thinks
27 they're the landowner, that's fine. But the wording
28 shouldn't really cause anybody a problem. I think what
29 Cllr. Fox has proposed, if it's a genuine landowner.

1 CATHAOIRLEACH: It's affected landowners so you could
2 be landowner adjacent to the walk and you're affected
3 so you have to be consulted as well, which is fine,
4 too.

5 CLLR. BEHAN: I'll support Cllr. Fox. 18:00

6 CATHAOIRLEACH: Cllr. Whitmore.

7 CLLR. WHITMORE: I'm just wondering whether even adding
8 something like "as far as practical" there would soften
9 it and provide that bit of flexibility.

10 CLLR. SHAY CULLEN: I want to concur with Cllr. Behan 18:01
11 there. I think you have to reach agreement with the
12 landowner in question. You can't just decide to go
13 through somebody's back garden without coming to some
14 sort of an agreement. I mean it is difficult enough to
15 change the wording on that. I definitely think if 18:01
16 you've no agreement you've no deal. It's as simple as
17 that. I mean is there anyway, Chris, that we can maybe
18 amend the wording a little?

19 CLLR. FOX: If this goes on display we have an
20 opportunity to amend the wording. If it doesn't go out 18:01
21 on display --

22 CATHAOIRLEACH: Christy, you don't want to take out the
23 word "affected", that obviously would weaken it.

24 CLLR. FOX: What I'm saying is if we don't agree to put
25 in additional wording we can't revisit it. 18:01

26 MR. O'BRIEN: If take out "affected" and just put
27 landowner.

28 CLLR. VANCE: Agreement with landowners I think --

29 CLLR. FOX: I'm happy to stick with "affected".

1 CATHAOIRLEACH: You want to stick with "affected".
2 Will we go for a vote on it then?

3 CLLR. MATTHEWS: Chairman, is it wise to be putting in
4 something like "affected landowners"? "Affected
5 landowners" is such a broad term to use. I mean I 18:02
6 could claim to be affected by it living two miles up
7 the road. Okay.

8 CATHAOIRLEACH: Because you take your dog for a walk
9 down by the river. Yeah.

10 CLLR. MATTHEWS: It's like planning observations and 18:02
11 say I will be affected by this. Look, I wouldn't
12 support doing anything that goes through people's
13 private land, unless they're in agreement but this is
14 public land. If it is in consultation, because
15 remember this is for the benefit of the entire 18:02
16 community. The entire community should be consulted on
17 it. It shouldn't be able to vetoed by people whose
18 property comes near to it and it's not private
19 property, it's public land, which we paid money for.

20 CATHAOIRLEACH: Anyway, Cllr. Fox has a proposal. I 18:02
21 think we could talk all day about this because it's
22 such a contentious thing. There's no black and white
23 on it. Cllr. Fox has proposal and we'll go with a
24 vote.

25 MS. GALLAGHER: Proposed by Cllr. Fox and seconded by 18:03
26 Cllr. Snell. [VOTE TAKEN] That's 20 for; four
27 against; seven not present; and one abstaining.

28 CATHAOIRLEACH: Okay, next item is Cllr. Matthews'
29 amendment number 4, page 42. He's grabbing a bit of

1 water there.

2 CLLR. MATTHEWS: Is this the amenity order? I brought
3 this up before. I brought it up at the County
4 Development Plan time and I brought it up at the
5 Planning SPC so all the Members will be familiar with 18:05
6 my arguments on this. However, we have a new Chief
7 Executive now so I just want to give the Chief
8 Executive the benefit of my argument as well! Okay.
9 So look it's going to be very brief and I think I know
10 where most of the Members stand on it. 18:05
11

12 Chief Executive, I've a proposal in there to implement
13 the order created by the Ministerial Order which was
14 given to us in 2008 and the reason I do it is I want to
15 protect the amenity of the Great and Little Sugar Loafs 18:05
16 and prevent urban generated development sprawl of the
17 lower slopes of the Sugar Loaf and that's what areas of
18 special amenity are designed for and that's why the
19 order was issued.

20 18:06

21 Just briefly, Chief, the order was made by the Minister
22 - I'm sure you have been briefed on this but I'd like
23 you to hear my version of it - the order was made by
24 the Minister to create an area of special amenity as
25 per an objective we had in the Wicklow Plan and that 18:06
26 was done under Section 202 of the Act, Part II.
27 Wicklow failed to implement the order and have so far
28 failed to implement the order. At the same time as the
29 order was made, they carried out the process to create

1 an area of special amenity by Council Resolution, which
2 is the same part of the Act but a different subsection,
3 and that failed to pass a vote.
4

5 In your report, Chief Executive, you suggest that the 18:06
6 order would not withstand a judicial review. This may
7 be right but it's never been tested. The findings of
8 the scientific study carried out for and paid for by
9 the Department at the time don't seem to support this
10 view either. I'm asking that -- what I'm asking 18:07
11 through this proposal is that we either proceed to
12 implement the order and comply with the Act, or that if
13 Councillors would be agreeable, we would go through the
14 Council Resolution process again and I'm open to
15 sitting down with any Councillors who would have 18:07
16 concerns about it, and looking at maps that we think
17 might be agreeable to all of us. We can do it through
18 the resolution process.

19
20 The Local Area Plan, we've said we've got thousands of 18:07
21 submissions on it. It has raised this issue again.
22 People out there, this was six or seven years ago.
23 People are now realising that this type of urban
24 generated pressure is going to contain on the slopes of
25 the Sugar Loaf and we may not have it this time but in 18:07
26 six years we'll be looking at it again. I think times
27 have changed a little bit and I think people are a
28 little bit more aware and they're more aware of housing
29 needs and that sprawl is no longer acceptable, and I'm

1 not -- what I'm trying to do is I'm seeking to protect
2 the area but I also respect local development needs.
3 I'm asking the Members to support me on this objective.
4 Thank you, Cathaoirleach.

5 CATHAOIRLEACH: Members, I'd just like to say that we 18:08
6 have a lot of amendments still to go. Cllr. Matthews,
7 you've 11 more amendments to go, a lot of others
8 Members have loads of amendments. You know, I was
9 hoping to finish this by 7:00 but the way we're going
10 not a hope. Cllr. Fox. 18:08

11 CLLR. FOX: Thank you, Chairman, I'll be brief. Look,
12 I'm totally opposed to this SAO. This was something
13 mooted by John Gormley when he was Minister for the
14 Environment, who, in my opinion, was the most anti
15 rural politician in the history of the State. I don't 18:08
16 say that lightly. When this was a proposal it shut
17 down one-off housing in Kilmacanogue, okay. Now,
18 Cllr. Matthews has already removed all zoning and voted
19 against all zoning within Kilmacanogue Village and now
20 seeks to shut down one-off housing as well in the 18:09
21 hinterland of Kilmacanogue.

22
23 We voted this down in 2011 or maybe it was even after
24 that. There is huge opposition in Kilmacanogue to the
25 implementation of an SAO. There is adequate protection 18:09
26 on both Sugar Loafs, through current planning
27 legislation, but it doesn't just confine itself to the
28 Sugar Loafs. They automatically become listed views
29 and prospects and covers a huge area of land. There is

1 a user group on the Great Sugar Loaf which ranges from
2 recreational users to farmers, to all types of users
3 and they are nearly all, to a man and a woman, opposed
4 to the implementation of an SAO. When we had this
5 hanging over us as a proposal, planning became an 18:10
6 nightmare in the area and the implementation of an SAO,
7 while it's probably appropriate for an area like
8 Bray Head, it is not appropriate for getting into the
9 rural countryside and into places like the Great Sugar
10 Loaf. I am appealing to Members to reject this and not 18:10
11 put this into the Draft Plan.

12 CATHAOIRLEACH: Do you have a seconder, Cllr. Matthews?

13 CLLR. KAVANAGH: I'll second it.

14 CATHAOIRLEACH: You second Cllr. Matthews' proposal.
15 Okay. Can we have a vote? Do you want to speak, Shay? 18:10

16 CLLR. SHAY CULLEN: I just want to -- I certainly want
17 to agree from the point of view of rural planning with
18 Cllr. Fox. I mean it's difficult enough at the moment
19 with rural planning. I mean, it's obvious enough we
20 have protection of the Little Sugar Loaf as is. I mean 18:11
21 we want to continue develop walking trails but by
22 putting this SAO on this area I mean it certainly won't
23 stop that. I mean I'm obviously pro rural planning and
24 I certainly don't want a situation where we can have an
25 issue with planning regulation in the Kilmac rural area 18:11
26 so for that reason I'm certainly voting against this.
27 Thank you.

28 CATHAOIRLEACH: Cllr. Kavanagh, did you press your
29 button?

1 CLLR. RUTTLE: It's bad enough already.

2 CLLR. MATTHEWS: It just makes it much more in sympathy
3 with the landscape that it's in and the needs. It
4 doesn't stop it at all. It's a myth to say that an SAO
5 prevents development. It doesn't. 18:13

6 CATHAOIRLEACH: Cllr. Vance.

7 CLLR. MATTHEWS: Look, I know the sentiment. I just
8 wanted the Chief Executive to be aware, to hear my
9 argument and if he's satisfied we're compliant with the
10 Act. 18:13

11 CATHAOIRLEACH: Cllr. Vance, I want to go for a vote
12 now because I'm getting a bit tired of all the --

13 CLLR. VANCE: To be fair to the Planning Department
14 here, nobody could say that they don't protect the Big
15 Sugar Loaf and areas like that as well. But really an 18:13
16 SAO order is an absolute -- I can tell you now, it
17 restricts, it makes it practically impossible even for
18 local people to get any type of development in there,
19 and I mean any type of development. It's very
20 difficult. It's not like Bray Head. There's an awful 18:13
21 lot of farms and all on this area and an awful lot of
22 people live up that area. As far as I'm concerned, I
23 voted against this in 2011 and I'll vote against it
24 again tonight.

25 CATHAOIRLEACH: Okay. I'm going for a vote. I'm not 18:13
26 taking anymore.

27 MS. GALLAGHER: Proposed by Cllr. Matthews and seconded
28 by Cllr. Kavanagh. [VOTE TAKEN] That's two for; 19
29 against; seven not present; and four abstaining.

1 CATHAOIRLEACH: Chapter 8, Cllr. Behan, page 6, number
2 2. I'm going take that first and then I have got four
3 CE amendments as well. Cllr. Behan, would you like to
4 propose that?

5 CLLR. BEHAN: Cathaoirleach, it's not really a major 18:15
6 issue. I think the Chief Executive is not ruling out
7 park and ride facilities. I was just trying to point
8 out two locations where I felt it would be suitable.
9 One is Fassaroe and the other is the Dell site.
10 Fassaroe because it's on the outskirts of Bray and Dell 18:16
11 because it's on the entrance into Bray from Greystones.
12 I suppose I was just trying to point in those
13 directions but I'm happy to withdraw it if they can be
14 considered in the fullness of time.

15 CATHAOIRLEACH: Okay. Is that agreed by Members? 18:16

16 FROM THE FLOOR: Agreed.

17 CATHAOIRLEACH: On Chapter 8 we've four amendments from
18 the CE. would you like to go through them?

19 MR. O'BRIEN: I don't know if you really want to go
20 through them. 18:16

21 MS. WALSH: 23 of the Chief Executive's report.

22 MR. O'BRIEN: what these are, they're the NTA asked us
23 to do stuff. They want to reference the transport
24 study and they want to reference some standards they
25 have. A lot of it is just stuff that is pro cycling 18:16
26 and pedestrians. It's very, very anodyne and we'd
27 recommend you accept them.

28 CLLR. MATTHEWS: Proposed.

29 MS. GALLAGHER: Seconded?

1 CATHAOIRLEACH: Cllr. Fox.
2 MR. O'BRIEN: That's numbers 5, 6, 7 and 8.
3 CATHAOIRLEACH: Cllr. Matthews, back to you.
4 CLLR. MATTHEWS: We have done that.
5 CATHAOIRLEACH: No, you're number 5, page 46. 18:17
6 MR. O'BRIEN: These are our architectural conservation
7 areas. It is proposed at three general areas; one is
8 Quinsboro, Eglinton, Florence; the other is the Bray
9 Seafront; and the other is Sidmonton, Meath Road and a
10 few others. 18:17
11 CLLR. MATTHEWS: Yeah.
12 MR. O'BRIEN: The CE is against it on the basis that it
13 does take away flexibility and we have over 100 listed
14 houses in these areas already so we feel that we've
15 catered for the most deserving of the houses and that 18:18
16 an ACA can actually inhibit other development.
17 CATHAOIRLEACH: Okay. Cllr. Matthews, it's your
18 proposal, do you want to say something on that?
19 CLLR. MATTHEWS: Yeah, just briefly. Cathaoirleach,
20 like we have ACAs throughout Wicklow. We have them in 18:18
21 Wicklow, Greystones, Blessington, Rathdrum, Tinahely,
22 Delgany, Dunlavin and Enniskerry, and all for good
23 reason and it doesn't impede development in those
24 areas. What I'm trying to do is support a number of
25 policies we have. We have peppered through this plan a 18:18
26 number of policies on protecting the heritage of the
27 town, protecting and enhancing the heritage and
28 environment and the historic street patterns. To
29 protect features that contribute to the town's overall

1 appearance and heritage value, and to support
2 protection, enhancement of Victorian building stock.
3 what I'm attempting to do here is I'm just trying to
4 prevent further deterioration in our heritage building
5 stock and instill some sort of civic pride in it. 18:18
6 we've beautiful architecture in the town but it's
7 starting to deteriorate and quite rapidly. I want to
8 put this out on public display for the public to view
9 it and I'd like to get their views on it. I'm willing
10 to look at any of the boundaries that were submitted 18:19
11 and actually looking at some of the maps I think there
12 is some that we could pull on.

13
14 As regards the building stock, as the Manager says, a
15 lot of these buildings are included in the record of 18:19
16 protected structures. You'd be aware that there's a
17 number of unauthorised developments in Bray at the
18 moment, on buildings that are included in the list of
19 protected structures. It doesn't prevent people
20 carrying out this work and often it's too late to try 18:19
21 and rectify it. I think when they know that the
22 enforcement is -- enforcement can be slow. We
23 eventually get there, but it can be very slow and the
24 damage is done at that stage.

25 18:19
26 So it doesn't stop development but it might make
27 applicants think a little bit more closely about the
28 impacts of the development on the architecture. Surely
29 if we're trying to lift the whole economic centre of

1 the town with the Florentine, we should also to do our
2 best to try and maintain the architectural heritage
3 that we have at the moment. I'm asking the Members to
4 support that we would go out to public consultation on
5 this and see what the views of the public are on it. 18:20
6 Thanks, Cathaoirleach.

7 CATHAOIRLEACH: Cllr. Vance and then I'm going for a
8 vote.

9 CLLR. VANCE: Chairman, I'd oppose this because this is
10 far too wide an area altogether. It's practically the 18:20
11 whole east ward in Bray, this is. And it does
12 restrict. An architectural heritage area does
13 restrict. Also, there are a huge amount of listed
14 buildings in this area and rightly so. You've various
15 houses that are all listed all around there. So there 18:20
16 is listed houses there and I can tell you now, that
17 causes a lot of people a lot of grief as well. So to
18 get an architectural, you know, conservation area, I'm
19 talking about the Seafront and all as well. I mean
20 there's a huge amount taken in, it's far too wide 18:21
21 altogether. Far too wide.

22 CATHAOIRLEACH: Do I have a seconder for
23 Cllr. Matthews? Cllr. Behan. Okay, vote.

24 [VOTE TAKEN]

25 MS. GALLAGHER: That's six for; 14 against; ten not 18:21
26 present; and two abstaining.

27 CATHAOIRLEACH: The next item, Cllr. Matthews again,
28 page 48, number 6.

29 CLLR. MATTHEWS: Cathaoirleach, because we have

1 protected trees listed in the plan I thought it was
2 something we did as part of the plan but the planners
3 have clarified it for me and they have a list of trees
4 that they are going to consider for tree protection
5 orders after this plan so it probably has no relevance 18:23
6 to this plan.

7 CATHAOIRLEACH: Do you want to withdraw it then?

8 CLLR. MATTHEWS: Yeah. I'd like them included in the
9 list and I think Sorcha has agreed to do that.

10 CATHAOIRLEACH: That's withdrawn. Okay. CE's 18:23
11 recommendations number 9 and 10, Chapter 9.

12 MR. O'BRIEN: This came from the Department.

13 CLLR. BEHAN: What page.

14 MS. WALSH: Page 27 of the Chief Executive's report.

15 MR. O'BRIEN: This came from the Department of 18:23
16 Community, Heritage and Gaeltacht. They want to
17 correct in stead of "guidelines" they want to put
18 "statutory guidelines" and the year. It's just a
19 technical change. In number 10 --

20 CATHAOIRLEACH: Number 9, is that agreed? 18:23

21 MS. GALLAGHER: Proposer and seconder.

22 CLLR. WINTERS: I propose it.

23 CLLR. SNELL: I second it.

24 MS. GALLAGHER: Is that agreed?

25 FROM THE FLOOR: Agreed. 18:24

26 CATHAOIRLEACH: Okay. Number 10.

27 MR. O'BRIEN: Number 10 is just some strengthening of
28 promoting the preservation of trees, where it can
29 simply (inaudible) with sound operational cultural

1 management is one of them. The other one is the exact
2 routes of these greenways would be subject to
3 ecological and appropriate assessment. So they're not
4 very onerous.

5 CLLR. WINTERS: I propose. 18:24

6 MS. GALLAGHER: Seconded by Cllr. Whitmore.

7 CATHAOIRLEACH: Is that agreed?

8 FROM THE FLOOR: Agreed.

9 CATHAOIRLEACH: Okay, Chapter 10. We're into the
10 specific development areas. We've obviously covered 18:24
11 the golf course. We start off with Fassaroe.

12 CLLR. BEHAN: Chairman, just on a point of order. You
13 might remember a few hours ago I proposed a suspension
14 of Standing Orders. Now, I notice Mr. Quirke has been
15 probably sitting waiting on that issue since, in 18:25
16 fairness to him. Now I don't mind, if you haven't got
17 time to deal with it, deferring it to the February
18 meeting. In fairness to him there's no need for him to
19 be sitting waiting, or maybe he could come back to me.

20 Again it is an important issue and it is going to 18:25
21 affect all of us, this public lighting problem. I
22 don't mind waiting till the next meeting if maybe there
23 would be no progress on it then.

24 CATHAOIRLEACH: We won't take it today then we'll take
25 it the next day. Fassaroe, page 7. Cllr. Behan, your 18:25
26 amendment.

27 MR. O'BRIEN: Cathaoirleach, there's three here just to
28 put it in context. As the result of a submission from
29 Roadstone, who felt that they weren't getting as good a

1 (inaudible) out of the system as Cosgraves, we did look
2 at it again and we did need to zone more to get our
3 numbers of housing up. So there's a quite a large
4 amendment from the Manager. Then Cllr. Behan is coming
5 in then to change some housing to open space and then 18:26
6 Cllr. Vance has come in with, shall we say a far less
7 radical to change housing to open space.

8
9 Certainly take it but I'm just putting the context.
10 Cllr. Behan's may well be an amendment to the Chief 18:26
11 Executive's amendment.

12 CATHAOIRLEACH: What's the third one? We just have one
13 from Cllr. Behan, one from CE and what's the third one?

14 MR. O'BRIEN: From Cllr. Vance.

15 CATHAOIRLEACH: Yeah, that came in later. Okay. 18:26

16 Cllr. Behan, did you want to speak on your one?

17 CLLR. BEHAN: I'll go very quickly. It's on page 7 of
18 the Councillor amendments and there are four points
19 there, but you can take out point 3 because we've dealt
20 with it. 18:27

21
22 what I'm really saying, there are about 400 acres in
23 this site altogether and it's basically a combination
24 of two landowners; Roadstone and Cosgraves. What the
25 Council are doing in the present plan is effectively 18:27
26 zoning about 49 acres out of that 400. 50 acres, one
27 eighth as open space. Within that then there's going
28 to be hopefully active open space where you would have
29 sporting facilities and so on, but there may also be

1 additional kind of rolling hills, if you like, that
2 aren't necessarily going to be usable. Now, if we
3 decide -- like the whole focus of this site is changing
4 from what originally would have been a plan for having
5 an industrial site there to a mixture of housing and 18:27
6 employment. And that's fine and I agree with that.
7 But I also feel that as a result of that rezoning we
8 are going to make that site incredibly valuable with
9 the amount of housing we are proposing for it. As we
10 are going to get had opportunity now - and we won't 18:28
11 ever get this opportunity again - to try and set out a
12 few markers on it, this was one of the markers I wanted
13 to put down. Because we are talking about,
14 realistically, almost a new town on that site. I'm
15 looking to try and increase the amount of open space 18:28
16 that would be available from the 50 acres to 100 acres.
17 Now, I'm not saying that eventually all of that will be
18 needed but if we don't zone it now, as part of this
19 rezoning, we won't be able to do it later because the
20 rest of the land will be up for development 18:28
21 effectively.

22
23 Now we all know already there's a deficit in the
24 Municipal District of open space, active open space for
25 the many sporting organisations that we represent, not 18:29
26 only in the Town of Bray but also in Enniskerry and
27 Kilmacanogue. But there will also be possibly a
28 community of 10,000 people living on this site as well.
29 And they're going to have children who are going to be

1 involved in sporting groups and organisations and
2 they're also going to have a need to have proper
3 parkland, places to walk, places for recreation as
4 well. So there are two distinct needs here and while
5 the Director or the Manager is saying, well, it's too 18:29
6 much of a burden to put on a builder to be expecting
7 them to look after the needs of the Municipal District,
8 I believe this land is going to be hugely valuable as a
9 result of a decision we're going to make here now in a
10 few minutes. And we should try and secure, as much as 18:29
11 possible, so that we'll have facilities for the people
12 we represent now and the people who will live there in
13 the future.

14
15 So that's really point number one, Cathaoirleach. 18:29

16 CATHAOIRLEACH: Okay. Do I have a seconder?

17 Cllr. O'Brien. Anyone else want to speak?

18 CLLR. VANCE: Chairman, I have an amendment in here.

19 What are we going to do? How are we going to do this?

20 I mean my amendment is in response to the Manager's 18:30

21 answer to Cllr. Behan. I mean I think it's fair to say

22 that if I thought it was possible to get 100 acres off

23 landowners out of approximately 350 acres that they

24 have available, I'll jump at it in the morning. But I

25 have to be realistic and this is all about delivery and 18:30

26 it's all about delivery of sporting facilities and

27 recreational facilities in this particular area, as

28 quickly as we possibly can. What I noticed in the

29 Manager's answer to Cllr. Behan was that he said that

1 22 hectares were needed and I had proposed 20 hectares.
2 My amendment is for 22 hectares to go along with what
3 the Manager's recommendation is as well and to put the
4 phasing in because in the plan that the Manager had the
5 phasing was in phasing 2 and phasing 3 to give the 18:31
6 recreation plan. By moving it up to Phase 1, it
7 effectively fast tracks it in a much more realistic
8 manner than I believe Cllr. Behan's.

9
10 Now I understand where Cllr. Behan is coming from as 18:31
11 well and I know there's a huge demand for this because
12 it was me who asked to put this in the Plan in the
13 first place. When it went in the Draft Plan, there was
14 actually very few people even made any comments on the
15 recreational part until it came up in the Draft Plan 18:31
16 and then suddenly people started to realise that it was
17 a popular issue around the place; we needed it
18 extremely badly; and it's going to cater for a huge
19 amount of sports and recreation people as well. And
20 not alone that, there's other acreage there as well. 18:32
21 There's about 30 acres other than that as well on the
22 outskirts which would be a passive type of open space.
23 So in this of about 350 acres, with the proposal that I
24 have, there's probably about 75 acres that you could
25 say is open space, most of it is active open space. I 18:32
26 think a realistic approach to this is my proposal in
27 that regard to improving the 20 hectares to 22 hectares
28 and moving up to phasing as well and I think that will
29 deliver this plan. It's a much more realistic way of

1 delivering this plan for the people that find it very
2 necessary and it's really nearly an emergency situation
3 in North Wicklow at this stage. But I fear that under
4 Cllr. Behan's plan that effectively it would scupper
5 the whole thing and that's my fear in regard to that. 18:33
6 Thank you.

7 CATHAOIRLEACH: The way I'm going to take the vote is
8 I've to take your amendment first, apparently, is the
9 way I have to take the vote. Cllr. Matthews.

10 CLLR. MATTHEWS: Chairman, can I just ask, regardless 18:33
11 of how much recreational land or whatever zoning we're
12 going to do in Fassaroe, it would seem to be very much
13 dependent on getting the transport study right and I'm
14 just wondering where is that at the moment? Also, I
15 just saw a note that because we weren't reaching 18:33
16 population targets, an extra 7.5 hectares of land were
17 proposed to be rezoned up in Fassaroe. Could you just
18 point out where that is, please, Cathaoirleach? Thank
19 you.

20 MR. CURRAN: Just to answer that. The NTA have 18:33
21 produced a draft report for Bray which I'm sure we can
22 circulate now.

23 CLLR. MATTHEWS: You are going to circulate it?

24 MR. O'BRIEN: It is out for consultation with TII,
25 Dun Laoghaire and Wicklow County Council so I suppose 18:34
26 it goes back to the NTA then who will presumably do a
27 more final draft.

28 CLLR. MATTHEWS: Consultation with the engineers, is
29 it?

1 MR. O'BRIEN: It was only out with the people involved.
2 There is was Steering Group on it and it is being
3 released to those first of all.

4 MR. CURRAN: Look, as soon as we can we'll get a
5 presentation ready for the Municipal Districts. 18:34

6 CLLR. MITCHELL: I would be interested in seeing what
7 is in that plan.

8 CATHAOIRLEACH: Cllr. Fox.

9 CLLR. FOX: Certainly it is a bit of a balancing act to
10 get the amount of open space right but I actually think 18:34
11 the phasing element of it as well is not to be
12 underestimated. I would agree with Cllr. Vance on the

13 amount of open space. I'm open to correction on that
14 but I think it probably strikes a good balance at 22
15 hectares, but the phasing is absolutely critical 18:35

16 because the community gain has to be got at the start
17 of this development. The last thing we want is for
18 developers to come in, put up a lot of houses, a lot of
19 units, residential units, and then for the community
20 element, the sporting campus, the school, what have 18:35
21 you, not to follow on stream. So the phasing is

22 critical. So I had put up in a proposal which was
23 along the lines of Cllr. Vance so I was happy to second
24 Cllr. Vance's proposal and I think it strikes a good
25 balance. Thanks, Chairman. 18:35

26 CATHAOIRLEACH: Cllr. Behan.

27 CLLR. BEHAN: Just on a point of order. I submitted an
28 amendment actually myself in time before Christmas, the
29 other one came last week.

1 CATHAOIRLEACH: I'm going to take your one first.
2 Apart from the timing I'm going to take your one first
3 because it's a completely separate one, unless you're
4 agreeable to Cllr. Vance's amendment, which you're not.
5 CLLR. BEHAN: No, I'm certainly not. 18:36
6 CLLR. FOX: Can I just say, it came to light from me
7 from the response to Cllr. Behan's amendment. So, you
8 know, I thank him for that because the Chief Executive
9 made a comment in response to Cllr. Behan's proposal
10 and that's why I put it in late because it only came to 18:36
11 my attention when I read the Chief Executive's response
12 to Cllr. Behan's amendment.
13 CATHAOIRLEACH: Okay. Cllr. Whitmore.
14 CLLR. WHITMORE: It was just in relation to the timing.
15 It's okay. 18:36
16 CATHAOIRLEACH: I'm suggesting then I take
17 Cllr. Behan's proposal first and then I take
18 Cllr. Vance's amendment to the CE's amendment.
19 CLLR. BEHAN: Cathaoirleach, the timing is essential as
20 well and I have the timing as part of number 4 on my 18:36
21 motion.
22 CATHAOIRLEACH: There's no issue with yours being taken
23 first.
24 CLLR. BEHAN: We are just taking number 1 of mine or
25 are you taking the four of them? 18:37
26 CATHAOIRLEACH: Taking your number 3.
27 CLLR. BEHAN: The main proposal which is the hundred
28 acres versus the 50 but I'm proposing 100 acres, page
29 7, number, point 1.

1 CATHAOIRLEACH: It's called your number 3 for some
2 reason on by spreadsheet.

3 MS. GALLAGHER: Your amendment 3 of the day, I would
4 say.

5 CLLR. BEHAN: That's fine. 18:37

6 CLLR. VANCE: It is for the 100 acres now.

7 CATHAOIRLEACH: This is Cllr.' Bean's proposal on page
8 7, seconded by Cllr. Oliver O'Brien, page 7 of
9 Cllr. Behan's. It is notified as Cllr. Behan number 3.

10 MR. CURRAN: The Chief Executive's report is there 18:37
11 obviously saying that you're going way above the 2.4
12 hectares per one thousand population, which you'd
13 usually have. And also, it makes it less attractive
14 for developers. That's the reality of it.

15 CATHAOIRLEACH: Take a vote. 18:38

16 [VOTE TAKEN]

17 MS. GALLAGHER: That's six for; 15 against; and 11 not
18 present.

19 CATHAOIRLEACH: I am now taking Cllr. Vance's amendment
20 to the CE's proposal. 18:39

21 MS. GALLAGHER: That was seconded by?

22 MS. WALSH: Cllr. Fox.

23 CATHAOIRLEACH: Cllr. Fox. we'll have a vote.

24 [VOTE TAKEN]

25 MS. GALLAGHER: 21 for; and 11 not present. 18:41

26 CATHAOIRLEACH: The next topic is Kilruddery. The
27 first proposal Cllr. Behan, page 13. J Behan number 4.

28 CLLR. BEHAN: Okay, Cathaoirleach. There are three
29 different parts to this. I know people don't want to

1 be delayed but I'll cut to the chase. The first part
2 that I'm objecting to is that there was a plan, as part
3 of the manager's plan there was a proposal to build 250
4 housing units up to practically the top of vegetation
5 on the Sugar Loaf, so effectively almost up to the rock 18:41
6 face. I believe it's completely unacceptable and it
7 was certainly very strongly opposed by many people who
8 live on the Southern Cross, who, apart from all the
9 other arguments about the visual amenity and the way it
10 will affect the whole visual amenity of the Sugar Loaf, 18:41
11 is the fact that they believe they've been seriously
12 let down by lack of facilities and infrastructure on
13 the Southern Cross already. They're also concerned
14 about potential flooding from that site if it is
15 developed as well. My understanding is that a number 18:42
16 of Councillors who attended a public meeting on this
17 were also certainly in agreement with my view on that
18 and they said that at the meeting when many residents
19 attended. So I'm proposing that that particular
20 residential zoning be taken out of the plan. 18:42
21 CATHAOIRLEACH: Do I have a seconder? Cllr. Whitmore
22 MR. O'BRIEN: There are three motions here all
23 overlapping on the same.
24 CLLR. VANCE: I think my proposal is, well it's very
25 similar to that in that sense. It proposes that we 18:42
26 take that out as well.
27 MR. O'BRIEN: But you're adding in Foggy Field?
28 CLLR. VANCE: I am, yes.
29 MR. O'BRIEN: And then Cllr. Matthews is the same as

1 yours and he's putting a height limit on it.

2 CLLR. MATTHEWS: I'm putting contour limit on it.

3 MR. O'BRIEN: A contour limit, excuse me.

4 CLLR. MATTHEWS: And also if you just go back to
5 Cllr. Behan's. Where the employment zone in 18:43
6 Cllr. Behan's one is to the rear of Hollybrook, I
7 looked for that employment zone to be actually tapered
8 back so it's not as close to the rear of the
9 residential properties. So I think -- in my proposal,
10 which is similar to the Cllr. Vance on the Foggy Field 18:43
11 and similar to Cllr. Behan's in terms of removing the
12 R20, you bring that section back. If we could adopt
13 the employment zone that is in myself and
14 Cllr. Vance's.

15 CLLR. BEHAN: I don't understand what you're talking 18:43
16 about.

17 CLLR. MATTHEWS: Sorcha might be able to explain.

18 MS. WALSH: Cllr. Matthews' and Vance's proposal also
19 includes an alteration to this area I'm highlighting in
20 purple here, in that it shifts this employment zone 18:44
21 further away from these houses here. Whereas in
22 Cllr. Behan's proposal it leaves it as it is in the
23 Draft Plant but it omits the residential land. So
24 Cllr. Vance's and Cllr. Matthews' proposal would cover
25 what Cllr. Behan is effectively proposing, which is 18:44
26 removing this residential area, but theirs goes a step
27 further and changes this employment zone. However
28 their proposal doesn't include the designating of this
29 green belt buffer behind the employment zone. Their

1 proposal is just to leave that white, just to dezone
2 it.

3 CLLR. WINTERS: What's that purple bit? What are they
4 changing it to?

5 MS. WALSH: I'll scroll on and show you the next map. 18:44
6 That's as it is in the Draft Plan and there's an extra
7 green triangle there which separates that purple zone
8 from those houses there.

9 CLLR. VANCE: Separates it from --

10 MR. O'BRIEN: And then the R20. 18:45

11 MS. WALSH: Their proposal also includes compensation
12 for this loss here with zoning of this field over here
13 known as Foggy Field, which is at the junction of the
14 Greystones Road and the Bray Southern Cross Road.

15 CLLR. BEHAN: If I can clarify, Cathaoirleach. The 18:45
16 area that Cllr. Vance and Cllr. Matthews are talking
17 about zoning as industrial is the area behind the
18 existing business park. Is that correct?

19 CLLR. MATTHEWS: Yes, correct.

20 CLLR. BEHAN: And at the moment is that zoned for 18:45
21 residential?

22 MS. WALSH: No. In the old plan it was. In the Draft
23 Plan this is how it is zoned. This is the map from the
24 Draft Plan, the one on the top here on the screen. So
25 in the Draft Plan you have an employment block here, 18:45
26 broken by a stream and a narrow green buffer between it
27 and the existing housing estate there. Their proposal
28 maintains the employment zone but sets it back further
29 from this housing area here.

1 CLLR. VANCE: From Hollybrook.

2 CLLR. BEHAN: Is it new zoning?

3 MS. WALSH: No, it's the same employment zone that's in

4 the Draft Plan.

5 CLLR. BEHAN: But in the previous Bray Plan, the Bray 18:46

6 Environs Plan, is it new to that?

7 MS. WALSH: In the previous Bray Environs Plan there

8 was no land zoned employment at this location.

9 MR. O'BRIEN: It was residential.

10 CLLR. BEHAN: That was my first question. Is that what 18:46

11 was residential?

12 MS. WALSH: Yes.

13 CLLR. BEHAN: It's now change back to employment?

14 MS. WALSH: The Draft Plan shows it's zoned employment.

15 MR. O'BRIEN: There are three stages, Councillor. 18:46

16 There's the old plan; there's the Draft Plan; and

17 there's the amendment. In the old plan it was housing;

18 in the Draft Plan it was employment.

19 CLLR. BEHAN: Right. Okay. Just in relation to the

20 Foggy Field element, if I could, Cathairleach, for a 18:46

21 minute. I know that there's a lot of logic to that but

22 I think the people who live on the Southern Cross also

23 feel that until such time as they get some shopping

24 facilities, they get some neighbourhood facilities,

25 something is done about the traffic problems, they're I 18:47

26 don't think going to welcome additional housing just at

27 that location because they feel they've been left

28 behind in terms of infrastructure. So on that basis I

29 can't support that.

1 CATHAOIRLEACH: Cllr. Vance.
2 CLLR. VANCE: Chairman, just on that. I think the
3 major issue that a lot of people had in the Southern
4 Cross was they didn't want those 240 thousands going in
5 and they didn't want access through their own estates 18:47
6 as well. This is not happening. It's a good bit away
7 from them as well. I think it's realistic and we're
8 only talking about 80 units compared to 240 as well.
9 And we have to put housing somewhere. If you delete
10 240 houses out of it, this is about 80 thousands that 18:47
11 are going in there as well.
12 CLLR. BEHAN: To speed things up I would be happy
13 enough to let it go on public display and see what the
14 reaction is.
15 CLLR. VANCE: Okay, that's fine. 18:47
16 MR. O'BRIEN: You are withdrawing your one and you will
17 take --
18 CLLR. BEHAN: As long as theirs covers mine.
19 CLLR. VANCE: Yeah, the 240 are out.
20 CATHAOIRLEACH: Cllr. Behan wanted to say something. 18:48
21 Say what you're saying, Joe.
22 CLLR. BEHAN: I don't mind who's it is as long as it
23 removes the houses from the Sugar Loaf.
24 MR. O'BRIEN: The buffer you had is not in that their
25 one. 18:48
26 CATHAOIRLEACH: Is that agreed then?
27 FROM THE FLOOR: Agreed.
28 CLLR. MITCHELL: Could I just say something. I'm happy
29 enough with the proposal to develop the Foggy Field but

1 that junction is very poor. There's huge traffic jams
2 there. It does need to be widened, the road. So fi
3 that Foggy Field is being developed there is a need to
4 put an extra lane there for a left turn coming from
5 Greystones because there's enough traffic jams that 18:48
6 backup there. I don't know how we get that into this
7 plan but it is essential. There's the opportunity
8 there if the Foggy Field is being developed.

9 CLLR. MCLOUGHLIN: Sorry, Chair, it's not just the
10 junction from Greystones going on to the Southern 18:48
11 Cross, the big issue is people trying to get into Bray
12 both from the Southern Cross and from Greystones.
13 That's where the big gridlock is there in the morning.
14 And I know because I do it every morning. It's
15 horrendous. Something has to be thought about that. 18:49

16 MR. O'BRIEN: Not in this plan.

17 CATHAOIRLEACH: I just want to clarify what's been
18 agreed for Cllr. Behan to withdraw his proposal.

19 MS. GALLAGHER: Cllr. Behan, you're happy to withdraw
20 your amendment? 18:49

21 MR. O'BRIEN: Cllr. Matthews' and Vance's are identical
22 except he has a contour limit on it so we'll take
23 Cllr. Matthews'. That's my understanding.

24 CLLR. VANCE: I think you have 65 and I have 70 and I
25 have 70 for the simple reason that 70 is what it is all 18:49
26 along the Southern Cross and that's to keep it
27 consistent with that.

28 CATHAOIRLEACH: Leave it at 70 then?

29 CLLR. MATTHEWS: It depends on what heights we are

1 going to permit on it. If you stick to a contour
2 line --

3 CATHAOIRLEACH: We're talking about contour line, we're
4 not talking about heights.

5 MR. O'BRIEN: It's 20 to the hectare. That's standard. 18:49

6 CLLR. VANCE: It's exactly the same. There is a slight
7 difference in the contour height and my one --

8 CLLR. MATTHEWS: Whatever the accepted contour line is.

9 CATHAOIRLEACH: Cllr. Vance's counter is 70 then.

10 MS. GALLAGHER: We'll take Cllr. Vance's proposal. Do 18:50
11 we have seconder for Cllr. Vance's proposal.
12 Cllr. Fox. And that's agreed.

13 CATHAOIRLEACH: Okay, that's Kilruddery. Golf course
14 done. Next is Dell. Cllr. Behan, again, page 24, the
15 amendment described as number 7. 18:50

16 CLLR. FORTUNE: Sorry, Chair, how long more do you
17 think we might be?

18 CATHAOIRLEACH: Ten minutes and we'll discuss then when
19 our next meeting is going to be.

20 CLLR. BEHAN: That's irrelevant. I'm withdrawing that 18:50
21 because I withdrew -- it's part of the other one. It's
22 about the park and ride.

23 MR. O'BRIEN: Behan number 7 is gone.

24 CLLR. BEHAN: Yeah.

25 MR. O'BRIEN: That's the Park Na Sillogue one. 18:51

26 CATHAOIRLEACH: There's a CE amendment, Park Na
27 Sillogue. Just remind us

28 MS. WALSH: Park Na Sillogue in Enniskerry. This is
29 page 34 of the Chief Executive's report. This is just

1 a minor amendment to indicate clearly that a
2 hydrological assessment would be required on that site
3 because there's springs on the site that need to SAC
4 adjacent.

5 CATHAOIRLEACH: Is that agreed? 18:51

6 FROM THE FLOOR: Agreed.

7 MS. GALLAGHER: Do I have a proposer? Agreed.

8 CATHAOIRLEACH: Back to Dell. You've withdrawn Dell,
9 have you?

10 MR. O'BRIEN: The Chief Executive's is at Dell. 18:51

11 CATHAOIRLEACH: That's agreed, is it?

12 CLLR. MATTHEWS: That was the park and ride. That's
13 withdrawn.

14 MS. WALSH: The Chief Executive's proposal for Dell is
15 on page 37 of the Chief Executive's report. This is a 18:51
16 recommended change with regard to the type of
17 employment development that might be allowed on the
18 site. If you recall the Draft Plan allowed for sort of
19 a 50:50 split between residential and employment
20 development and we're seeking a high employment density 18:52
21 to compensate for the slight loss in employment land.
22 We're also recommending that a nursing home or
23 healthcare facility could be considered as part of that
24 employment zone. This is at the request of the
25 landowner who believed it would be an excellent site 18:52
26 for that type of facility and that there would be
27 interest in it. They made the case that a nursing home
28 could actually be an intensive employer and as
29 intensive as many forms of employment development. We

1 recommended that such use be allowed and would allow
2 for some flexibility on that site.

3 CATHAOIRLEACH: Cllr. Matthews.

4 CLLR. MATTHEWS: Chairman, I'm fine with that but could
5 I also ask that we consider that the four-storey be 18:52
6 kept to the west and the south of the site to protect
7 residential amenity and school amenity and so as not to
8 be overdominant on the streetscape.

9 CLLR. VANCE: I would agree with that.

10 MS. WALSH: If you could repeat that? 18:53

11 CLLR. MATTHEWS: If four-storey is to be considered
12 that --

13 MR. O'BRIEN: The development of up to four storeys may
14 be considered.

15 CLLR. MATTHEWS: But to the west and the south of the 18:53
16 site, so as to protect residential amenity to the east
17 and so as not to be visually dominant on the
18 streetscape.

19 MR. O'BRIEN: Can you not speak with more economy of
20 expression? It's hard to write it all down. 18:53

21 CLLR. MATTHEWS: You know my views on it.

22 MR. O'BRIEN: Four storeys may be considered,
23 particularly in the south and the west.

24 CLLR. MATTHEWS: Well kept to the south and the west.
25 I don't want it to the far east. Restricted to the 18:53
26 west and southwest side, yeah.

27 MS. GALLAGHER: Proposed by Cllr. Matthews and seconded
28 by Cllr. Vance. And agreed?

29 FROM THE FLOOR: Yes.

1 MR. O'BRIEN: That's the Chief Executive's modified by
2 Cllr. Matthews.

3 CATHAOIRLEACH: Chief Executive's number 15, GTH.
4 This.

5 MR. O'BRIEN: This was just an NTA wanting their Bus 18:54
6 Connects programme being mentioned in it. Very minor.
7 CLLR. MATTHEWS: Propose.

8 MS. GALLAGHER: Proposed by Cllr. Matthews. Seconded?
9 Cllr. Winters.

10 CATHAOIRLEACH: AO Smith. 18:54

11 MR. O'BRIEN: This is tied in with Cllr. Matthews.

12 CATHAOIRLEACH: Cllr. Matthews, you've a proposal,
13 page 58, number 9 on the AO Smith site.

14 CLLR. MATTHEWS: It's to provide for residential use on
15 it as well as mixed use. That would incorporate the 18:54
16 employment and high residential, high density
17 residential on such a well located site. I don't know
18 if the Chief has a response to it there. The Chief
19 Executive has no objection to this amendment.

20 MR. O'BRIEN: It is amended in the Chief Executive's. 18:55
21 This is actually amending the Chief Executive's. The
22 Chief Executive has got no objection to Cllr. Matthews'
23 amendment.

24 CLLR. VANCE: I'll second that.

25 MR. O'BRIEN: Basically proposing the Chief Executive's 18:55
26 as a modified.

27 CLLR. MATTHEWS: Yeah.

28 CLLR. VANCE: Yeah.

29 MS. GALLAGHER: Agreed?

1 FROM THE FLOOR: Agreed.

2 CLLR. BEHAN: Chairman on a point of order can I
3 withdraw number 8 because that was looking for
4 residential on part of that site so that's effectively
5 the same thing as Cllr. Matthews. 18:55

6 CATHAOIRLEACH: That's Chapter 11, your number 8, page
7 25.

8 CLLR. BEHAN: Yes, page 25 is gone.

9 CATHAOIRLEACH: Withdrawn. Just to finish on Chapter
10 10, Old Court. Cllr. Matthews, number 10, page 62 of 18:55
11 the amendments, Old Court.

12 MS. WALSH: And number 17 of the Chief Executive's.

13 CATHAOIRLEACH: Is that before it?

14 CLLR. MCLOUGHLIN: What page of the Chief Executive's
15 sorry? 18:56

16 CATHAOIRLEACH: Just of the amendments, page 62.

17 CLLR. MCLOUGHLIN: Okay.

18 CATHAOIRLEACH: Scheduled of proposed amendments to the
19 Draft Plan. Page 62, Cllr. Matthews. Councillor
20 amendment number 10. 18:56

21 CLLR. MATTHEWS: What was the response on that?

22 MR. O'BRIEN: This is the land Old Court House Castle
23 area. Cllr. Behan has to take all residential out;
24 Cllr. Matthews is to take out the side on Giltspur but
25 to leave in the site and provided it comes out through 18:56
26 Vevay.

27 CLLR. MATTHEWS: The current access route.

28 MR. O'BRIEN: We've got some more details about taking
29 down the gateposts and re-erecting them.

1 CLLR. MATTHEWS: Yes.

2 MR. O'BRIEN: The Chief Executive doesn't support
3 taking out the land on the western side.

4 CLLR. WHITMORE: Say that again?

5 MR. O'BRIEN: The Chief Executive doesn't recommend 18:57
6 taking out the land on the western side beside Giltspur
7 Wood.

8 CLLR. WHITMORE: who's proposal is that?

9 MR. O'BRIEN: To take it out, Cllr. Matthews.

10 Cllr. Behan is to take out the whole lot and 18:57
11 Cllr. Matthews is to take out the western side and the
12 eastern side to be accessed through Vevay Road, which
13 is there.

14 CATHAOIRLEACH: You see he is saying they're suitable
15 for residential development, which is proposed to be 18:58
16 omitted. Cllr. Behan.

17 CLLR. BEHAN: Chairman, my proposal is to remove the
18 residential on both sides and the main reason for
19 wanting to remove it is that in both cases I don't
20 think it's going to be possible to develop those sites 18:58
21 without going through cud cul-de-sacs, including open
22 spaces, in both of the estates Charnwood on the Vevay
23 Road side and Giltspur wood on the Old Court Road side.
24 Again, this is supposed to people's plan and certainly
25 the residents in both Charnwood and Giltspur wood have 18:58
26 very strong objections to their estates being opened up
27 for access for additional traffic on both sides of that
28 site. It's very clear in the Manager's, in the Chief
29 Executive's report and in the Planner's original points

1 on this that they are not guaranteeing, by any means,
2 that there wouldn't be an access, including road
3 access, through Giltspur wood and/or through Charnwood.
4 They're saying that that's a matter for the planning
5 process. So if we zone those two areas we're 18:59
6 effectively handing over the final decision to the
7 planners, not only to the planners here but in An Bord
8 Pleanála. And if we establish a precedent or create a
9 precedent where cul-de-sacs can be basically just
10 driven through because a developer has bought a big 18:59
11 site, I don't think that's good practice and on that
12 basis I'm proposing that both sites be removed. I
13 think there's more than adequate scope in other parts
14 of the town to make up the shortfall. So I propose my
15 amendment, Cathaoirleach. 18:59
16 MS. GALLAGHER: What's number is that?
17 MS. WALSH: The next page, number 9 page 26. Sorry.
18 CATHAOIRLEACH: So it does cover Old Court?
19 CLLR. BEHAN: Yes, the same thing.
20 MS. WALSH: Yeah, it does. 19:00
21 CATHAOIRLEACH: Cllr. Vance.
22 MR. O'BRIEN: Cllr. Vance did it via map and
23 Cllr. Matthews did it via text.
24 CLLR. VANCE: Chairman, just on this. The major
25 problem that most of the residents that I talked to, 19:00
26 and I talked to a lot of them in Charnwood and in
27 Giltspur wood and Giltspur Brook was that they didn't
28 want access coming through their own estates. That was
29 the major problem. I talked to residents in Charnwood,

1 which is the closest one to this, and the number of
2 residents that I talked to were happy enough for
3 development to go in there, for the simple reason that
4 they're suffer maybe problems with anti-social
5 behaviour. They've major problems in there with a lot 19:00
6 of the trees, a lot of really good trees in there are
7 being damaged by this anti-social behaviour and they
8 just feel that housing in there, that it would protect
9 the particular trees and everything else and a nice
10 housing development in there would be complimentary to 19:01
11 that. And they also felt that like, as long as it was
12 accessed through the Vevay Road, which I believe it can
13 be and should be. I mean the residents in Gilspur Wood
14 and Giltspur Brook, now let's be fair to the person who
15 owned the land before because when he sold the land he 19:01
16 sold them with entrances from their estates into this
17 particular land, do you know what I mean, and people
18 that bought the houses bought the houses on that
19 condition. But I'm not saying we should do that. All
20 I'm saying is that access to this should be from the 19:01
21 Vevay Road and we can, we can state that access has to
22 be from the Vevay Road in this particular plan and not
23 leave it up to the planners to do it. As far as I'm
24 concerned that's what we can do and I think it's
25 reasonable that in an area like this where it would 19:01
26 open up the old new walk way there as well, that a lot
27 of people that had never been to Old Court Castle and
28 all, which a lot of people have never been, it would
29 open that up as well. And I think this is not a bad

1 idea at all and I think it goes to alleviate a lot of
2 the concerns that people have in that particular area.
3 Because this is in the middle of the town and
4 effectively it's a good area for housing and we need
5 housing particularly in this area as well. So I'm 19:02
6 happy enough to go along with that. I'm happy enough,
7 I would probably prefer if backing on to Giltspur was
8 left in as well, but in an effort to speed up the
9 proceedings here I'm happy to go along with
10 Cllr. Matthews' proposal that we take out the Giltspur 19:02
11 Brook housing there, there's about ten or twelve houses
12 there on it and go for the ones at the back of
13 Charnwood and maybe increase the density slightly
14 there. I would have no problem with that at all.
15 CATHAOIRLEACH: Sorry, I'm a bit confused. 19:02
16 CLLR. WINTERS: We're out of time so I'm just wondering
17 is it legal if we vote on it?
18 CATHAOIRLEACH: I've just started a topic so I'm going
19 to finish the topic and that's the end then.
20 Cllr. Vance, I'm not with you there. Are you saying 19:03
21 you agree with Cllr. Behan's proposal?
22 CLLR. VANCE: No, no, not Behan's, Cllr. Matthews'
23 proposal. Cllr. Behan is trying to move into my area,
24 you know what I mean! I think it's reasonable that that
25 particular proposal, as I said, I think -- and as long 19:03
26 as the access comes in from the Vevay Road rather than
27 through Giltspur Wood or Giltspur Brook, I don't think
28 anyone in those estates can complain really about this.
29 CATHAOIRLEACH: Cllr. Fox.

1 CLLR. FOX: Look, I have no difficulty with what the
2 Chief Executive is proposing, however, the Councillors
3 that have spoken know the site a lot better than I do
4 and I'm prepared to with that. But when I walked the
5 site it came across as wasteland to be, effectively, 19:03
6 very suitable for housing. Can the Chief Executive
7 give an assurance on access? Is that possible?
8 MR. O'BRIEN: We can't access because it is going
9 across the screen and there's a castle there and it is
10 wetland. I don't know but we certainly couldn't give 19:04
11 you any commitment here.
12 CLLR. FOX: Okay. I'm happy to go with Cllr. Matthews.
13 CATHAOIRLEACH: Cllr. Matthews.
14 CLLR. MATTHEWS: I'm just wondering, Chair, it's my
15 amendment we're going to vote on, is it? 19:04
16 CLLR. BEHAN: I had an amendment in as well in time
17 too, as well as Cllr. Matthews. It just happens to be
18 on the next page that's all.
19 CLLR. MATTHEWS: It's the same subject so we're
20 probably within -- 19:04
21 CATHAOIRLEACH: I'm sticking to the one tonic. I've
22 started so I'll finish. I'll take your amendment first
23 and then and then I'll take Cllr. Matthews. I will
24 take Cllr. Behan's first and then Cllr. Matthews'.
25 CLLR. BEHAN: I haven't got a seconder. 19:04
26 CLLR. VANCE: Cllr. Behan's is to remove all the
27 housing out of that area.
28 CLLR. BEHAN: On the basis that there is no guarantee,
29 that you heard just there now, that the entrance won't

1 be through those two estates.

2 MR. O'BRIEN: That wasn't what I said. I said on the
3 Giltspur one's I couldn't give a guarantee. On the
4 other ones, if you say it's coming through the Vevay
5 that is what we have to go with. 19:05

6 MS. WALSH: That's the plan.

7 CLLR. BEHAN: You guarantee that's the way it will
8 happening.

9 MR. O'BRIEN: How long have you been working here?
10 We're obliged to obey our plan and we're not going to 19:05
11 contravene our plan.

12 CATHAOIRLEACH: Cllr. Matthews, you're going to put in
13 that it has to be accessed through the Vevay Road. Is
14 that on your amendment?

15 CLLR. MATTHEWS: That's my amendment. 19:05

16 CATHAOIRLEACH: That's covered then.

17 CLLR. VANCE: I've supported that because I wouldn't,
18 like Cllr. Behan, if there was any problem with getting
19 through the other estates I would oppose this. But
20 once the access is through the Vevay Road and we have a 19:05
21 wonderful opportunity from the entrance to the Vevay
22 Road of doing something that is an blind spot on the
23 Vevay Road and it's extremely dangerous. So with this
24 development we can actually do a very nice job on
25 making the sightlines an awful lot better from coming 19:05
26 out of the petrol station there, than what exists at
27 the moment. It has benefits to everybody.

28 CATHAOIRLEACH: Cllr. Snell.

29 CLLR. SNELL: Thanks, Cathaoirleach. Just looking at

1 this, Cathaoirleach, I'd like to see this go out and
2 give the public a chance to have their say on this
3 because at the end of the day we can't keep removing
4 residential units and still sit in here and say that
5 we're going hit our targets and our commitments to 19:06
6 people who are looking for a roof over their head. So
7 I am conscious of public opinion and I'm conscious of
8 neighbouring sites and residential areas, but I would
9 like to hear what they have to say if this was
10 incorporated with the residential in it and allow 19:06
11 people, as Cllr. Matthews and Vance and Behan and
12 O'Brien are well aware of the area more so than us, but
13 I'd like to hear what the people have to say and I'd
14 like to include the residential as part of that process
15 and put it out there. 19:07
16 CATHAOIRLEACH: Cllr. Matthews.
17 CLLR. MATTHEWS: Chairman, it has been out for public
18 consultation. This was the Draft Plan and we have had
19 the submissions from it and the Councillors are making
20 an amendment here that we remove the eastern zoning; 19:07
21 that we retain the western zoning. I'm open to looking
22 at a higher densities on that western zoning. I don't
23 have any problem with that. I think it's suitable for
24 higher densities. I'd even be open to looking at how
25 the actual area there to the south of that as well, 19:07
26 there could be some sort of development there as long
27 as it's sympathetic to the protected structure that's
28 up there. So I think that site has potential access
29 from the Vevay Road. Assess Cllr. Vance said, we can

1 address the sightlines. So I propose we proceed with
2 the amendment as I submitted.

3 UNKNOWN SPEAKER: I second that.

4 CATHAOIRLEACH: Cllr. Whitmore.

5 CLLR. WHITMORE: Can I just get some clarity on that. 19:07
6 Cllr. Matthews and Cllr. Vance are both saying that
7 they would be okay with higher densities and or certain
8 modifications. How does that get incorporated then if
9 with we agree with that amendment? How is that brought
10 forward? 19:07

11 MS. WALSH: It would be that you would accepting
12 Cllr. Matthews' proposal with a modification to it.

13 CLLR. WHITMORE: Okay. Does that modification have to
14 be agreed now?

15 MS. WALSH: As part of your vote now. 19:08

16 CATHAOIRLEACH: Members, I'm at seven minutes past
17 seven and just in the interests of the integrity of the
18 Plan I think I'm better to wait for the vote for this
19 until the next meeting. We're going to have to go
20 through eight or ten thing anyway. 19:08

21

22 In relation to when we hold that meeting I mean
23 personally it would suit me a lot better to have it
24 next Monday at 6:00 o'clock but I don't know how
25 Members would feel about that. 19:08

26 CLLR. VANCE: I'm happy enough. I'd go along with
27 that.

28 CLLR. MATTHEWS: There's only about three or four left,
29 isn't there?

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CATHAOIRLEACH: There's about ten items.
CLLR. VANCE: Chairman, 6:00 o'clock, I'm happy enough.
CATHAOIRLEACH: 6:00 o'clock next Monday. Is that
okay? There isn't ten items, less. It turns out
there's a lot less.

19:09

THE MEETING WAS THEN ADJOURNED UNTIL MONDAY, 22ND
JANUARY 2018 AT 6:00 P.M.

	87:24	135:3, 141:29,	185:17	4	137:26, 159:1,
	11 [8] - 56:20,	159:2, 168:5	26th [1] - 66:22		160:2, 162:28
	115:18, 123:7,	2.4 [1] - 172:11	27 [2] - 131:15,		60 [1] - 105:12
'no [1] - 121:23	128:3, 155:7,	20 [8] - 12:15,	163:14	4 [14] - 6:27, 7:8,	60% [1] - 40:28
'okay [1] - 45:11	172:17, 172:25,	69:22, 115:13,	27th [1] - 6:15	7:13, 8:28,	61 [1] - 36:24
'we [1] - 102:16	183:6	152:26, 168:1,	28 [5] - 65:18,	125:16, 133:22,	62 [3] - 183:10,
'well [2] - 24:23,	12 [7] - 6:28, 7:1,	168:27, 179:5	125:17, 131:17,	134:19, 134:20,	183:16, 183:19
24:24	7:7, 23:23, 77:7,	20,000 [1] -	132:8, 134:11	134:21, 138:3,	65 [2] - 128:20,
'why [1] - 46:1	85:3, 85:6	136:23	28th [1] - 66:3	138:13, 152:29,	178:24
'yes [1] - 121:21	120,000 [2] -	200 [5] - 5:22,	29 [1] - 35:21	171:20, 172:27	68 [1] - 138:18
	14:8, 86:27	78:15, 87:24,	2:00 [1] - 1:9	4.5% [1] - 37:3	6:00 [5] - 2:12,
0	12th [2] - 17:21,	94:19, 94:20		40 [5] - 104:14,	191:24, 192:2,
	26:13	2001 [2] - 35:24,	3	105:12, 127:16,	192:3, 192:8
	13 [5] - 65:24,	65:25	3 [20] - 6:20,	137:27, 138:14	6th [1] - 6:9
0.0076 [1] - 7:14	69:23, 115:8,	2003 [1] - 78:22	68:1, 69:15,	40% [5] - 40:14,	6W [1] - 7:17
0.1% [1] - 109:26	123:10, 172:27	2005 [2] - 73:14,	70:13, 126:3,	40:29, 41:24,	
0.6 [1] - 39:21	130 [2] - 40:21,	101:5	126:4, 126:5,	52:23, 56:19	7
	45:17	2006 [2] - 36:19,	133:20, 134:18,	400 [3] - 30:1,	
1	14 [6] - 82:11,	73:15	135:22, 135:27,	165:22, 165:26	7 [15] - 66:15,
	82:12, 83:2, 92:7,	2008 [1] - 153:14	137:21, 137:27,	42 [1] - 152:29	66:17, 125:18,
1 [15] - 6:7, 7:16,	107:28, 162:25	2010 [1] - 85:17	138:14, 165:19,	45 [6] - 42:15,	126:10, 146:18,
125:16, 126:3,	15 [8] - 10:24,	2011 [2] -	168:5, 171:26,	64:10, 95:14,	146:28, 147:1,
131:17, 132:8,	38:8, 78:22,	155:23, 158:23	172:1, 172:3,	95:18, 117:27,	160:2, 164:25,
133:11, 134:12,	78:24, 102:21,	2013 [3] - 9:11,	172:9	122:22	165:17, 171:29,
134:13, 138:18,	111:13, 172:17,	13:27, 77:20	3% [1] - 40:13	46 [3] - 95:15,	172:8, 179:15,
141:28, 145:3,	182:3	2014 [1] - 29:26	3,000 [1] - 67:12	98:12, 160:5	179:23
168:6, 171:24,	15% [1] - 32:7	2016 [1] - 9:21	3.3% [1] - 36:23	48 [1] - 162:28	7.5 [1] - 169:16
171:29	15TH [2] - 1:9,	2017 [6] - 6:9,	3.5 [1] - 70:9	49 [1] - 165:26	70 [6] - 105:13,
1,000 [5] -	2:1	6:15, 6:22, 17:29,	30 [6] - 29:29,	4:30 [3] - 2:18,	178:24, 178:25,
106:16, 123:13,	15th [1] - 17:22	66:6, 66:7	33:13, 39:19,	2:19, 5:15	178:28, 179:9
124:19, 124:20,	16th [2] - 66:22,	2018 [5] - 1:9,	68:2, 106:18,	4th [1] - 6:22	72 [1] - 38:14
124:22	67:5	2:2, 66:2, 67:9,	168:21		74-page [1] -
1,763 [1] - 36:23	17 [5] - 69:22,	192:8	30% [3] - 85:28,	5	67:27
1.3 [2] - 116:10,	115:8, 123:7,	2019 [3] - 11:22,	89:3	5 [10] - 8:24,	75 [2] - 38:9,
116:28	135:7, 183:12	21:29, 30:12	300 [1] - 106:15	69:18, 72:13,	168:24
1.5 [1] - 106:3	18 [5] - 108:3,	202 [1] - 153:26	300-year [1] -	72:22, 106:2,	7:00 [5] - 95:5,
1.7 [1] - 21:5	115:8, 135:24,	21 [1] - 172:25	87:24	115:7, 134:16,	95:9, 95:10,
1.78 [2] - 19:12,	136:1, 139:3	22 [8] - 39:18,	31st [2] - 66:1,	134:21, 160:2,	146:19, 155:9
19:15	183 [1] - 35:16	67:15, 92:22,	66:6	160:5	8
1.8 [1] - 39:20	19 [4] - 108:3,	95:21, 168:1,	32 [3] - 71:13,	50 [6] - 28:11,	
10 [12] - 3:8,	115:18, 125:2,	168:2, 168:27,	82:16, 82:29	80:29, 105:12,	8 [11] - 22:27,
56:20, 69:17,	158:28	170:14	34 [4] - 146:24,	165:26, 166:16,	66:11, 66:16,
92:22, 163:11,	1965 [2] - 100:1,	22ND [1] - 192:7	146:27, 147:1,	171:28	66:19, 66:20,
163:19, 163:26,	100:3	23 [4] - 68:2,	179:29	50,000 [2] -	69:19, 159:1,
163:27, 164:9,	1968 [1] - 4:10	99:26, 135:26,	35 [1] - 15:28	98:19, 104:5	159:17, 160:2,
183:10, 183:20	1986 [4] - 77:19,	159:21	35-year [3] -	500 [1] - 117:28	183:3, 183:6
10% [2] - 36:27,	91:4, 100:1,	24 [12] - 35:25,	7:17, 8:4, 8:8	500,000 [1] -	8,227 [1] - 96:21
37:4	100:3	36:6, 37:1, 38:14,	168:23	30:1	80 [3] - 40:3,
10,000 [2] -	1994 [1] - 13:17	39:23, 42:12,	36 [3] - 123:12,	50:50 [1] -	177:8, 177:10
136:22, 166:28	1996 [1] - 9:5	43:2, 49:27,	126:8, 126:9	180:19	80-metre [1] -
100 [13] - 78:13,	1st [1] - 66:6	50:26, 179:14	37 [1] - 180:15	55 [3] - 8:28,	126:29
80:23, 80:28,		240 [4] - 177:4,	375 [1] - 92:21	69:23, 115:21	9
92:25, 94:18,	2	177:8, 177:10,	38 [1] - 133:3	58 [1] - 182:13	
96:11, 96:13,		177:19	39 [2] - 134:22,		
106:9, 160:13,	2 [13] - 6:13,	25 [6] - 27:25,	135:6	6	9 [6] - 67:7,
166:16, 167:22,	39:26, 56:19,	29:29, 106:19,		6 [7] - 35:23,	163:11, 163:20,
171:28, 172:6	67:29, 132:3,	108:6, 183:7,		69:19, 115:12,	182:13, 185:17
100% [2] - 91:5,	132:6, 133:2,	183:8			
97:11	134:23, 135:2,	250 [1] - 173:3			
100-year [1] -		26 [2] - 132:29,			

9,689 [1] - 8:25
9.4.5 [1] - 141:3
90 [1] - 101:8
90-metre [1] -
126:28

A

Aaron [1] - 3:7
able [12] - 10:9,
12:25, 20:17,
51:13, 71:24,
93:24, 93:26,
111:24, 129:27,
152:17, 166:19,
174:17
above-named
[1] - 1:21
absence [4] -
55:19, 55:23,
60:14, 94:9
absent [2] -
125:7, 125:10
absolute [7] -
30:6, 33:21, 79:2,
79:10, 97:1,
98:10, 158:16
absolutely [19] -
5:26, 41:14, 42:4,
48:6, 58:19,
63:10, 64:1,
66:25, 72:14,
83:12, 83:17,
84:4, 84:22,
88:13, 90:1,
90:22, 92:3,
103:28, 170:15
abstaining [4] -
65:19, 152:27,
158:29, 162:26
abstentions [1] -
35:21
ACA [1] - 160:16
ACAs [1] -
160:20
accept [7] -
42:18, 107:5,
112:19, 122:19,
134:4, 144:4,
159:27
acceptable [7] -
42:24, 68:24,
79:16, 79:17,
140:28, 145:21,
154:29
accepted [6] -
42:9, 64:7, 79:13,
109:29, 110:2,
179:8

accepting [1] -
191:11
accepts [1] -
25:28
access [28] -
37:10, 37:12,
37:22, 38:1,
39:25, 40:4,
43:14, 46:3,
52:14, 126:16,
127:2, 127:29,
130:20, 138:20,
145:4, 177:5,
183:27, 184:27,
185:2, 185:3,
185:28, 186:20,
186:21, 187:26,
188:7, 188:8,
189:20, 190:28
accessed [3] -
184:12, 186:12,
189:13
accident [3] -
4:11, 45:28,
52:16
accommodatio
n [1] - 38:12
accompli [2] -
44:19, 71:14
accordance [3] -
23:1, 35:23, 38:6
account [4] -
45:25, 81:7,
94:17, 133:7
accurate [1] -
1:20
acquisition [1] -
8:4
acreage [1] -
168:20
acres [18] -
19:12, 19:15,
21:5, 28:1, 74:27,
165:22, 165:26,
166:16, 167:22,
167:23, 168:21,
168:23, 168:24,
171:28, 172:6
Act [6] - 35:16,
65:25, 153:26,
154:2, 154:12,
158:10
act [1] - 170:9
action [2] - 1:22,
5:23
active [4] -
136:9, 165:28,
166:24, 168:25
activities [1] -
94:8

actual [7] - 15:2,
15:9, 38:12, 51:9,
52:18, 98:3,
190:25
ad [1] - 10:20
add [11] - 20:23,
51:14, 51:17,
60:10, 60:11,
61:1, 69:24,
117:8, 122:9,
122:10, 130:10
adding [5] -
41:2, 59:20,
70:19, 151:7,
173:27
addition [1] -
122:3
additional [7] -
19:11, 19:16,
51:14, 151:25,
166:1, 176:26,
184:27
address [3] -
37:29, 55:12,
191:1
addressed [6] -
43:23, 46:2, 50:8,
50:12, 51:7, 53:2
adequate [2] -
155:25, 185:13
adhered [1] -
53:8
adjacent [4] -
8:1, 149:9, 151:2,
180:4
ADJOURNED
[1] - 192:7
admire [1] -
81:28
adopt [3] -
77:24, 145:20,
174:12
adopted [3] -
13:23, 71:21,
142:12
adult [1] - 45:29
advance [1] -
21:13
advent [1] -
111:6
advice [3] - 9:12,
28:28
advocate [1] -
54:3
aesthetically [1]
- 61:9
aesthetics [2] -
61:21, 61:22
AFC [2] - 2:26,
3:26

affect [5] -
51:15, 71:19,
91:3, 164:21,
173:10
affected [16] -
12:16, 76:5,
147:8, 148:22,
149:6, 149:10,
149:13, 150:8,
151:1, 151:2,
151:23, 151:26,
152:4, 152:6,
152:11
affected" [2] -
151:29, 152:1
afraid [1] - 48:23
afternoon [1] -
2:4
afterwards [2] -
36:4, 62:1
agat [9] - 3:5,
3:12, 23:10,
27:21, 29:10,
99:9, 101:27,
138:26, 140:19
age [4] - 3:8,
4:29, 15:28,
15:29
agenda [10] -
6:7, 7:22, 9:3,
14:19, 15:20,
16:18, 16:19,
35:22, 64:25,
69:8
ages [1] -
105:22
ago [16] - 23:23,
34:9, 54:5, 54:11,
56:20, 78:22,
81:2, 102:18,
104:13, 104:14,
107:28, 111:13,
125:23, 149:26,
154:22, 164:13
agree [20] -
11:12, 18:14,
25:9, 46:17,
58:13, 75:7,
77:29, 112:4,
129:9, 130:22,
147:4, 148:7,
149:21, 151:24,
156:17, 166:6,
170:12, 181:9,
187:21, 191:9
agreeable [4] -
2:12, 154:13,
154:17, 171:4
agreed [68] -
2:14, 6:1, 6:2,

6:11, 6:12, 6:17,
6:18, 6:25, 6:26,
7:9, 7:10, 7:11,
7:12, 7:29, 8:21,
8:22, 13:28, 14:1,
19:4, 22:18,
22:19, 65:27,
66:24, 72:21,
87:1, 95:5, 98:25,
98:26, 116:5,
116:6, 116:28,
131:24, 131:27,
132:1, 132:18,
133:18, 133:19,
134:8, 134:10,
135:15, 135:16,
137:24, 137:25,
138:7, 138:15,
138:16, 145:24,
149:14, 159:15,
159:16, 163:9,
163:20, 163:24,
163:25, 164:7,
164:8, 177:26,
177:27, 178:18,
179:12, 180:5,
180:6, 180:7,
180:11, 181:28,
182:29, 183:1,
191:14
agreeing [1] -
70:26
Agreement [14] -
8:8, 11:13, 21:15,
22:29, 23:1, 26:2,
31:2, 31:5, 31:8,
31:11, 31:15,
31:18, 33:18,
34:29
agreement [21] -
11:14, 21:11,
81:9, 83:10,
127:7, 147:7,
147:11, 147:16,
147:24, 148:3,
148:4, 149:6,
149:23, 150:20,
150:23, 151:11,
151:14, 151:16,
151:28, 152:13,
173:17
ahead [13] - 7:8,
21:14, 22:10,
22:18, 27:25,
29:1, 29:12,
49:23, 83:20,
84:22, 84:23,
115:2, 147:15
aim [1] - 105:11
alignment [1] -

39:24
alive [5] - 13:13,
75:25, 105:20,
106:4, 109:2
alleviate [3] -
47:26, 49:13,
187:1
alleviated [1] -
47:16
alleviating [2] -
46:29, 89:25
allotted [1] -
113:27
allow [15] -
55:22, 60:9,
68:22, 68:28,
74:29, 76:4,
82:19, 107:6,
113:1, 113:5,
125:19, 138:19,
145:2, 181:1,
190:10
allowed [13] -
37:13, 38:8, 56:5,
58:25, 59:8,
71:26, 71:28,
140:3, 140:10,
180:17, 180:18,
181:1
allows [1] - 72:8
allude [2] -
100:9, 100:11
alluded [1] -
92:14
alluding [1] -
100:24
almost [7] -
14:18, 46:10,
71:29, 85:28,
166:14, 173:5
alone [2] - 88:8,
168:20
alphabetical [1]
- 72:23
altar [1] - 105:15
alteration [1] -
174:19
alternative [2] -
93:27, 125:27
altogether [3] -
162:10, 162:21,
165:23
amalgamate [1]
- 132:16
amalgamated
[2] - 29:15, 132:15
amalgamation
[1] - 71:6
amazing [1] -
21:29

ambiguity [1] - 26:20
ambiguous [2] - 135:10, 135:11
ambitious [1] - 9:7
amend [7] - 35:11, 62:26, 66:8, 99:4, 129:18, 151:18, 151:20
amended [8] - 35:9, 35:25, 60:2, 130:26, 133:11, 136:11, 143:5, 182:20
amending [3] - 67:10, 133:8, 182:21
amendment [96] - 17:15, 18:2, 18:5, 18:14, 22:7, 26:9, 35:7, 35:17, 39:13, 62:3, 69:23, 70:12, 70:18, 70:19, 72:13, 72:14, 72:25, 73:1, 73:4, 82:9, 94:22, 104:8, 115:3, 115:4, 115:7, 115:11, 115:12, 115:26, 116:8, 118:20, 126:4, 127:10, 128:13, 128:17, 130:6, 131:11, 131:16, 131:29, 133:2, 133:5, 133:8, 133:9, 133:11, 133:12, 133:21, 134:27, 135:18, 135:22, 136:6, 136:18, 137:9, 137:21, 138:1, 138:3, 138:5, 138:8, 140:27, 141:6, 142:4, 144:1, 144:4, 152:29, 164:26, 165:4, 165:10, 165:11, 167:18, 167:20, 168:2, 169:8, 170:28, 171:4, 171:7, 171:12, 171:18, 172:3, 172:19, 176:17, 178:20, 179:15, 179:26, 180:1, 182:19, 182:23, 183:20, 185:15, 188:15, 188:16, 188:22, 189:14, 189:15, 190:20, 191:2, 191:9
Amendments [2] - 67:29, 69:12
amendments [39] - 59:8, 59:16, 65:16, 67:15, 67:18, 67:19, 67:20, 67:21, 68:1, 68:2, 68:3, 68:11, 68:12, 69:13, 69:21, 70:3, 70:22, 71:27, 76:17, 84:24, 99:4, 123:15, 125:17, 126:11, 134:20, 135:8, 137:27, 144:3, 146:24, 147:1, 155:6, 155:7, 155:8, 159:3, 159:17, 165:18, 183:11, 183:16, 183:18
amenity [16] - 81:26, 117:5, 119:20, 142:27, 144:13, 153:2, 153:15, 153:18, 153:24, 154:1, 157:26, 173:9, 173:10, 181:7, 181:16
America [1] - 96:27
amount [18] - 14:20, 21:13, 52:22, 86:25, 92:23, 96:18, 103:28, 104:20, 113:26, 120:29, 141:29, 162:13, 162:20, 166:9, 166:15, 168:19, 170:10, 170:13
analysis [1] - 36:13
anchor [1] - 104:26
angles [1] - 40:6
Annesley [1] - 115:27
Annual [2] - 65:26, 66:2
anodyne [1] - 159:26
answer [11] - 31:2, 34:22, 34:27, 36:3, 78:10, 97:9, 112:9, 121:18, 167:21, 167:29, 169:20
answerable [1] - 29:6
answered [6] - 16:22, 34:17, 34:19, 34:20, 34:22, 34:25
anti [23] - 40:25, 41:2, 41:9, 41:18, 41:27, 44:28, 48:20, 48:25, 50:3, 50:13, 53:1, 53:14, 53:17, 53:21, 54:7, 54:8, 55:3, 55:28, 56:7, 58:3, 155:14, 186:4, 186:7
anti-social [22] - 40:25, 41:2, 41:9, 41:18, 41:27, 44:28, 48:20, 48:25, 50:3, 50:13, 53:1, 53:14, 53:17, 53:21, 54:7, 54:8, 55:3, 55:28, 56:7, 58:3, 186:4, 186:7
anxious [1] - 65:21
anyway [16] - 7:5, 14:13, 15:19, 29:20, 41:13, 124:11, 133:28, 134:4, 139:8, 145:15, 147:15, 147:18, 151:17, 152:20, 157:5, 191:20
AO [2] - 182:10, 182:13
apart [2] - 171:2, 173:8
apartment [2] - 39:5, 39:15
apartments [4] - 24:20, 39:3, 56:11, 118:15
app [1] - 42:12
apparent [1] - 17:25
appeal [1] - 112:22
appealing [1] - 156:10
appearance [1] - 161:1
appeared [1] - 64:25
appease [1] - 52:19
appetite [1] - 25:5
APPLAUSE [12] - 76:11, 82:5, 83:6, 84:26, 95:1, 97:21, 101:29, 103:7, 113:10, 120:4, 124:15, 130:24
applicants [1] - 161:27
application [13] - 36:6, 108:4, 108:9, 108:16, 109:22, 119:11, 119:12, 119:15, 124:23, 139:15, 141:19, 141:20, 146:14
applications [1] - 140:25
applied [2] - 19:22, 19:23
apply [2] - 47:8, 72:10
apportion [1] - 116:27
appreciate [1] - 3:10
approach [4] - 49:10, 90:19, 102:12, 168:26
appropriate [3] - 156:7, 156:8, 164:3
approval [1] - 39:25
approve [2] - 58:27, 60:2
arbitration [1] - 31:23
architect [2] - 36:2, 53:25
architects [1] - 9:26
Architects [1] - 31:25
architectural [4] - 160:6, 162:2, 162:12, 162:18
architecture [2] - 161:6, 161:28
arctics [1] - 20:16
Ardmore [1] - 3:9
Area [4] - 67:9, 67:10, 71:22, 154:20
area [105] - 3:29, 4:8, 4:24, 4:28, 8:1, 17:16, 36:23, 36:26, 37:3, 37:10, 37:17, 40:12, 40:13, 42:11, 42:29, 43:27, 45:2, 46:19, 47:14, 47:21, 47:28, 48:22, 50:8, 50:22, 51:9, 52:5, 52:23, 52:26, 52:27, 53:1, 53:7, 54:16, 58:3, 58:8, 61:3, 61:19, 61:23, 65:1, 77:1, 77:29, 78:1, 78:3, 78:5, 81:26, 82:21, 83:17, 84:17, 86:22, 86:29, 87:18, 87:28, 87:29, 94:27, 101:19, 104:4, 104:7, 104:27, 109:25, 111:19, 117:9, 117:11, 118:12, 120:8, 122:4, 123:2, 126:27, 127:16, 127:17, 132:16, 139:6, 140:2, 153:24, 154:1, 155:2, 155:29, 156:6, 156:7, 156:22, 156:25, 157:16, 157:17, 157:18, 157:26, 158:21, 158:22, 162:10, 162:12, 162:14, 162:18, 167:27, 174:19, 174:26, 175:16, 175:17, 175:29, 183:23, 186:25, 187:2, 187:4, 187:5, 187:23, 188:27, 190:12, 190:25
areas [14] - 44:3, 64:27, 79:26, 94:17, 112:10, 153:17, 158:15, 160:7, 160:14, 160:24, 164:10, 185:5, 190:8
argue [4] - 124:7, 143:7, 149:9, 150:25
argument [11] - 24:23, 63:15, 77:15, 79:15, 80:17, 93:26, 97:26, 111:15, 112:1, 153:8, 158:9
arguments [2] - 153:6, 173:9
arise [1] - 22:22
arises [3] - 24:3, 24:4, 79:11
Arklow [3] - 4:24, 115:28, 115:29
arrived [1] - 29:25
article [1] - 10:21
articulate [2] - 34:3, 102:13
AS [1] - 2:2
asinine [2] - 95:29, 96:2
aspect [3] - 15:13, 68:16, 119:1
aspects [1] - 93:23
aspire [1] - 117:23
Assembly [1] - 66:21
assess [1] - 190:29
assessed [2] - 36:11, 37:10
assessment [2] - 164:3, 180:2
asset [1] - 94:28
assigned [1] - 31:23
assisting [1] - 76:16
associated [2] - 3:23, 25:16
association [1] - 3:18
assume [1] - 51:8
assumptions [2] - 94:5, 106:14
assurance [4] - 19:19, 19:26, 20:1, 188:7
assurances [3] -

22:17, 22:25,
27:16
assure [1] -
31:19
assured [3] -
17:4, 17:9,
126:15
AT [3] - 1:7, 1:9,
192:8
Atlantic [1] -
80:1
attached [1] -
17:24
attempt [4] -
55:17, 55:20,
55:23, 82:18
attempted [1] -
55:12
attempting [1] -
161:3
attend [2] -
68:20, 75:17
attended [6] -
75:13, 76:21,
127:20, 127:23,
173:16, 173:19
attention [2] -
102:7, 171:11
attenuation [2] -
116:3, 119:14
attitude [1] -
53:20
attraction [1] -
117:9
attractive [1] -
172:13
Audit [2] - 6:29,
7:8
audit [12] -
56:27, 57:2, 57:6,
60:8, 60:9, 61:15,
61:16, 63:1, 63:4,
63:8, 64:23
August [2] -
21:29, 77:20
Authorities [1] -
83:26
authority [1] -
36:10
Authority [7] -
36:13, 36:18,
57:14, 59:29,
71:7, 114:22,
149:7
Authority's [1] -
57:17
automatically
[2] - 23:2, 155:28
available [3] -
79:12, 166:16,
167:24
average [1] -
104:21
Avondale [2] -
7:16, 8:12
aware [10] - 9:2,
42:17, 69:2,
139:12, 140:7,
154:28, 158:8,
161:16, 190:12
awash [1] -
99:15
awful [11] -
10:15, 12:29,
14:7, 28:16,
28:25, 64:13,
85:10, 105:13,
158:20, 158:21,
189:25
awhile [2] -
51:27, 107:26

B

background [4]
- 15:11, 94:1,
125:23, 126:12
backing [4] -
16:12, 54:27,
97:11, 187:7
backup [1] -
178:6
backwards [2] -
84:21, 84:22
bad [2] - 158:1,
186:29
badly [3] -
49:28, 91:4,
168:18
bail [1] - 83:26
balance [5] -
85:12, 85:13,
93:1, 170:14,
170:25
balancing [1] -
170:9
ball [1] - 45:6
Ballymore [1] -
23:28
Baltinglass [3] -
4:8, 4:11, 103:12
bang [1] - 105:3
banked [3] -
96:28, 96:29
Bannons [3] -
11:24, 17:26,
24:9
Bannons' [1] -
23:22

bare [1] - 56:29
barely [1] -
111:22
Barracuda [1] -
29:3
barrels [1] - 7:25
barrier [1] - 42:1
base [1] - 94:14
based [6] - 13:3,
32:17, 57:22,
94:6, 106:4,
113:27
basic [1] - 43:28
basis [11] - 9:19,
20:1, 47:25, 56:2,
73:14, 126:14,
128:1, 160:12,
176:28, 185:12,
188:28
battle [1] - 84:16
bays [1] - 20:15
bean's [1] -
172:7
bear [2] - 50:18,
78:21
bearing [1] -
40:18
beautiful [2] -
81:24, 161:6
became [1] -
156:5
become [3] -
18:18, 41:28,
155:28
becomes [1] -
50:9
becoming [3] -
44:2, 95:13,
157:9
bed [8] - 38:7,
38:9, 38:14,
38:21, 38:22,
38:23, 92:12
bedroom [3] -
139:16, 139:19,
140:14
beginning [3] -
11:18, 67:26,
69:11
behalf [2] -
110:11, 115:5
Behan [47] -
5:15, 18:11, 21:4,
22:21, 25:10,
69:8, 69:18,
69:19, 70:3,
70:24, 82:29,
85:1, 103:1,
110:9, 115:3,
115:5, 123:21,
133:21, 137:24,
150:16, 151:10,
159:1, 159:3,
162:23, 164:25,
165:4, 165:13,
165:16, 167:21,
167:29, 168:10,
170:26, 172:9,
172:27, 174:25,
177:20, 178:18,
178:19, 179:14,
179:23, 183:23,
184:10, 184:16,
187:23, 189:18,
190:11
BEHAN [47] -
5:16, 18:12,
70:23, 70:25,
110:10, 110:15,
113:16, 123:11,
123:23, 127:14,
132:19, 133:23,
143:10, 150:18,
151:5, 159:5,
163:13, 164:12,
165:17, 170:27,
171:5, 171:19,
171:24, 171:27,
172:5, 172:28,
174:15, 175:15,
175:20, 176:2,
176:5, 176:10,
176:13, 176:19,
177:12, 177:18,
177:22, 179:20,
179:24, 183:2,
183:8, 184:17,
185:19, 188:16,
188:25, 188:28,
189:7
Behan's [21] -
22:15, 70:12,
94:23, 115:10,
118:19, 165:10,
168:8, 169:4,
171:7, 171:9,
171:12, 171:17,
172:9, 174:5,
174:6, 174:11,
174:22, 187:21,
187:22, 188:24,
188:26
behaviour [19] -
40:25, 41:2, 41:9,
41:19, 41:27,
44:28, 48:20,
48:25, 50:3,
50:13, 53:2,
53:14, 53:18,
53:21, 55:29,
56:7, 58:3, 186:5,
186:7
behind [10] -
21:18, 44:27,
49:8, 64:24,
75:23, 119:2,
136:14, 174:29,
175:17, 176:28
below [1] - 37:3
belt [1] - 174:29
benefit [8] -
17:14, 71:17,
82:2, 106:2,
119:23, 129:3,
152:15, 153:8
benefits [1] -
189:27
Bernadette [1] -
69:26
beside [8] -
84:5, 112:11,
112:12, 112:13,
112:14, 140:6,
184:6
Best [1] - 78:19
best [14] - 10:8,
10:14, 10:25,
16:14, 16:25,
28:17, 28:18,
57:11, 57:15,
119:5, 119:18,
119:26, 128:14,
162:2
better [14] -
62:10, 78:16,
102:16, 116:16,
120:10, 121:28,
127:17, 127:28,
132:14, 132:23,
188:3, 189:25,
191:18, 191:23
between [12] -
5:22, 29:29, 30:1,
32:22, 37:9,
38:24, 38:28,
39:16, 64:29,
81:29, 175:26,
180:19
bid [2] - 19:1,
29:19
bidders [1] -
12:1
Big [1] - 158:14
big [26] - 11:24,
20:16, 32:16,
33:3, 61:10,
89:11, 89:21,
90:21, 90:23,
91:14, 92:5, 92:7,
97:10, 97:13,
100:13, 101:26,
109:17, 110:27,
112:7, 120:14,
123:28, 139:9,
140:14, 178:11,
178:13, 185:10
bigger [5] -
32:23, 96:14,
107:2, 112:23,
112:24
biggest [2] -
47:24, 51:27
birth [1] - 76:2
bit [31] - 9:7,
11:8, 14:13,
15:10, 20:11,
21:22, 22:3,
40:25, 47:27,
61:3, 61:12,
64:17, 76:4,
95:14, 96:10,
105:2, 128:7,
137:3, 138:23,
142:17, 145:26,
151:9, 152:29,
154:27, 154:28,
158:12, 161:27,
170:9, 175:3,
177:6, 187:15
black [3] - 51:2,
51:6, 152:22
blah [3] - 102:23
blah-blah-blah
[1] - 102:23
blatantly [1] -
27:5
Blessington [2]
- 54:16, 160:21
blind [1] -
189:22
blips [1] - 42:24
block [2] -
54:21, 175:25
bloody [1] -
34:23
blot [1] - 157:9
blue [3] - 38:22,
108:13, 143:25
Board [2] -
119:10, 119:12
board [6] -
11:26, 32:8,
42:19, 93:12,
107:29, 124:24
Board's [1] -
141:17
boardwalk [1] -
122:1
bogus [2] -
111:15, 111:29
bonuses [1] -

86:3
boo [1] - 53:19
book [1] - 54:8
boot [1] - 100:29
Bord [7] - 13:19, 77:9, 85:16, 110:1, 139:5, 146:11, 185:7
born [2] - 91:1, 157:17
bottle [4] - 7:24, 8:10, 8:11, 8:13
bottles [1] - 7:26
bottom [2] - 63:20, 126:22
bought [8] - 12:28, 28:8, 28:9, 29:15, 54:22, 185:10, 186:18
bound [1] - 61:16
boundaried [1] - 40:7
boundaries [1] - 161:10
boundary [2] - 62:16, 132:17
bounded [1] - 8:26
Bourke [1] - 51:18
BOURKE [1] - 51:19
box [1] - 38:21
brainer [1] - 52:12
brand [1] - 86:7
branded [1] - 53:22
branding [1] - 55:2
brands [1] - 105:3
brave [1] - 16:8
Bray [177] - 4:8, 5:21, 7:15, 8:26, 9:1, 9:23, 12:9, 12:14, 12:20, 12:29, 14:6, 14:10, 15:18, 15:19, 15:22, 15:24, 15:27, 16:6, 16:19, 16:21, 16:23, 17:14, 19:4, 19:7, 20:24, 25:1, 25:3, 25:6, 25:20, 25:22, 27:6, 27:8, 27:17, 29:28, 29:29, 30:2, 30:8, 30:21, 32:3, 33:9, 33:10, 34:11, 34:12, 65:22, 67:8, 71:5, 71:8, 71:11, 71:12, 71:18, 71:19, 71:25, 72:6, 72:15, 72:28, 72:29, 73:2, 73:4, 73:9, 73:17, 73:21, 74:10, 75:12, 75:15, 76:5, 77:9, 77:11, 77:18, 78:9, 81:15, 81:17, 82:10, 82:25, 83:23, 83:29, 84:12, 84:15, 84:17, 85:1, 86:7, 86:13, 86:15, 86:16, 86:18, 87:1, 87:18, 87:29, 88:7, 88:21, 89:16, 89:29, 90:22, 90:23, 91:1, 91:2, 91:17, 91:22, 91:24, 92:19, 93:1, 93:2, 93:10, 93:18, 99:12, 99:16, 99:26, 100:16, 101:3, 102:3, 102:4, 102:5, 102:29, 103:3, 103:26, 103:29, 104:12, 104:14, 104:20, 104:21, 104:28, 105:17, 105:20, 105:21, 105:23, 105:24, 106:5, 106:18, 107:9, 107:16, 107:21, 107:24, 110:6, 111:21, 111:28, 112:10, 113:2, 113:4, 113:28, 119:24, 120:28, 121:3, 121:23, 121:27, 123:2, 125:25, 127:6, 134:29, 140:29, 142:10, 143:2, 143:5, 144:17, 147:27, 156:8, 158:20, 159:10, 159:11, 160:8, 161:17, 162:11, 166:26, 169:21, 175:14, 176:5, 176:7, 178:11
breach [2] - 79:4, 92:17
breached [1] - 80:11
break [1] - 139:16
breaking [1] - 148:28
bred [1] - 91:1
brew [1] - 92:13
Bridge [2] - 101:16, 101:21
bridge [2] - 87:10, 104:29
Bridget [1] - 5:4
brief [6] - 66:12, 78:17, 121:12, 121:13, 153:9, 155:11
briefed [1] - 153:22
briefly [5] - 99:12, 103:9, 103:20, 153:21, 160:19
brilliant [1] - 102:23
bring [19] - 7:26, 8:29, 13:12, 14:2, 14:17, 14:20, 52:18, 63:4, 65:24, 87:9, 93:11, 94:28, 96:9, 108:8, 118:24, 119:22, 121:5, 121:29, 174:12
bringing [2] - 46:27, 63:10
broad [1] - 152:5
brochure [1] - 9:15
broke [1] - 38:11
broken [1] - 175:26
Brook [4] - 185:27, 186:14, 187:11, 187:27
brother [2] - 3:2, 5:7
brought [6] - 106:7, 146:23, 153:2, 153:3, 153:4, 191:9
browbeat [1] - 150:4
brown [4] - 139:14, 139:17, 140:4, 140:12
Buckley [1] - 136:8
Budget [1] - 6:14
buffer [3] - 174:29, 175:26, 177:24
buffered [1] - 38:27
build [25] - 8:10, 20:27, 21:16, 21:29, 30:18, 31:15, 32:18, 41:24, 41:28, 83:13, 85:21, 87:7, 90:2, 90:3, 94:5, 96:12, 96:13, 96:26, 97:14, 97:15, 101:13, 141:28, 145:4, 173:3
builder [1] - 167:6
builders [1] - 51:27
building [13] - 8:13, 31:22, 44:1, 44:2, 46:22, 46:23, 49:21, 87:7, 96:24, 157:23, 161:2, 161:4, 161:14
buildings [6] - 84:21, 119:3, 135:9, 161:15, 161:18, 162:14
BUILDINGS [1] - 1:7
built [34] - 8:14, 10:3, 13:5, 17:8, 17:9, 19:6, 30:1, 30:18, 30:19, 33:6, 40:16, 43:21, 44:11, 47:26, 53:6, 54:4, 80:13, 85:25, 85:29, 87:5, 88:26, 89:4, 89:27, 92:21, 95:17, 95:25, 96:7, 118:1, 122:1, 122:2, 140:4, 143:13
bulk [1] - 116:12
bumper [1] - 37:9
bunch [1] - 101:5
bungalow [1] - 137:6
burden [1] - 167:6
buried [1] - 3:8
Bus [1] - 182:5
bus [8] - 37:22, 38:2, 41:5, 43:11, 43:13, 52:18, 89:20, 95:21
buses [1] - 106:28
business [7] - 11:21, 23:25, 100:14, 101:5, 101:26, 104:27, 175:18
Business [1] - 23:17
businesses [2] - 18:22, 78:3
businessman [1] - 4:23
bust [2] - 73:27, 101:9
busy [3] - 41:9, 118:5, 122:11
button [1] - 156:29
buy [7] - 12:23, 13:25, 16:8, 17:3, 29:22, 101:8, 111:11
buying [1] - 111:9
Byrne [2] - 5:7

C

calculation [1] - 73:22
cam [1] - 165:15
campus [1] - 170:20
cannot [2] - 35:8, 94:4
capacity [1] - 94:16
car [19] - 9:6, 16:1, 28:2, 28:11, 32:5, 33:7, 49:4, 59:12, 60:1, 60:3, 60:6, 62:12, 62:14, 63:1, 108:12, 108:28, 136:2, 137:4, 139:25
careful [2] - 63:26, 85:11
carefully [2] - 75:22, 127:21
Carlow [3] - 4:21, 4:23, 105:10
carriage [1] - 108:20
carriageway [6] - 40:6, 41:10, 41:11, 41:18, 42:1, 52:16
Carrickmines [7] - 12:18, 91:19, 92:1, 100:23, 104:23, 110:28, 111:18
carried [4] - 56:27, 100:29, 153:29, 154:8
Carrig [1] - 54:19
carry [1] - 45:1
carrying [1] - 161:20
cars [4] - 111:22, 111:24, 139:20, 140:2
case [15] - 33:17, 60:21, 68:9, 95:11, 98:4, 99:18, 107:15, 126:15, 139:13, 141:10, 141:13, 145:14, 146:11, 180:27
cases [3] - 68:10, 146:11, 184:19
cast [2] - 81:17, 149:14
castle [1] - 188:9
Castle [5] - 111:19, 136:12, 136:14, 183:22, 186:27
catastrophic [1] - 77:18
cater [2] - 89:18, 168:18
catered [1] - 160:15
Cathaoirleach [90] - 2:21, 2:23, 3:5, 3:25, 5:16, 7:20, 9:1, 12:8, 14:24, 15:16, 17:10, 17:12, 20:5, 22:14, 23:9, 23:10, 26:24, 27:2, 27:21, 27:22, 29:10, 39:29, 42:8,

43:17, 47:18, 49:24, 49:26, 50:29, 51:19, 51:29, 53:11, 64:3, 64:6, 65:4, 67:11, 69:24, 70:25, 76:13, 82:8, 83:9, 90:6, 99:9, 102:2, 110:13, 113:7, 114:4, 114:8, 114:11, 116:1, 120:2, 121:10, 121:13, 123:3, 123:24, 124:13, 124:17, 128:18, 129:12, 129:20, 132:19, 133:4, 133:23, 134:26, 135:23, 138:1, 138:26, 140:19, 140:21, 142:6, 143:12, 146:2, 149:5, 150:18, 155:4, 157:12, 159:5, 160:19, 162:6, 162:29, 164:27, 167:15, 169:18, 171:19, 172:28, 175:15, 176:20, 185:15, 189:29, 190:1

CATHAOIRLEA
CH [279] - 2:4, 2:15, 2:19, 2:22, 3:4, 3:13, 3:22, 4:2, 4:17, 5:2, 5:9, 5:13, 6:1, 6:4, 6:11, 6:13, 6:20, 6:25, 6:27, 7:3, 7:7, 7:13, 8:17, 8:20, 8:24, 12:7, 13:15, 14:23, 15:15, 17:11, 18:3, 18:5, 18:9, 20:4, 22:9, 22:12, 23:8, 24:12, 24:28, 25:24, 26:23, 26:29, 27:20, 29:11, 30:14, 30:24, 30:27, 33:13, 34:15, 34:17, 34:19, 34:22, 34:25, 35:6, 35:17, 35:22, 39:28, 42:7, 43:6, 43:16, 46:15, 47:17, 49:25, 50:28, 51:18, 51:28, 53:10, 55:4, 57:18, 58:12, 58:23, 61:29, 62:10, 64:2, 64:4, 65:7, 65:14, 65:20, 66:11, 66:15, 66:17, 66:19, 66:23, 66:26, 67:3, 67:7, 67:24, 69:2, 69:14, 69:22, 70:2, 70:24, 76:12, 82:7, 83:8, 84:28, 90:5, 93:19, 95:3, 95:7, 95:10, 97:23, 99:8, 102:1, 103:9, 110:9, 110:14, 114:1, 114:9, 114:13, 115:2, 115:10, 115:13, 115:15, 115:20, 115:24, 120:6, 120:25, 121:9, 121:12, 123:4, 123:9, 123:17, 123:19, 123:21, 125:4, 125:12, 125:15, 126:2, 126:6, 127:12, 128:2, 128:11, 128:16, 129:8, 129:18, 130:16, 130:26, 130:29, 131:5, 131:9, 131:13, 131:16, 131:24, 131:27, 132:1, 132:21, 132:27, 133:2, 133:13, 133:15, 133:18, 133:20, 134:8, 134:11, 134:16, 134:21, 135:2, 135:6, 135:14, 135:22, 135:25, 135:29, 137:21, 137:24, 137:26, 138:13, 138:17, 138:25, 140:20, 141:7, 141:22, 142:5, 142:8, 143:22, 143:29, 144:6, 144:19, 145:22, 145:24, 146:17, 146:21, 146:27, 146:29, 148:9, 149:4, 149:18, 149:24, 150:10, 150:16, 151:1, 151:6, 151:22, 152:1, 152:8, 152:20, 152:28, 155:5, 156:12, 156:14, 156:28, 157:11, 157:19, 158:6, 158:11, 158:25, 159:1, 159:15, 159:17, 160:1, 160:3, 160:5, 160:17, 162:7, 162:22, 162:27, 163:7, 163:10, 163:20, 163:26, 164:7, 164:9, 164:24, 165:12, 165:15, 167:16, 169:7, 170:8, 170:26, 171:1, 171:13, 171:16, 171:22, 171:26, 172:1, 172:7, 172:15, 172:19, 172:23, 172:26, 173:21, 177:1, 177:20, 177:26, 178:17, 178:28, 179:3, 179:9, 179:13, 179:18, 179:26, 180:5, 180:8, 180:11, 181:3, 182:3, 182:10, 182:12, 183:6, 183:9, 183:13, 183:16, 183:18, 184:14, 185:18, 185:21, 187:15, 187:18, 187:29, 188:13, 188:21, 189:12, 189:16, 189:28, 190:16, 191:4, 191:16, 192:1, 192:3

caught [1] - 97:16

causes [1] - 162:17

caution [2] - 77:23, 77:26

CCTV [1] - 52:27

CE [11] - 68:1, 69:23, 103:19, 131:21, 133:28, 135:26, 159:3, 159:18, 160:12, 165:13, 179:26

CE's [8] - 97:4, 123:10, 135:22, 135:26, 138:13, 163:10, 171:18, 172:20

central [1] - 42:1

centre [27] - 9:14, 12:14, 15:1, 15:2, 15:10, 20:15, 21:16, 27:27, 31:16, 32:18, 33:6, 35:4, 54:23, 86:26, 87:4, 92:2, 100:19, 100:20, 104:15, 105:11, 108:11, 110:27, 111:17, 112:8, 121:26, 161:29

Centre [30] - 7:15, 14:19, 18:19, 23:12, 27:24, 29:27, 33:24, 79:21, 86:24, 87:2, 87:3, 87:6, 87:8, 87:9, 87:11, 100:19, 103:22, 103:23, 104:25, 112:14, 112:15, 112:17, 118:12, 120:12, 120:18, 120:20, 120:21, 135:4, 135:8, 137:10

Centre" [1] - 135:4

centres [1] - 105:9

CEO [1] - 17:26

certain [6] - 15:28, 21:12, 86:25, 100:24, 106:28, 191:7

certainly [26] - 10:23, 14:6, 23:27, 29:20, 30:10, 60:23, 64:15, 69:3, 87:25, 89:5, 103:1, 112:28, 121:5, 146:4, 156:16, 156:22, 156:24, 156:26, 157:13, 165:9, 170:9, 171:5, 173:7, 173:17, 184:24, 188:10

certainty [1] - 78:8

certifiers [1] - 31:23

certify [1] - 1:19

cetera [4] - 44:12, 76:18

CFRAM [1] - 81:5

Chair [8] - 8:18, 46:16, 93:20, 106:24, 120:26, 178:9, 179:16, 188:14

chair [1] - 25:26

Chairman [49] - 2:16, 3:12, 3:14, 3:21, 4:3, 6:28, 13:16, 14:7, 14:22, 24:13, 24:29, 25:1, 25:23, 29:14, 30:12, 34:16, 34:24, 66:20, 68:25, 70:23, 78:19, 82:3, 84:29, 97:24, 120:7, 120:24, 123:16, 125:13, 125:18, 127:8, 134:7, 141:8, 148:10, 149:25, 152:3, 155:11, 157:25, 162:9, 164:12, 167:18, 169:10, 170:25, 177:2, 181:4, 183:2, 184:17, 185:24, 190:17, 192:2

Chamber [16] - 33:24, 34:3, 34:10, 42:28, 43:19, 43:20, 43:22, 71:6, 75:12, 77:12, 82:15, 87:4, 102:19, 102:21, 127:18, 146:4

Chambers [1] - 42:17

chance [11] - 9:12, 23:13, 72:1, 105:28, 112:29, 113:1, 113:3, 127:28, 141:2, 143:25, 190:2

chances [3] - 107:2, 129:23, 130:3

change [18] - 11:16, 51:13, 70:15, 74:22, 77:21, 80:20, 81:7, 81:8, 104:6, 137:12, 137:14, 150:17, 151:15, 163:19, 165:5, 165:7, 176:13, 180:16

changed [1] - 154:27

changer [2] - 92:7, 98:13

changes [7] - 23:20, 24:11, 30:19, 58:26, 80:25, 123:14, 174:27

changing [3] - 64:22, 166:3, 175:4

channel [3] - 113:20, 113:21, 119:7

chapter [6] - 68:6, 132:7, 134:14, 134:16, 159:1

Chapter [21] - 69:17, 125:18, 126:10, 132:3, 132:6, 133:2, 133:20, 134:18, 134:19, 134:20, 134:21, 137:26, 146:18, 146:28, 146:29, 159:17, 163:11, 164:9, 183:6, 183:9

chapters [1] - 68:4

charge [1] - 54:17

Charlesland [1] - 40:12

Charlie [4] - 77:19, 91:5, 107:22, 109:9

Charnwood [6] - 184:22, 184:25, 185:3, 185:26, 185:29, 187:13

charts [1] - 105:24

chase [1] - 173:1

check [1] - 141:2

Cherrywood [4] - 91:20, 91:29, 100:23, 111:18

chicken [1] - 52:15

Chief [68] - 19:27, 20:2,

30:27, 30:28,
66:13, 67:8,
67:13, 67:15,
67:19, 68:8, 68:9,
68:11, 68:12,
68:13, 68:15,
104:9, 131:22,
132:22, 133:4,
133:9, 133:10,
134:2, 134:27,
134:28, 135:7,
135:24, 136:18,
138:2, 138:8,
138:20, 139:12,
146:7, 147:10,
150:11, 153:6,
153:7, 153:12,
153:21, 154:5,
158:8, 159:6,
159:21, 163:14,
165:10, 171:8,
171:11, 172:10,
179:29, 180:10,
180:14, 180:15,
182:1, 182:3,
182:18, 182:20,
182:21, 182:22,
182:25, 183:12,
183:14, 184:2,
184:5, 184:28,
188:2, 188:6
child [1] - 45:28
children [1] -
166:29
children's [2] -
142:27, 144:13
choke [1] - 76:2
choose [1] -
77:22
chose [1] -
12:13
Chris [1] -
151:17
Christine [3] -
14:16, 25:18,
106:23
Christmas [6] -
4:29, 10:26,
11:22, 30:12,
93:13, 170:28
Christy [2] -
126:2, 151:22
chronological
[2] - 68:3, 132:2
church [1] -
105:15
CIE [1] - 43:13
cinema [1] -
86:28
circles [1] -
27:19
circuitous [1] -
37:25
circulate [4] -
18:6, 143:27,
169:22, 169:23
circulated [8] -
18:1, 18:10,
23:14, 26:8, 26:9,
26:22, 67:27
circulated [2] -
7:18, 8:29
circumstances
[1] - 112:29
circus [2] -
64:17, 95:14
civic [2] - 92:2,
161:5
clad [1] - 63:23
cladded [1] -
45:11
cladding [5] -
49:1, 61:7, 62:6,
62:17, 63:27
claim [1] - 152:6
clarification [5] -
15:5, 15:13,
33:15, 58:29,
157:20
clarified [3] -
25:12, 34:7,
163:3
clarify [2] -
175:15, 178:17
clarity [2] -
117:26, 191:5
classic [1] - 98:4
classify [1] -
122:13
clause [3] - 31:6,
31:10, 31:24
clear [18] -
14:25, 26:14,
26:19, 32:17,
33:29, 48:26,
53:28, 63:21,
72:14, 73:3,
114:23, 127:23,
131:5, 131:6,
139:24, 142:7,
142:8, 184:28
clearing [1] -
54:26
clearly [4] -
81:16, 83:12,
98:7, 180:1
Clerk [1] -
106:23
cliché [1] - 42:11
cliff [1] - 117:21
climate [5] -
74:22, 77:21,
80:20, 81:7, 81:8
climatologist [1]
- 80:18
clinched [2] -
80:16, 81:3
CLLR [356] -
2:16, 2:23, 3:5,
3:14, 3:23, 4:3,
4:19, 5:16, 6:28,
7:5, 7:6, 8:18,
8:19, 12:8, 13:16,
14:24, 15:16,
17:12, 18:4, 18:7,
18:12, 20:20,
22:14, 23:7, 23:9,
24:13, 24:29,
25:26, 26:24,
27:2, 27:21,
29:14, 30:16,
30:25, 33:15,
34:16, 34:18,
34:21, 34:23,
34:26, 35:1, 35:7,
35:13, 35:15,
35:19, 39:29,
42:8, 43:7, 43:17,
46:16, 47:18,
49:26, 50:29,
51:19, 51:29,
53:11, 57:19,
57:25, 57:29,
58:2, 58:11,
58:13, 58:24,
59:17, 60:1,
60:10, 60:27,
60:29, 61:1, 61:2,
61:5, 61:7, 61:17,
61:22, 61:25,
61:28, 62:2, 62:9,
62:14, 62:28,
63:7, 63:13,
63:17, 63:18,
63:21, 63:24,
63:25, 63:27,
64:1, 64:3, 64:6,
65:5, 65:9, 65:11,
65:12, 65:13,
65:16, 66:16,
66:18, 66:20,
66:25, 67:5,
68:25, 69:10,
70:23, 70:25,
76:13, 82:8, 83:9,
84:29, 89:25,
90:6, 93:20,
95:13, 97:24,
99:9, 102:2,
110:10, 110:15,
113:16, 114:3,
114:4, 114:8,
114:10, 114:12,
114:14, 114:20,
114:23, 115:1,
115:23, 115:25,
116:25, 120:7,
120:26, 121:10,
121:13, 123:5,
123:11, 123:16,
123:20, 123:23,
125:7, 125:9,
125:10, 125:11,
125:13, 125:14,
125:18, 126:4,
126:7, 126:9,
126:10, 127:14,
128:8, 128:18,
128:21, 128:26,
128:28, 129:1,
129:5, 129:7,
129:10, 129:12,
130:6, 130:18,
130:22, 130:28,
131:2, 131:7,
131:19, 131:26,
132:9, 132:19,
133:16, 133:17,
133:23, 134:7,
134:15, 134:24,
134:25, 135:5,
135:19, 135:23,
135:28, 137:23,
137:28, 138:7,
138:12, 138:26,
140:21, 141:8,
141:25, 142:4,
142:6, 142:10,
143:10, 143:11,
143:12, 143:15,
143:18, 143:21,
143:27, 144:5,
144:9, 144:20,
144:25, 145:1,
145:5, 145:18,
145:23, 145:26,
145:29, 146:1,
146:20, 146:25,
146:28, 147:2,
147:14, 147:20,
147:23, 148:1,
148:10, 149:5,
149:15, 149:20,
149:25, 150:11,
150:17, 150:18,
151:5, 151:7,
151:10, 151:19,
151:24, 151:28,
151:29, 152:3,
152:10, 153:2,
155:11, 156:13,
156:16, 157:1,
157:12, 157:20,
157:25, 158:1,
158:2, 158:7,
158:13, 159:5,
159:28, 160:4,
160:11, 160:19,
162:9, 162:29,
163:8, 163:13,
163:22, 163:23,
164:5, 164:12,
165:17, 167:18,
169:10, 169:23,
169:28, 170:6,
170:9, 170:27,
171:5, 171:6,
171:14, 171:19,
171:24, 171:27,
172:5, 172:6,
172:28, 173:24,
173:28, 174:2,
174:4, 174:15,
174:17, 175:3,
175:9, 175:15,
175:19, 175:20,
176:1, 176:2,
176:5, 176:10,
176:13, 176:19,
177:2, 177:12,
177:15, 177:18,
177:19, 177:22,
177:28, 178:9,
178:24, 178:29,
179:6, 179:8,
179:16, 179:20,
179:24, 180:12,
181:4, 181:9,
181:11, 181:15,
181:21, 181:24,
182:7, 182:14,
182:24, 182:27,
182:28, 183:2,
183:8, 183:14,
183:17, 183:21,
183:27, 184:1,
184:4, 184:8,
184:17, 185:19,
185:24, 187:16,
187:22, 188:1,
188:12, 188:14,
188:16, 188:19,
188:25, 188:26,
188:28, 189:7,
189:15, 189:17,
189:29, 190:17,
191:5, 191:13,
191:26, 191:28,
192:2
cllr [9] - 4:2,
8:20, 27:20,
30:15, 150:16,
158:6, 158:11,
159:3, 189:28
Clir [336] - 2:22,
3:4, 3:13, 3:22,
4:18, 5:15, 6:4,
6:10, 6:11, 6:16,
6:17, 6:23, 6:24,
8:17, 12:7, 13:15,
13:17, 13:26,
14:23, 15:15,
17:11, 18:11,
18:13, 18:27,
20:5, 20:22, 21:4,
22:7, 22:13,
22:15, 22:21,
23:8, 24:12,
24:28, 25:9,
25:24, 26:6,
26:23, 26:25,
27:1, 29:13,
29:24, 30:9,
30:16, 31:3,
31:29, 32:3,
33:13, 39:28,
42:7, 43:6, 43:16,
43:24, 45:15,
46:15, 46:22,
47:17, 49:25,
50:2, 50:28,
51:18, 51:28,
53:10, 57:18,
58:12, 58:13,
58:23, 58:25,
64:2, 65:9, 65:14,
65:17, 68:24,
69:8, 69:9, 70:3,
70:12, 70:18,
70:24, 72:25,
72:26, 76:12,
82:7, 82:29, 83:8,
84:28, 85:1,
88:23, 90:5,
90:21, 92:13,
93:19, 94:3,
94:10, 94:23,
95:12, 95:19,
96:6, 97:12,
97:23, 98:12,
99:8, 100:12,
102:1, 103:1,
104:17, 106:11,
110:9, 114:1,
114:13, 115:3,
115:5, 115:7,
115:10, 115:14,
115:21, 115:22,
116:23, 117:20,
118:19, 120:6,
120:25, 123:7,
123:17, 123:21,
125:12, 125:16,
126:11, 127:14,

128:3, 128:5,
128:6, 128:8,
128:9, 128:11,
128:12, 128:13,
128:16, 128:19,
128:27, 128:28,
129:2, 129:8,
129:9, 129:11,
130:8, 130:17,
130:21, 130:29,
131:4, 131:16,
132:4, 132:7,
133:3, 133:8,
133:21, 134:11,
134:12, 134:17,
134:22, 134:23,
135:6, 135:10,
135:13, 135:14,
135:19, 137:24,
137:27, 138:1,
138:4, 138:11,
138:13, 138:14,
138:17, 138:25,
140:20, 140:24,
140:27, 141:6,
141:7, 141:9,
142:5, 142:7,
142:8, 142:15,
143:11, 143:20,
144:2, 144:3,
146:3, 146:15,
146:21, 146:24,
148:9, 148:10,
149:4, 149:24,
150:10, 150:19,
150:24, 150:29,
151:5, 151:6,
151:10, 152:20,
152:23, 152:25,
152:26, 152:28,
155:6, 155:10,
155:18, 156:12,
156:14, 156:18,
156:28, 157:2,
157:11, 157:14,
157:19, 158:27,
158:28, 159:1,
160:1, 160:3,
160:17, 162:7,
162:23, 162:27,
164:6, 164:25,
165:4, 165:6,
165:10, 165:13,
165:14, 165:16,
167:17, 167:21,
167:29, 168:8,
168:10, 169:4,
169:9, 170:8,
170:12, 170:23,
170:24, 170:26,
171:4, 171:7,

171:9, 171:12,
171:13, 171:17,
171:18, 172:7,
172:8, 172:9,
172:19, 172:22,
172:23, 172:27,
173:21, 173:29,
174:5, 174:6,
174:10, 174:11,
174:14, 174:18,
174:22, 174:24,
174:25, 175:16,
177:1, 177:20,
178:18, 178:19,
178:21, 178:23,
179:9, 179:10,
179:11, 179:12,
179:14, 181:3,
181:27, 181:28,
182:2, 182:8,
182:9, 182:11,
182:12, 182:22,
183:5, 183:10,
183:19, 183:23,
183:24, 184:9,
184:10, 184:11,
184:16, 185:21,
185:22, 185:23,
187:10, 187:20,
187:21, 187:22,
187:23, 187:29,
188:12, 188:13,
188:17, 188:23,
188:24, 188:26,
189:12, 189:18,
190:11, 190:16,
190:29, 191:4,
191:6, 191:12
close [10] - 57:7,
63:9, 77:20, 87:2,
87:9, 105:11,
105:18, 132:10,
136:15, 174:8
Close [5] -
36:20, 36:22,
37:24, 48:13,
50:16
closed [1] -
52:13
closely [1] -
161:27
closer [1] -
91:26
closest [2] -
148:23, 186:1
Club [12] - 2:26,
68:21, 68:22,
69:7, 73:10,
89:17, 89:26,
92:19, 101:8,

116:5, 123:10,
124:12
club [2] - 3:27,
3:28
cluster [2] -
132:11, 132:17
coastal [2] -
78:15, 79:29
coffers [1] -
130:5
cogent [1] -
77:15
coke [1] - 53:18
cold [2] - 76:22,
103:12
collapsed [1] -
97:2
colleague [1] -
102:20
colleagues [8] -
46:17, 47:19,
52:1, 77:10,
97:18, 101:23,
110:12, 115:5
colour [2] -
38:21, 108:12
combination [1]
- 165:23
combined [1] -
133:13
comfort [2] -
78:1, 78:2
comfortably [1]
- 39:6
coming [18] -
10:16, 42:14,
45:21, 94:1,
101:25, 115:28,
127:25, 139:2,
140:24, 148:11,
151:13, 165:4,
168:10, 178:4,
185:28, 189:4,
189:25
COMMENCED
[1] - 2:1
**commenceme
nt** [1] - 99:1
commences [1]
- 5:13
commend [3] -
16:7, 18:23,
42:20
comment [6] -
22:7, 57:25, 76:6,
104:8, 144:19,
171:9
comments [5] -
25:10, 57:20,
58:13, 132:21,

168:14
commercial [4] -
85:14, 136:10,
136:15
commercially
[1] - 26:3
commissioned
[2] - 87:20, 88:11
commit [1] -
98:6
commitment [3]
- 3:28, 50:22,
188:11
commitments
[1] - 190:5
committed [2] -
3:27, 91:6
committees [1] -
8:13
common [1] -
102:12
communicate
[4] - 43:29, 46:25,
47:14, 48:3
**communicatio
n** [3] - 43:27,
43:28, 46:21
communities [8]
- 46:22, 46:24,
48:2, 118:11,
118:24, 119:5,
121:29
Community [2] -
3:1, 163:16
community [25]
- 3:16, 3:18,
76:26, 79:25,
81:23, 82:2,
85:13, 86:4, 93:3,
100:15, 101:27,
112:6, 117:12,
118:4, 118:6,
118:7, 118:13,
118:16, 119:23,
152:16, 166:28,
170:16, 170:19
company [6] -
9:8, 19:5, 21:28,
23:26, 73:27,
114:24
Company [1] -
101:6
compared [1] -
177:8
comparing [1] -
100:25
comparison [1]
- 111:12
compensate [1]
- 180:21

compensation
[3] - 7:29, 8:2,
175:11
compete [2] -
110:28, 111:17
competing [1] -
105:9
competitive [3] -
11:3, 11:11,
21:26
complain [1] -
187:28
complaining [1]
- 140:5
complement [1]
- 122:9
complete [4] -
16:3, 65:29,
85:22, 111:29
completed [9] -
10:10, 10:16,
24:15, 24:18,
24:22, 24:27,
66:3, 79:19
completed" [2] -
24:14, 24:16
completed' [1] -
24:24
completely [8] -
20:28, 106:13,
111:29, 115:25,
139:1, 140:5,
171:3, 173:6
completion [3] -
31:1, 31:21, 35:3
completion. [1] -
30:26
complex [1] -
93:22
compliance [1] -
36:15
compliant [5] -
56:12, 56:13,
57:5, 60:7, 158:9
compliment [2] -
101:17, 103:13
complimentary
[1] - 186:10
comply [1] -
154:12
compromise [7]
- 44:17, 48:9,
59:13, 62:24,
63:13, 120:27,
130:1
concentrate [1]
- 107:4
concentrated
[1] - 10:24
concept [1] -

79:3
concern [5] -
17:1, 17:9, 45:4,
72:3, 102:13
concern's [1] -
46:20
concerned [12] -
11:7, 11:8, 22:21,
40:17, 44:7,
44:23, 47:7,
73:21, 157:4,
158:22, 173:13,
186:24
concerns [20] -
27:27, 40:18,
42:19, 42:21,
44:17, 45:8,
46:29, 47:15,
47:29, 53:8,
75:16, 89:22,
102:28, 140:16,
142:15, 142:16,
146:4, 154:16,
187:2
conclusion [2] -
29:11, 36:11
concrete [2] -
41:10, 42:1
concur [2] -
52:1, 151:10
condition [3] -
19:14, 19:18,
186:19
conditions [2] -
19:28, 21:4
condolences [3]
- 3:2, 3:24, 3:29
confidential [1] -
31:13
confidentiality
[2] - 31:6, 31:10
confine [1] -
155:27
confirm [3] - 6:7,
6:13, 6:20
conflict [5] -
24:3, 24:4, 24:10,
25:13, 98:23
confused [1] -
187:15
confusing [1] -
146:2
confusion [3] -
17:25, 26:20,
69:28
congratulate [3]
- 51:20, 53:25,
99:24
**congratulation
s** [1] - 43:8

connect [1] - 117:16
connection [1] - 27:5
connectivity [3] - 98:24, 103:25, 103:29
Connects [1] - 182:6
Connolly [1] - 23:18
conscious [4] - 95:3, 146:18, 190:7
consensus [1] - 149:8
consent [1] - 148:20
conservation [2] - 160:6, 162:18
conservative [1] - 81:1
consider [11] - 7:13, 8:24, 35:23, 59:26, 67:7, 67:9, 67:21, 75:21, 113:6, 163:4, 181:5
considerably [3] - 14:8, 38:3, 38:27
consideration [6] - 49:5, 72:8, 79:5, 85:11, 109:4, 127:19
considerations [1] - 15:21
considered [11] - 47:29, 67:17, 80:29, 127:21, 137:11, 144:28, 159:14, 180:23, 181:11, 181:14, 181:22
considering [2] - 16:26, 51:26
consistent [2] - 113:28, 178:27
consistently [2] - 18:24, 77:6
consortium [2] - 19:2, 21:28
construct [1] - 75:3
constructed [1] - 108:28
construction [1] - 36:22
consult [4] - 130:8, 147:15, 148:6, 149:21
consultancy [1] - 23:24
consultation [17] - 52:4, 52:9, 55:7, 90:8, 90:10, 90:14, 147:13, 148:3, 149:11, 149:12, 150:6, 150:12, 152:14, 162:4, 169:24, 169:28, 190:18
consulted [4] - 127:7, 150:13, 151:3, 152:16
consulting [1] - 148:22
contact [1] - 49:16
contacted [1] - 139:11
contain [1] - 154:24
contains [1] - 89:19
content [1] - 41:25
contentious [1] - 152:22
context [4] - 40:10, 55:26, 164:28, 165:9
continually [1] - 9:3
continuation [2] - 75:4, 81:25
continue [5] - 10:2, 50:6, 77:3, 107:1, 156:21
contour [9] - 126:28, 126:29, 174:2, 174:3, 178:22, 179:1, 179:3, 179:7, 179:8
contract [6] - 12:2, 21:13, 22:27, 23:2, 24:13, 31:27
contradicted [1] - 33:28
contradiction [1] - 64:29
contradictions [3] - 17:25, 25:13, 26:13
contravene [1] - 189:11
contravention [1] - 124:21
contribute [2] - 130:16, 160:29
contribution [1] - 103:11
contributions [1] - 60:20
control [12] - 12:23, 13:5, 16:2, 16:3, 16:5, 16:9, 16:26, 17:3, 17:7, 17:8, 31:22, 57:13
conurbation [1] - 91:25
convenience [1] - 111:7
convenient [1] - 35:15
conversation [1] - 46:12
conveyance [4] - 108:5, 113:14, 113:20, 113:21
conveying [1] - 114:16
conveys [1] - 107:21
copied [2] - 18:9, 23:22
copy [4] - 23:13, 26:2, 26:6, 146:1
core [1] - 118:12
Cork [1] - 95:27
corner [3] - 56:25, 58:5, 116:11
corporate [2] - 10:20, 10:21
correct [6] - 66:5, 66:6, 76:17, 163:17, 175:18, 175:19
correction [1] - 170:13
correspondence [9] - 17:21, 23:11, 23:20, 25:29, 26:6, 26:21, 27:11, 33:27, 33:29
Cosgraves [2] - 165:1, 165:24
cost [5] - 9:19, 12:26, 29:15, 55:22, 106:2
costed [1] - 64:21
costing [1] - 95:18
costs [2] - 20:28, 96:22
COUNCIL [1] - 1:5
Council [83] - 2:27, 4:13, 4:16, 5:18, 6:8, 6:14, 6:22, 9:2, 12:22, 12:24, 12:25, 12:27, 13:22, 13:24, 13:27, 13:28, 13:29, 14:1, 15:5, 15:18, 16:6, 16:7, 17:20, 17:22, 17:29, 19:25, 20:25, 22:19, 24:24, 28:8, 29:19, 29:20, 29:21, 29:26, 32:3, 36:9, 36:29, 40:23, 44:16, 48:1, 49:9, 49:15, 51:23, 53:14, 54:24, 58:3, 58:21, 67:23, 71:8, 71:9, 71:13, 71:28, 72:2, 72:29, 73:9, 77:1, 77:9, 77:12, 79:23, 82:21, 85:2, 87:16, 90:22, 97:18, 101:18, 114:29, 120:8, 120:16, 129:23, 130:3, 130:4, 142:23, 142:24, 142:29, 144:9, 144:11, 144:15, 150:25, 154:1, 154:14, 165:25, 169:25
Council's [1] - 58:19
Councillor [14] - 21:24, 27:1, 32:28, 46:17, 70:5, 85:2, 100:22, 103:9, 113:23, 146:23, 157:15, 165:18, 176:15, 183:19
councillor [1] - 88:2
councillor's [1] - 86:3
Councillors [34] - 12:11, 15:26, 16:7, 18:15, 28:28, 47:23, 53:13, 55:1, 73:4, 73:11, 76:21, 76:24, 76:29, 81:15, 82:10, 82:16, 83:29, 84:12, 85:8, 85:9, 85:10, 86:2, 88:28, 102:21, 105:7, 115:6, 119:28, 123:1, 154:13, 154:15, 173:16, 188:2, 190:19
councillors [1] - 88:3
Councils [1] - 42:27
counter [1] - 179:9
country [6] - 40:5, 53:16, 54:12, 80:18, 97:13, 105:10
countryside [1] - 156:9
County [33] - 2:27, 5:18, 5:19, 5:25, 6:8, 6:14, 6:21, 7:15, 8:26, 15:4, 17:29, 22:19, 27:13, 36:9, 36:25, 43:1, 48:1, 49:9, 49:15, 51:22, 51:27, 53:15, 56:1, 79:23, 103:11, 104:15, 113:25, 113:28, 114:29, 132:24, 153:3, 157:6, 169:25
county [1] - 139:9
COUNTY [2] - 1:5, 1:7
couple [7] - 15:20, 46:6, 51:11, 70:28, 136:26, 141:8, 145:12
course [15] - 34:11, 52:2, 52:12, 69:18, 69:19, 73:19, 105:1, 105:5, 107:8, 107:20, 107:27, 108:18, 113:15, 164:11, 179:13
course" [1] - 69:20
court [2] - 141:10, 141:13
Court [8] - 139:6, 139:18, 183:10, 183:11, 183:22, 184:23, 185:18, 186:27
courteous [2] - 97:26, 99:6
courts [2] - 139:4, 141:20
cover [2] - 174:24, 185:18
covered [4] - 60:22, 92:19, 164:10, 189:16
covering [1] - 70:3
covers [4] - 89:21, 89:22, 155:29, 177:18
CPO'd [2] - 7:27, 148:15
cram [1] - 97:16
crash [1] - 13:21
create [5] - 146:9, 150:22, 153:24, 153:29, 185:8
created [1] - 153:13
creating [2] - 157:26
credit [1] - 90:18
crisis [1] - 40:19
criteria [1] - 35:29
critical [3] - 87:22, 170:15, 170:22
Cross [11] - 19:13, 19:23, 22:22, 173:8, 173:13, 175:14, 176:22, 177:4, 178:11, 178:12, 178:26
crossed [1] - 103:11
crossing [7] - 37:27, 41:9, 41:29, 45:27, 50:4, 50:5, 138:22
crucial [2] - 19:7, 92:15
crudely [1] - 21:16
crying [1] - 27:7
CSO [1] - 133:7
cubic [4] - 98:19, 104:5,

108:3, 108:6
cul [1] - 184:21
cul [9] - 37:28, 44:4, 44:6, 44:25, 44:26, 45:18, 126:20, 184:21, 185:9
cul-de-sac [7] - 37:28, 44:4, 44:6, 44:25, 44:26, 45:18, 126:20
cul-de-sacs [2] - 184:21, 185:9
Cullen [4] - 4:2, 6:16, 24:12
CULLEN [11] - 4:3, 24:13, 30:25, 34:16, 34:18, 34:21, 34:26, 35:1, 150:17, 151:10, 156:16
culprit [1] - 146:22
cultural [1] - 163:29
culvert [14] - 89:19, 92:21, 95:20, 96:25, 97:10, 98:19, 108:23, 108:26, 108:29, 113:13, 113:22, 114:15, 114:18
culverts [1] - 114:3
cure [2] - 14:6
CURRAN [9] - 60:18, 66:13, 103:20, 141:27, 145:2, 149:9, 169:20, 170:4, 172:10
current [8] - 50:15, 94:6, 140:29, 142:10, 142:14, 144:21, 155:26, 183:27
cut [2] - 20:28, 173:1
cutting [2] - 49:12, 49:13
cycle [2] - 51:23, 51:24
cycling [1] - 159:25

D

damage [3] - 83:27, 87:5, 161:24
damaged [1] - 186:7
damages [2] - 21:20, 21:25
dangerous [6] - 41:6, 41:29, 59:26, 139:25, 148:8, 189:23
Dargle [11] - 75:5, 80:21, 91:5, 92:2, 107:23, 117:15, 117:29, 146:27, 147:3, 148:15, 148:18
dark [3] - 41:1, 48:19, 48:22
DART [1] - 112:13
data [1] - 81:6
database [1] - 10:23
date [5] - 25:20, 66:22, 66:27, 67:6, 144:22
David [3] - 14:16, 25:19, 100:10
DAY [1] - 2:1
day-to-day [1] - 47:25
days [4] - 9:28, 29:17, 34:7, 112:24
de [9] - 37:28, 44:4, 44:6, 44:25, 44:26, 45:18, 126:20, 184:21, 185:9
dead [1] - 112:20
deal [16] - 16:24, 16:25, 36:2, 66:26, 66:29, 67:3, 67:24, 68:13, 68:21, 68:26, 81:3, 88:25, 127:12, 140:22, 151:16, 164:17
dealing [5] - 8:3, 47:25, 70:28, 87:28, 137:10
deals [1] - 11:13
dealt [4] - 134:15, 146:17, 146:25, 165:19
death [1] - 127:26
debacle [1] - 22:22
debate [7] - 27:3, 64:11, 64:12, 77:16, 93:21, 120:15, 128:14
debates [1] - 102:10
debt [1] - 84:19
decade [1] - 147:27
December [6] - 6:22, 9:10, 11:18, 13:27, 42:15, 66:7
decide [6] - 71:12, 116:27, 119:18, 119:26, 151:12, 166:3
decided [2] - 19:5, 101:6
deciding [1] - 30:17
decision [15] - 26:18, 34:5, 72:28, 75:25, 75:26, 75:28, 76:5, 76:7, 81:13, 90:24, 90:25, 90:28, 113:4, 167:9, 185:6
decisions [4] - 71:5, 71:17, 94:14, 94:18
deck [1] - 89:20
decker [1] - 95:21
Declarations [2] - 65:26, 66:2
decrease [1] - 111:8
decreases [2] - 107:11
deeply [1] - 91:16
defeated [1] - 54:10
defence [9] - 78:27, 82:26, 91:7, 92:8, 92:25, 93:16, 98:13, 110:21
defences [9] - 78:12, 79:22, 80:4, 80:10, 80:23, 83:13, 104:2, 148:15
deferring [1] - 164:17
deficit [1] - 166:23
defined [3] - 31:2, 31:21, 34:28
defines [1] - 24:14
definitely [5] - 16:19, 48:8, 50:8, 97:17, 151:15
definitive [1] - 121:18
Deirdre [1] - 66:9
delayed [1] - 173:1
delete [1] - 177:9
Delgany [1] - 160:22
deliberating [1] - 110:8
delighted [3] - 14:13, 93:11, 99:10
deliver [3] - 86:28, 124:1, 168:29
delivered [1] - 85:27
delivering [1] - 169:1
delivery [2] - 167:25, 167:26
Dell [7] - 159:9, 159:10, 179:14, 180:8, 180:10, 180:14
delve [2] - 98:2, 98:18
demand [1] - 168:11
democracy [2] - 71:11, 103:11
democratically [2] - 73:3, 119:27
demolished [1] - 8:15
densely [1] - 121:24
densities [6] - 36:15, 38:6, 142:18, 190:22, 190:24, 191:7
density [14] - 38:8, 112:8, 136:20, 136:25, 136:29, 137:5, 137:8, 137:13, 137:15, 137:17, 137:20, 180:20, 182:16, 187:13
Department [21] - 5:5, 5:6, 39:26, 55:18, 55:21, 55:22, 59:9, 60:17, 62:21, 63:28, 64:20, 67:17, 79:23, 90:17, 129:14, 133:6, 138:9, 154:9, 158:13, 163:12, 163:15
dependent [2] - 72:20, 169:13
deposit [1] - 23:3
depressing [1] - 18:20
deprive [1] - 74:19
depths [2] - 76:22, 98:3
Derek [1] - 65:13
derelict [1] - 18:19
derogatory [1] - 64:18
Des [10] - 7:18, 8:29, 14:15, 14:25, 15:10, 18:23, 25:18, 103:21, 104:8, 135:5
described [2] - 40:11, 179:15
deserving [1] - 160:15
design [19] - 35:29, 37:7, 38:11, 39:3, 39:4, 39:13, 43:8, 43:14, 56:10, 56:14, 57:2, 78:15, 80:24, 87:15, 88:11, 88:16, 121:19, 122:16, 122:26
Design [1] - 42:20
designating [1] - 174:28
designation [1] - 86:20
designed [17] - 39:5, 56:11, 56:13, 78:12, 78:13, 80:22, 81:2, 88:26, 89:18, 89:28, 104:2, 108:29, 109:8, 117:3, 124:9, 153:18
designing [1] - 141:12
designs [1] - 56:28
desire [1] - 86:22
desperate [1] - 121:6
despite [3] - 74:3, 74:4, 112:26
destroy [2] - 74:20, 82:27
detached [2] - 54:3, 54:13
detail [3] - 64:28, 87:26, 98:18
detailed [5] - 38:11, 53:29, 55:15, 56:22, 57:1
detailing [1] - 35:29
details [1] - 183:28
deteriorate [1] - 161:7
deterioration [1] - 161:4
detract [1] - 121:4
devastating [1] - 3:10
develop [12] - 12:13, 16:13, 18:17, 27:15, 36:11, 36:14, 36:29, 38:5, 129:26, 156:21, 177:29, 184:20
developed [12] - 17:14, 19:17, 33:25, 37:2, 45:9, 84:4, 93:12, 141:28, 148:2, 173:15, 178:3, 178:8
developer [18] - 14:4, 16:3, 16:11, 19:3, 73:17, 73:25, 73:27, 74:6, 74:19, 79:19, 85:19, 110:18, 116:7, 116:26, 119:11, 119:27, 123:26,

185:10
developer's [1] - 119:1
developer-led [1] - 119:27
developers [8] - 8:9, 12:12, 32:6, 32:7, 109:5, 142:3, 170:18, 172:14
developing [1] - 73:12
development [110] - 9:16, 9:27, 10:3, 10:11, 19:21, 25:22, 27:8, 29:28, 30:4, 32:5, 34:11, 35:25, 37:8, 37:9, 37:16, 37:21, 38:20, 38:27, 39:1, 44:5, 48:1, 48:7, 50:19, 50:24, 51:4, 51:5, 51:9, 51:21, 55:28, 56:6, 56:20, 60:14, 60:20, 60:22, 60:25, 61:6, 63:3, 73:13, 73:19, 75:6, 77:6, 77:10, 77:13, 79:19, 79:21, 83:20, 84:2, 84:3, 84:9, 84:13, 84:22, 87:11, 88:6, 93:2, 96:4, 98:15, 98:25, 103:26, 112:9, 113:22, 116:13, 116:20, 117:6, 117:8, 117:12, 118:23, 119:4, 119:24, 124:20, 133:21, 136:7, 136:15, 136:24, 136:26, 137:1, 137:17, 137:19, 142:19, 142:25, 142:29, 144:11, 144:16, 153:16, 155:2, 157:7, 157:21, 157:27, 157:28, 158:5, 158:18, 158:19, 160:16, 160:23, 161:26, 161:28, 164:10, 166:20, 170:17, 180:17, 180:20, 180:29, 181:13, 184:15, 186:3, 186:10, 189:24, 190:26
Development [28] - 8:8, 11:13, 21:15, 22:29, 26:2, 31:2, 31:5, 31:8, 31:11, 31:15, 31:18, 33:18, 34:28, 35:24, 36:9, 36:25, 65:22, 71:5, 71:7, 71:25, 90:7, 113:26, 113:29, 124:17, 125:24, 132:5, 132:24, 153:4
developments [6] - 39:18, 54:10, 70:14, 145:3, 145:7, 161:17
Devereux [2] - 20:23, 21:2
Devlin [2] - 3:15, 3:16
dezone [1] - 175:1
diagram [1] - 48:10
dialogue [2] - 11:3, 11:11
die [1] - 105:29
died [1] - 4:29
difference [4] - 31:26, 32:22, 90:25, 179:7
different [15] - 21:22, 22:3, 26:10, 39:10, 40:10, 45:5, 68:4, 88:3, 90:13, 91:29, 93:23, 98:8, 132:6, 154:2, 172:29
difficult [5] - 142:2, 150:3, 151:14, 156:18, 158:20
difficulties [2] - 29:2, 61:13
difficulty [3] - 128:9, 128:29, 188:1
dimension [2] - 108:19, 122:28
direct [3] - 71:10, 98:22, 106:14
direction [1] - 98:8
directions [1] - 159:13
Directives [1] - 10:13
directly [7] - 7:27, 38:23, 48:14, 49:9, 126:16, 127:2, 130:21
Director [10] - 13:4, 19:27, 42:21, 55:4, 64:26, 72:18, 74:27, 123:24, 123:29, 167:5
disallow [1] - 55:22
disaster [3] - 83:22, 83:24, 97:1
Disclosure [1] - 65:29
disconnect [12] - 81:21, 81:22, 117:26, 118:1, 118:2, 118:4, 118:5, 118:7, 120:17, 120:19, 121:17, 122:20
disconnect* [2] - 121:22, 121:23
disconnected [2] - 116:12, 120:12
discretionary [2] - 51:2, 51:12
discuss [9] - 5:17, 18:13, 18:28, 52:10, 71:28, 114:27, 119:7, 149:29, 179:18
discussed [6] - 13:22, 25:2, 33:26, 64:28, 87:12, 120:9
discussing [3] - 25:28, 120:8, 140:25
discussion [2] - 5:27, 64:13
discussions [1] - 94:14
disingenuous [1] - 52:8
display [9] - 67:11, 67:22, 75:28, 134:5, 147:23, 151:19, 151:21, 161:8, 177:13
disposal [13] - 7:13, 8:24, 12:3, 12:9, 13:3, 16:14, 17:23, 17:24, 27:27, 27:29, 29:9, 35:8, 35:11
disposed [1] - 21:6
dispute [2] - 89:12, 150:21
disruption [1] - 8:2
distance [2] - 39:16, 157:7
distinct [1] - 167:4
distinction [1] - 72:17
District [24] - 9:23, 16:20, 19:4, 25:2, 27:7, 33:10, 42:22, 42:25, 47:20, 51:1, 64:14, 64:17, 64:27, 67:9, 71:8, 72:28, 72:29, 73:9, 85:2, 104:13, 143:2, 144:17, 166:24, 167:7
district [1] - 51:3
Districts [3] - 51:11, 143:6, 170:5
divide [1] - 94:26
divided [1] - 122:1
divulge [1] - 24:7
document [5] - 26:21, 67:27, 67:28, 69:11, 69:26
documentation [1] - 17:23
documents [4] - 10:15, 11:4, 11:17, 69:25
dog [1] - 152:8
dominant [1] - 181:17
Donations [1] - 65:29
donations [1] - 66:4
done [43] - 10:7, 10:21, 22:24, 23:24, 32:14, 32:29, 38:7, 41:13, 42:27, 44:7, 45:12, 45:24, 49:17, 60:12, 62:6, 64:14, 75:27, 76:15, 78:5, 83:14, 83:27, 88:4, 96:20, 101:18, 102:14, 102:24, 103:16, 106:1, 106:12, 106:25, 134:18, 134:19, 138:24, 141:26, 147:7, 148:2, 148:11, 153:26, 160:4, 161:24, 176:25, 179:14
Donegal [1] - 79:28
dong [1] - 119:20
Dooley [4] - 4:5, 4:10, 4:14, 23:16
Dooleys [1] - 4:12
double [2] - 89:20, 95:21
double-deck [1] - 89:20
double-decker [1] - 95:21
doubt [4] - 27:24, 103:14, 103:27, 114:25
doubts [1] - 112:28
down [49] - 3:26, 20:28, 25:3, 27:26, 38:11, 46:11, 48:19, 49:7, 50:17, 52:18, 53:18, 54:16, 55:18, 63:11, 63:16, 69:18, 84:2, 85:19, 86:19, 87:21, 88:6, 92:18, 92:27, 96:20, 98:8, 98:18, 100:17, 102:19, 107:23, 118:23, 122:11, 124:10, 126:21, 126:28, 133:25, 139:5, 139:28, 140:6, 148:26, 149:28, 152:9, 154:15, 155:17, 155:20, 155:23, 166:13, 173:12, 181:20, 183:29
downhill [1] - 99:17
downs [1] - 9:8
downstream [2] - 107:17, 113:19
Doyle [1] - 5:6
dozen [1] - 129:24
Draft [22] - 67:29, 69:12, 98:9, 98:26, 130:11, 136:8, 147:2, 156:11, 168:13, 168:15, 174:23, 175:6, 175:22, 175:24, 175:25, 176:4, 176:14, 176:16, 176:18, 180:18, 183:19, 190:18
draft [8] - 98:9, 98:27, 99:3, 99:4, 130:6, 131:8, 169:21, 169:27
draw [1] - 94:27
drawing [3] - 53:29, 116:15, 123:1
drawings [2] - 9:15, 108:14
drew [1] - 31:6
drift [2] - 122:27, 122:28
drinking [1] - 40:24
drive [4] - 44:24, 89:20, 111:24, 111:25
driven [1] - 185:10
driveways [1] - 138:19
driving [1] - 44:25
drop [1] - 42:12
dropping [1] - 130:29
dry [3] - 32:25, 106:25, 114:18
dual [6] - 40:6, 41:10, 41:11, 41:18, 41:29, 52:16
Dublin [7] - 4:22, 7:17, 8:28, 11:25, 33:3, 86:19, 95:28

due [1] - 106:20
Dun [2] - 91:26, 169:25
Dundrum [7] - 12:18, 91:17, 91:29, 100:22, 104:23, 110:28, 111:17
Dunlavin [1] - 160:22
during [3] - 4:10, 93:8, 123:26
duty [1] - 46:14
dwell [1] - 55:1
dwelling [1] - 133:26
Dwyer [6] - 92:18, 107:25, 108:17, 111:20, 136:13, 137:7
dying [1] - 105:11

E

e-mail [4] - 17:20, 23:20, 25:11, 33:18
e-mails [2] - 46:18, 47:20
e-tender [1] - 32:29
early [1] - 55:26
ease [1] - 49:17
easier [1] - 10:4
easily [2] - 46:28, 47:16
East [2] - 42:15, 66:21
east [4] - 64:15, 162:11, 181:16, 181:25
eastern [2] - 184:12, 190:20
eat [1] - 122:17
ecological [1] - 164:3
economic [2] - 13:21, 161:29
Economic [1] - 12:20
economy [1] - 181:19
Eden [3] - 47:21, 49:18, 62:24
Education [1] - 138:9
effect [2] - 10:11, 59:22

effectively [26] - 5:18, 12:13, 12:14, 56:16, 56:17, 68:13, 73:13, 75:4, 85:19, 86:20, 89:21, 120:20, 123:24, 126:18, 127:25, 149:19, 165:25, 166:21, 168:7, 169:4, 173:5, 174:25, 183:4, 185:6, 187:4, 188:5
effort [8] - 14:17, 14:20, 29:3, 82:23, 85:14, 91:10, 103:14, 187:8
efforts [1] - 107:2
Eglinton [6] - 8:27, 14:26, 20:6, 20:7, 28:2, 160:8
Egyptians [1] - 95:24
eight [10] - 27:12, 54:2, 54:25, 72:27, 80:24, 85:3, 102:24, 125:2, 139:19, 191:20
eighth [2] - 70:18, 165:27
EIS [1] - 9:27
either [8] - 40:16, 48:24, 99:28, 111:22, 143:24, 145:9, 154:10, 154:11
either/or [1] - 70:4
elaborate [2] - 99:17, 99:19
elected [3] - 17:20, 26:14, 119:28
Elected [1] - 18:1
electoral [2] - 42:11, 65:1
element [8] - 71:11, 86:20, 86:29, 87:1, 115:28, 170:11, 170:20, 176:20
elements [1] - 78:28
elevations [2] - 39:9, 39:10

eliminate [1] - 78:5
eliminated [1] - 78:8
emerged [1] - 17:25
emergency [3] - 106:24, 123:27, 169:2
employee [1] - 2:27
employer [1] - 180:28
employment [23] - 99:13, 132:13, 166:6, 174:5, 174:7, 174:13, 174:20, 174:27, 174:29, 175:25, 175:28, 176:3, 176:8, 176:13, 176:14, 176:18, 180:17, 180:19, 180:20, 180:21, 180:24, 180:29, 182:16
encourage [2] - 22:3, 93:15
encouraging [1] - 12:22
encroaching [1] - 157:8
end [33] - 7:1, 11:6, 11:28, 11:29, 17:2, 21:21, 22:11, 23:25, 29:7, 37:28, 40:15, 40:21, 40:24, 40:25, 41:8, 41:17, 42:6, 44:1, 44:26, 48:2, 49:7, 57:16, 59:3, 63:20, 71:29, 96:24, 100:18, 101:11, 101:24, 105:9, 122:25, 187:19, 190:3
ended [4] - 19:24, 31:13, 51:2, 51:5
ending [1] - 41:26
enforcement [2] - 161:22
engaged [6] - 9:11, 9:25, 11:5, 11:23, 75:20, 90:15
engagement [2]

- 17:28, 90:10
engaging [1] - 9:29
engineer [4] - 37:11, 57:14, 87:21, 88:12
engineering [1] - 113:18
engineers [4] - 9:26, 88:9, 94:15, 169:28
England [1] - 87:17
English [3] - 35:1, 35:3, 35:5
enhance [4] - 117:10, 121:5, 142:23, 144:10
enhancement [1] - 161:2
enhancing [1] - 160:27
enjoy [3] - 122:15, 122:18, 148:25
Enniskerry [5] - 117:16, 133:24, 160:22, 166:26, 179:28
enormous [1] - 120:29
ensure [7] - 19:6, 46:25, 47:9, 71:16, 74:13, 82:13, 121:6
ensures [1] - 149:11
enter [2] - 37:14, 55:10
entertainment [1] - 100:29
entice [1] - 118:21
entire [11] - 10:23, 37:18, 117:6, 117:9, 117:13, 122:4, 122:8, 147:29, 152:15, 152:16
entirety [1] - 128:29
entitled [1] - 67:28
entrance [11] - 40:16, 54:6, 59:25, 108:17, 139:17, 139:22, 140:12, 140:13, 159:11, 188:29, 189:21

entrances [1] - 186:16
environment [2] - 118:1, 160:28
Environment [3] - 50:21, 79:24, 155:14
environmental [1] - 77:24
Environs [2] - 176:6, 176:7
envisaging [1] - 54:29
equal [1] - 72:16
equality [1] - 61:3
equally [1] - 90:28
equivalent [2] - 8:1, 28:11
erecting [1] - 183:29
err [2] - 77:22, 77:25
error [3] - 127:11, 131:19, 131:22
errors [1] - 138:4
escape [2] - 74:14, 75:2
especially [4] - 16:15, 31:12, 99:18, 145:7
essence [2] - 11:19, 26:27
essential [7] - 41:14, 42:4, 45:16, 58:20, 103:28, 171:19, 178:7
essentially [4] - 40:5, 49:15, 94:3, 94:11
establish [1] - 185:8
Estate [2] - 50:16, 63:22
estate [20] - 39:7, 45:17, 47:10, 48:22, 50:15, 51:4, 51:24, 52:7, 53:14, 55:28, 56:6, 57:8, 139:3, 139:5, 139:22, 139:26, 141:28, 145:8, 175:27
estates [12] - 48:27, 53:17,

61:2, 139:27, 177:5, 184:22, 184:26, 185:28, 186:16, 187:28, 189:1, 189:19
estimate [3] - 21:21, 38:7, 81:1
et [4] - 44:12, 76:18
Ethical [1] - 65:25
Ethics [2] - 65:28, 66:9
EU [1] - 78:17
European [1] - 10:13
evacuate [1] - 106:28
evacuation [1] - 106:24
evening [2] - 72:11, 146:24
evenings [1] - 100:29
event [11] - 77:17, 77:18, 78:14, 80:17, 80:28, 80:29, 81:14, 89:12, 92:24, 114:19
events [5] - 74:23, 78:16, 79:26, 80:2, 81:8
eventually [8] - 9:8, 11:16, 96:29, 109:10, 111:26, 117:15, 161:23, 166:17
Everest [1] - 137:10
ex [1] - 80:1
ex-Storm [1] - 80:1
exact [4] - 90:28, 92:19, 141:4, 164:1
exactly [10] - 9:24, 34:13, 57:27, 77:17, 86:10, 119:20, 140:9, 141:15, 142:7, 179:6
exceeds [1] - 39:18
excellent [3] - 4:6, 4:15, 180:25
except [10] - 8:6, 51:21, 57:28, 128:4, 143:2, 144:17, 144:23,

145:18, 145:27,
178:22
excerpt [1] -
108:9
excuse [3] -
83:25, 130:11,
174:3
Executive [33] -
17:4, 17:5, 19:28,
20:2, 26:7, 30:27,
30:28, 67:15,
104:9, 131:22,
132:22, 133:5,
133:9, 134:2,
134:27, 136:18,
138:20, 139:12,
147:10, 150:11,
153:7, 153:8,
153:12, 154:5,
158:8, 159:6,
171:8, 182:19,
182:22, 184:2,
184:5, 188:2,
188:6
Executive's [36]
- 66:13, 67:8,
67:14, 67:19,
68:8, 68:10,
68:11, 68:12,
68:14, 68:15,
133:9, 133:10,
134:27, 134:29,
135:7, 135:24,
138:2, 138:8,
146:7, 159:21,
163:14, 165:11,
171:11, 172:10,
179:29, 180:10,
180:14, 180:15,
182:1, 182:3,
182:20, 182:21,
182:25, 183:12,
183:14, 184:29
existence [2] -
82:10, 82:27
existing [12] -
7:24, 8:4, 46:24,
47:5, 47:6, 58:4,
85:18, 142:11,
142:24, 144:10,
175:18, 175:27
exists [4] -
23:26, 89:2,
142:12, 189:26
exit [2] - 126:18,
127:29
exits [1] - 54:20
expect [1] -
137:16
expectation [1] -

137:19
expecting [1] -
167:6
expedient [1] -
8:3
expend [1] -
56:5
expense [1] -
83:16
expensive [2] -
20:26, 20:27
experience [11]
- 53:28, 87:27,
92:1, 102:17,
122:10, 122:13,
122:14, 130:3,
148:1, 149:25
explain [5] -
59:7, 59:14,
116:2, 137:3,
174:17
explained [1] -
75:15
explaining [1] -
9:24
explanation [1] -
5:27
explanations [1]
- 75:13
express [3] -
36:18, 77:3,
83:10
expressed [1] -
77:2
expressing [1] -
140:16
expression [1] -
181:20
extend [3] -
2:16, 3:1, 117:28
extending [2] -
2:11, 95:4
external [1] -
37:18
extra [9] - 32:13,
50:26, 62:5,
62:15, 74:27,
140:1, 169:16,
175:6, 178:4
extracted [2] -
142:13, 143:6
extreme [2] -
74:23, 121:2
extremely [5] -
25:21, 41:29,
89:29, 168:18,
189:23
extremities [1] -
121:26
eye [1] - 96:3

F

face [2] - 29:7,
173:6
facilitate [1] -
90:18
facilitating [1] -
71:1
facilities [11] -
85:13, 93:6,
132:13, 159:7,
165:29, 167:11,
167:26, 167:27,
173:12, 176:24
facility [3] -
14:5, 180:23,
180:26
fact [21] - 5:18,
10:9, 26:11,
32:17, 44:11,
72:24, 73:28,
75:19, 86:1,
89:26, 98:29,
105:16, 106:2,
106:18, 111:1,
112:26, 113:15,
122:23, 123:28,
139:20, 173:11
factor [1] - 108:7
factories [1] -
99:14
facts [3] - 33:20,
33:22, 97:29
factual [1] -
113:12
fail [3] - 78:15,
79:22, 107:5
failed [4] -
109:12, 153:27,
153:28, 154:3
failing [1] -
34:29
failure [3] -
78:14, 79:4,
80:23
fair [9] - 18:7,
45:5, 45:13,
46:13, 76:25,
101:2, 158:13,
167:21, 186:14
fairly [1] -
129:24
fairness [4] -
34:25, 65:7,
164:16, 164:18
fairway [1] -
92:18
fait [2] - 44:19,
71:14

fall [3] - 51:17,
94:9, 128:14
falling [1] -
21:18
falls [4] - 62:7,
62:18, 107:12,
107:14
false [3] - 79:2,
80:4, 111:29
familiar [3] -
77:1, 80:22,
153:5
family [16] -
2:24, 3:7, 3:10,
3:11, 3:17, 3:21,
4:1, 4:15, 4:20,
4:26, 38:23,
102:5, 127:15,
133:24, 133:26,
149:17
family-owned
[1] - 133:24
fantastic [12] -
12:28, 13:11,
73:29, 77:29,
90:9, 92:3,
101:19, 102:6,
102:8, 102:22,
119:23, 122:29
far [20] - 11:28,
78:16, 80:1,
82:19, 83:24,
96:11, 96:14,
105:14, 106:13,
114:26, 151:8,
153:27, 157:3,
158:22, 162:10,
162:20, 162:21,
165:6, 181:25,
186:23
farical [1] -
65:3
farmers [1] -
156:2
farms [1] -
158:21
Farrenkelly [11]
- 35:26, 36:7,
36:20, 36:22,
37:24, 45:27,
48:13, 50:16,
52:6, 52:14,
63:22
fashion [1] -
97:27
Fassaroe [9] -
119:21, 119:22,
119:23, 159:9,
159:10, 164:11,
164:25, 169:12,

169:17
fast [1] - 168:7
father [4] - 4:9,
5:6, 89:15
father-in-law [1]
- 5:6
fear [5] - 102:14,
125:29, 126:13,
169:3, 169:5
features [1] -
160:29
February [7] -
34:8, 66:4, 66:22,
66:23, 67:3, 67:6,
164:17
February's [1] -
66:29
fed [1] - 20:25
feeds [1] - 80:3
feet [3] - 14:8,
86:27, 104:20
felt [7] - 9:26,
96:5, 136:25,
149:27, 159:8,
164:29, 186:11
fence [3] - 42:6,
58:22, 147:21
fencing [10] -
41:16, 48:29,
50:11, 57:13,
60:23, 62:17,
62:29, 63:14,
63:20
few [19] - 2:20,
9:28, 28:26, 29:2,
55:6, 97:13,
103:16, 104:13,
112:24, 113:5,
125:23, 147:5,
147:6, 149:25,
160:10, 164:13,
166:12, 167:10,
168:14
fi [1] - 178:2
fiasco [1] -
19:12
fiduciary [1] -
26:15
field [6] - 86:5,
139:14, 139:17,
140:4, 140:12,
175:12
Field [7] -
173:27, 174:10,
175:13, 176:20,
177:29, 178:3,
178:8
fields [2] -
142:26, 144:12
fierce [1] - 45:20

fight [2] - 31:7,
101:1
figure [3] - 10:7,
32:12, 96:21
figures [5] -
98:3, 98:7,
104:19, 113:27,
133:8
files [1] - 77:8
fill [1] - 117:23
filled [2] - 66:5,
66:8
filling [1] - 51:2
final [11] - 11:23,
13:11, 66:22,
67:6, 75:26,
75:28, 76:6,
80:16, 82:18,
169:27, 185:6
finally [3] -
13:10, 30:22,
89:11
findings [1] -
154:7
fine [10] - 20:21,
66:25, 129:5,
150:12, 150:27,
151:3, 166:6,
172:5, 177:15,
181:4
finish [13] -
44:13, 45:6, 45:7,
46:6, 47:10, 49:2,
64:4, 66:17,
155:9, 183:9,
187:19, 188:22
finished [2] -
30:28, 40:22
finishes [1] -
44:10
Finn [1] - 4:27
fire [3] - 4:6,
4:11, 4:16
Fire [2] - 4:9,
4:13
firemen [1] - 4:7
firmly [1] - 74:26
first [57] - 2:7,
8:10, 9:15, 9:18,
10:18, 10:19,
10:27, 13:17,
21:12, 35:7, 37:7,
39:17, 39:20,
42:29, 43:8, 50:1,
55:6, 55:21, 59:4,
68:22, 70:29,
71:3, 71:4, 71:23,
72:10, 72:19,
72:20, 79:29,
90:23, 95:16,

97:24, 110:15,
 112:4, 112:19,
 115:4, 127:12,
 128:15, 129:21,
 132:5, 132:7,
 133:21, 134:24,
 143:20, 146:23,
 159:2, 168:13,
 169:8, 170:3,
 171:1, 171:2,
 171:17, 171:23,
 172:27, 173:1,
 176:10, 188:22,
 188:24
firstly [2] -
 76:13, 95:14
fit [3] - 39:6,
 59:16, 132:14
Fitzgerald [1] -
 4:18
FITZGERALD
 [2] - 4:19, 7:6
five [22] - 48:17,
 56:11, 62:14,
 63:3, 63:5, 63:8,
 63:12, 63:16,
 72:15, 72:16,
 72:27, 82:9,
 83:29, 107:15,
 115:5, 125:2,
 125:9, 125:10,
 131:15, 132:29,
 133:26, 137:19
five-storey [1] -
 137:19
flat [1] - 109:11
flawed [1] - 72:5
flexibility [11] -
 124:29, 137:1,
 138:21, 142:17,
 143:16, 143:18,
 144:24, 144:25,
 151:9, 160:13,
 181:2
Flood [11] -
 14:16, 73:16,
 73:23, 74:7,
 74:12, 78:19,
 88:18, 95:15,
 95:18, 106:23,
 109:22
flood [44] -
 73:20, 77:18,
 77:28, 78:6, 78:8,
 78:18, 79:1,
 79:10, 80:4,
 80:10, 80:22,
 81:14, 82:26,
 83:13, 88:9,
 88:24, 89:13,
 89:14, 91:7, 92:7,
 93:16, 98:13,
 98:15, 104:2,
 104:3, 105:21,
 106:7, 106:18,
 106:24, 107:3,
 107:5, 109:19,
 109:24, 110:19,
 110:21, 110:22,
 114:27, 116:2,
 116:3, 119:14,
 148:15
flooded [4] -
 74:10, 74:21,
 74:26, 98:1
flooding [13] -
 78:4, 78:23,
 79:22, 79:27,
 80:20, 89:13,
 89:25, 100:7,
 116:2, 119:7,
 121:7, 140:7,
 173:14
floodplain [21] -
 73:22, 74:14,
 74:26, 75:3,
 75:16, 77:7,
 77:13, 83:12,
 84:6, 87:15, 90:2,
 90:4, 96:8, 97:8,
 107:8, 107:10,
 107:12, 107:17,
 110:23, 113:16,
 113:19
floodplains [2] -
 96:24, 107:9
floods [3] -
 94:19, 100:2,
 100:4
floor [7] - 39:17,
 39:20, 56:12,
 56:14, 69:27,
 104:27, 136:24
FLOOR [21] -
 2:14, 6:2, 6:12,
 6:18, 6:26, 7:11,
 8:22, 34:14, 95:6,
 133:19, 134:10,
 135:16, 137:25,
 138:16, 159:16,
 163:25, 164:8,
 177:27, 180:6,
 181:29, 183:1
Florence [3] -
 8:27, 28:3, 160:8
Florentine [22] -
 7:15, 7:21, 7:28,
 8:9, 12:22, 14:19,
 15:24, 16:16,
 17:28, 23:12,
 27:24, 28:1,
 28:23, 29:27,
 33:24, 86:24,
 90:24, 93:12,
 100:19, 103:21,
 104:25, 162:1
flow [5] - 104:3,
 104:24, 107:11,
 109:1
flowed [1] -
 107:23
fly [1] - 87:21
focal [2] - 93:14,
 96:9
focus [2] -
 78:28, 166:3
focused [1] -
 10:24
Foggy [7] -
 173:27, 174:10,
 175:13, 176:20,
 177:29, 178:3,
 178:8
follow [5] - 16:4,
 67:26, 69:16,
 98:23, 170:21
followed [2] -
 19:20, 19:25
following [3] -
 1:20, 68:4,
 106:21
FOLLOWS [1] -
 2:2
Food [1] - 7:16
foot [2] - 39:14,
 105:8
football [1] -
 86:5
footpath [4] -
 37:17, 52:18,
 55:16, 145:16
Forde [2] -
 14:16, 25:19
foremost [1] -
 88:9
foresight [1] -
 19:14
forever [2] -
 21:6, 30:20
forfeited [1] -
 23:3
forget [3] -
 57:23, 110:24,
 112:7
forgot [1] -
 114:5
forgotten [1] -
 53:7
form [4] - 88:22,
 116:29, 127:7,
 141:11
formally [7] -
 12:10, 13:16,
 14:14, 14:21,
 42:9, 43:5, 103:4
former [3] - 8:5,
 136:7, 137:10
Forms [1] -
 65:29
forms [3] - 66:2,
 66:5, 180:29
formulated [1] -
 73:10
fortune [8] -
 18:27, 25:24,
 31:3, 33:13,
 43:16, 46:22,
 57:18, 102:1
Fortune [5] -
 17:11, 115:7,
 115:14, 115:22,
 157:19
FORTUNE [23] -
 17:12, 18:7,
 25:26, 33:15,
 35:7, 35:13,
 35:15, 43:17,
 57:19, 57:25,
 57:29, 58:2,
 60:27, 61:2, 61:5,
 61:22, 61:28,
 65:5, 65:9, 102:2,
 143:21, 157:20,
 179:16
Fortune's [1] -
 18:13
fortune's [2] -
 22:7, 58:13
forward [10] -
 2:11, 12:10,
 17:15, 27:18,
 93:26, 97:26,
 103:5, 125:19,
 126:21, 191:10
fought [1] -
 84:15
four [29] - 10:28,
 12:2, 48:17, 54:2,
 62:14, 67:22,
 75:25, 113:2,
 121:25, 123:8,
 134:6, 137:1,
 137:18, 139:15,
 139:19, 140:14,
 148:26, 152:26,
 158:29, 159:2,
 159:17, 165:18,
 171:25, 181:5,
 181:11, 181:13,
 181:22, 191:28
four-storey [3] -
 137:1, 181:5,
 181:11
four-week [1] -
 67:22
fox [30] - 3:13,
 6:4, 6:17, 24:28,
 30:9, 125:12,
 125:16, 128:6,
 129:8, 130:17,
 131:4, 132:7,
 134:11, 134:12,
 135:14, 138:13,
 146:24, 148:10,
 150:19, 150:24,
 150:29, 151:5,
 152:20, 152:23,
 152:25, 155:10,
 160:1, 172:22,
 172:23, 179:12
Fox [8] - 26:25,
 68:24, 97:23,
 117:20, 132:4,
 156:18, 170:8,
 187:29
FOX [39] - 3:14,
 24:29, 66:18,
 68:25, 97:24,
 125:13, 125:18,
 126:4, 126:10,
 128:8, 128:28,
 129:5, 129:10,
 130:6, 130:18,
 130:28, 131:7,
 131:19, 132:9,
 134:15, 138:7,
 138:12, 146:25,
 146:28, 147:2,
 147:14, 147:20,
 147:23, 148:1,
 149:15, 149:20,
 151:19, 151:24,
 151:29, 155:11,
 170:9, 171:6,
 188:1, 188:12
fox's [6] -
 127:14, 128:12,
 128:19, 128:27,
 129:2, 131:16
Framework [1] -
 65:25
Fran [2] -
 101:16, 101:21
Frank [1] - 23:18
friends [1] - 3:7
FROM [36] -
 2:14, 6:2, 6:12,
 6:18, 6:26, 7:11,
 8:22, 34:14,
 76:11, 82:5, 83:6,
 84:26, 89:24,
 90:3, 95:1, 95:6,
 97:21, 101:29,
 103:7, 113:10,
 120:4, 124:15,
 130:13, 130:24,
 133:19, 134:10,
 135:16, 137:25,
 138:16, 159:16,
 163:25, 164:8,
 177:27, 180:6,
 181:29, 183:1
front [10] - 28:4,
 29:21, 38:19,
 66:7, 70:10,
 117:2, 119:4,
 129:22, 140:13,
 146:6
frontage [5] -
 116:19, 118:8,
 118:9, 136:11,
 136:12
fulfil [1] - 21:15
full [13] - 9:25,
 19:29, 32:24,
 39:25, 43:14,
 68:23, 72:2, 72:8,
 73:18, 137:5,
 137:8, 147:14,
 149:12
full-on [1] -
 137:8
fullness [1] -
 159:14
fully [8] - 25:9,
 53:11, 54:8,
 56:11, 56:12,
 57:5, 65:1,
 143:23
fund [3] - 51:2,
 60:17, 73:20
fundamentally
 [2] - 94:1, 147:4
funders [2] -
 11:14, 32:8
funding [3] -
 55:20, 63:28,
 105:24
fundraising [1] -
 96:18
funds [5] -
 51:13, 55:26,
 62:21, 83:24,
 129:23
funny [1] - 2:28
future [13] -
 12:21, 25:20,
 30:20, 74:22,
 81:17, 82:13,
 83:15, 94:8,

110:6, 113:4,
121:8, 127:27,
167:13

G

Gabriel [1] -
23:16
Gaeltacht [1] -
163:16
gain [5] - 38:8,
86:4, 93:3,
117:12, 170:16
GALLAGHER
[62] - 2:18, 2:21,
5:3, 6:3, 6:10,
6:16, 6:19, 6:23,
7:10, 7:12, 8:21,
8:23, 18:8, 35:8,
35:12, 35:14,
35:16, 35:18,
35:21, 62:12,
62:21, 65:17,
65:28, 95:9,
115:4, 115:12,
115:14, 115:18,
115:22, 123:6,
123:18, 125:2,
126:8, 131:6,
131:15, 132:29,
134:18, 135:12,
138:11, 143:9,
143:19, 145:25,
145:27, 147:9,
152:25, 158:27,
159:29, 162:25,
163:21, 163:24,
164:6, 172:3,
172:17, 172:21,
172:25, 178:19,
179:10, 180:7,
181:27, 182:8,
182:29, 185:16
gallery [2] -
68:26, 125:20
GALLERY [15] -
76:11, 82:5, 83:6,
84:26, 89:24,
90:3, 95:1, 97:21,
101:29, 103:7,
113:10, 120:4,
124:15, 130:13,
130:24
game [4] - 17:6,
45:6, 92:7, 98:13
games [1] -
33:23
garage [1] -
126:18
Garda [1] - 4:26

garden [5] -
138:22, 145:9,
147:20, 149:19,
151:13
gardens [4] -
147:6, 148:26,
149:16
Gate [1] - 62:24
gate [4] - 44:26,
44:27, 49:7,
108:18
gateposts [1] -
183:29
general [13] -
3:29, 18:12,
18:14, 36:25,
58:24, 71:3,
72:10, 84:17,
90:7, 134:29,
141:22, 147:18,
160:7
generalities [1] -
145:17
generally [5] -
106:3, 106:19,
121:29, 124:17,
148:4
generate [1] -
79:2
generated [2] -
153:16, 154:24
generation [2] -
4:7, 4:12
generational [1]
- 94:16
gentlemen [1] -
2:4
genuine [3] -
96:16, 98:5,
150:29
genuineness [1]
- 103:15
Gerry [1] - 3:22
gig [1] - 10:6
Gilspur [1] -
186:13
Giltspur [13] -
183:24, 184:6,
184:23, 184:25,
185:3, 185:27,
186:14, 187:7,
187:10, 187:27,
189:3
girl [1] - 2:29
given [10] - 4:16,
15:22, 16:5,
16:20, 17:24,
27:16, 44:3,
58:17, 150:3,
153:14

glad [3] - 22:25,
52:17, 59:9
Glen [1] - 54:19
glib [1] - 58:9
God [4] - 54:11,
88:24, 95:23,
97:3
Golf [12] - 68:21,
68:22, 69:7,
73:10, 89:17,
89:26, 92:19,
101:8, 116:5,
123:10, 124:12,
179:13
golf [12] - 69:18,
69:19, 69:20,
73:19, 105:1,
105:4, 107:8,
107:20, 107:27,
108:18, 113:14,
164:11
Goliath [1] -
100:10
goods [1] -
78:29
Gormley [1] -
155:13
Government [6]
- 6:29, 7:8, 45:21,
65:24, 65:25,
74:1
grabbing [1] -
152:29
grand [2] -
45:12, 135:21
granted [3] -
36:20, 85:16,
99:2
grass [2] -
145:10, 145:15
Great [3] -
153:15, 156:1,
156:9
great [20] - 3:28,
4:23, 19:13, 24:8,
34:12, 43:18,
53:4, 59:15,
76:24, 78:1, 78:2,
88:25, 90:25,
99:13, 101:21,
122:3, 134:1,
141:16, 157:5
greater [4] -
88:1, 148:24,
148:25, 148:29
Green [2] -
77:11, 146:23
green [10] -
38:18, 38:28,
81:25, 117:22,

139:6, 139:23,
143:13, 174:29,
175:7, 175:26
greenfield [1] -
137:8
greenway [4] -
117:13, 127:5,
131:7, 131:9
greenways [1] -
164:2
grey [1] - 61:10
Greystones [20]
- 2:25, 2:26, 3:1,
3:25, 3:26, 35:26,
36:7, 42:11,
42:29, 43:10,
47:19, 64:29,
117:20, 145:8,
159:11, 160:21,
175:14, 178:5,
178:10, 178:12
gridlock [1] -
178:13
grief [1] - 162:17
ground [11] -
16:1, 18:21,
44:27, 56:12,
56:14, 74:18,
75:10, 83:20,
84:20, 84:23,
101:13
group [5] -
76:20, 76:26,
98:6, 125:5,
156:1
Group [3] -
23:28, 76:22,
170:2
grouping [1] -
69:4
groups [1] -
167:1
growth [1] -
86:19
GTH [1] - 182:3
guarantee [4] -
94:4, 188:28,
189:3, 189:7
guaranteeing
[1] - 185:1
guarantees [1] -
94:9
guard [1] - 4:28
guidance [1] -
68:15
guided [1] - 68:6
guideline [1] -
56:24
Guidelines [2] -
52:22, 109:23

guidelines [3] -
24:25, 163:17,
163:18
guts [1] - 88:3
guttled [1] -
32:25
GWEN [1] - 1:26

H

Hacketstown [1]
- 4:21
half [10] - 29:19,
34:9, 40:28,
65:24, 69:1,
85:18, 85:22,
89:1, 128:7,
129:24
halfway [2] -
24:18, 69:17
halls [1] - 106:29
hand [9] - 17:6,
17:17, 18:3, 18:5,
33:7, 69:27, 74:7,
98:25, 103:20
handed [2] -
114:5, 114:6
HANDED [1] -
114:12
handing [1] -
185:6
hands [1] -
113:5
hang [1] - 48:23
hanging [1] -
156:5
happy [27] - 2:8,
4:17, 12:10,
13:13, 15:7,
26:18, 32:12,
33:4, 48:4, 49:20,
62:22, 130:21,
131:2, 148:5,
151:29, 159:13,
170:23, 177:12,
177:28, 178:19,
186:2, 187:6,
187:9, 188:12,
191:26, 192:2
harbour [5] -
92:27, 117:17,
117:18, 122:6,
122:25
hard [10] - 14:2,
25:17, 31:8,
82:23, 83:2,
84:15, 107:29,
137:5, 157:15,
181:20
hardcopies [1] -
114:5
harder [1] -
107:4
hate [1] - 157:8
hazard [2] -
146:10, 146:13
Head [4] - 26:9,
104:11, 156:8,
158:20
head [7] - 93:22,
98:5, 98:7, 98:22,
98:23, 144:7,
190:6
headed [1] -
99:23
headway [1] -
24:8
health [5] - 62:7,
62:17, 62:18,
63:15, 78:29
healthcare [1] -
180:23
hear [19] - 22:25,
29:8, 34:14,
34:26, 46:26,
47:14, 53:20,
55:7, 59:9, 76:11,
93:11, 102:16,
153:23, 157:1,
158:8, 190:9,
190:13
heard [4] -
44:16, 53:12,
84:12, 188:29
hearing [1] -
20:25
hearings [1] -
101:1
heart [8] - 12:15,
18:19, 98:2, 98:4,
98:5, 98:22,
98:25, 101:3
heartened [1] -
75:18
heavily [1] - 3:16
hectare [7] -
70:19, 70:20,
116:7, 116:10,
136:22, 148:27,
179:5
hectares [16] -
7:14, 70:6, 70:7,
70:8, 70:9,
116:28, 118:29,
168:1, 168:2,
168:27, 169:16,
170:15, 172:12
height [6] - 89:6,
92:21, 135:9,

174:1, 179:7
heights [2] - 178:29, 179:4
Heiton [2] - 136:7, 137:13
Heiton's [2] - 136:2, 137:4
held [5] - 6:8, 6:14, 6:22, 13:19, 126:18
HELD [1] - 1:7
hell [1] - 91:8
help [4] - 69:26, 87:20, 88:11, 120:20
helping [2] - 43:3, 76:18
Hempenstall [1] - 5:5
hence [1] - 9:28
Herbert [2] - 28:8, 32:22
Heritage [1] - 163:16
heritage [6] - 160:26, 160:27, 161:1, 161:4, 162:2, 162:12
herring [1] - 23:21
high [17] - 37:12, 42:1, 79:20, 95:20, 108:27, 112:8, 117:3, 119:2, 136:21, 136:25, 136:29, 137:15, 137:16, 180:20, 182:16
higher [12] - 74:18, 75:10, 84:20, 84:23, 89:6, 91:25, 101:13, 137:20, 142:18, 190:22, 190:24, 191:7
highest [1] - 42:29
highlighting [1] - 174:19
hills [2] - 103:12, 166:1
himself [1] - 32:2
hindrance [1] - 42:18
hinterland [1] - 155:21
historic [2] - 12:9, 160:28
historical [1] - 81:6
history [6] - 12:12, 15:27, 71:4, 94:17, 141:16, 155:15
history's [1] - 141:16
hit [1] - 190:5
hived [1] - 116:11
hold [2] - 77:13, 191:22
holding [1] - 10:9
holdups [1] - 42:25
hole [4] - 12:14, 15:29, 16:1, 18:20
hollow [1] - 105:26
Hollybrook [2] - 174:6, 176:1
home [5] - 48:15, 125:20, 149:17, 180:22, 180:27
homes [8] - 44:2, 44:11, 76:27, 82:14, 83:22, 84:16, 96:22, 121:7
honest [3] - 12:8, 54:11, 147:25
honestly [1] - 157:16
hope [9] - 43:4, 43:11, 59:3, 77:3, 80:11, 80:12, 97:3, 97:18, 155:10
hoped [2] - 11:20, 132:2
hopeful [2] - 12:2, 75:24
hopefully [3] - 79:20, 83:14, 165:28
hoping [2] - 51:25, 155:9
horrendous [2] - 52:16, 178:15
hour [4] - 30:5, 65:23, 68:29, 146:19
hours [2] - 93:8, 164:13
House [1] - 183:22
house [9] - 11:24, 23:25, 28:8, 28:10, 32:22, 51:27, 53:19, 54:21, 138:23
household [1] - 147:6
houses [77] - 14:27, 14:28, 15:8, 20:11, 28:2, 28:3, 32:24, 33:3, 36:24, 38:23, 39:3, 39:6, 40:13, 40:15, 40:21, 40:28, 41:24, 41:28, 43:21, 45:7, 45:17, 45:22, 45:23, 46:3, 46:23, 46:24, 48:14, 49:20, 49:22, 53:1, 53:22, 54:2, 54:5, 54:13, 54:17, 54:19, 54:21, 54:27, 55:3, 58:4, 58:7, 59:20, 61:25, 74:21, 74:25, 75:1, 82:13, 95:17, 96:14, 97:13, 97:14, 100:4, 129:24, 130:20, 139:15, 139:16, 139:19, 140:14, 145:12, 160:14, 160:15, 162:15, 162:16, 170:18, 174:21, 175:8, 177:10, 177:23, 186:18, 187:11
Housing [11] - 5:5, 5:6, 42:20, 42:22, 43:3, 44:21, 46:9, 47:26, 56:4, 64:20, 64:26
housing [66] - 35:26, 36:6, 36:19, 36:23, 36:26, 37:1, 37:2, 38:12, 39:9, 39:24, 40:1, 40:14, 40:19, 43:2, 43:10, 46:20, 47:6, 47:23, 47:24, 47:25, 48:22, 48:24, 52:3, 52:6, 52:23, 52:29, 53:5, 53:17, 54:3, 54:8, 58:4, 70:16, 85:13, 89:5, 89:7, 89:8, 103:25, 103:27, 105:27, 109:25, 112:9, 123:26, 136:16, 142:2, 154:28, 155:17, 155:20, 165:3, 165:5, 165:7, 166:5, 166:9, 173:4, 175:27, 175:29, 176:17, 176:26, 177:9, 186:8, 186:10, 187:4, 187:5, 187:11, 188:6, 188:27
huge [23] - 11:8, 18:20, 25:5, 32:6, 71:15, 83:16, 84:19, 86:4, 89:19, 90:25, 90:29, 103:14, 103:28, 108:24, 108:29, 125:26, 155:24, 155:29, 162:13, 162:20, 168:11, 168:18, 178:1
hugely [5] - 12:16, 53:5, 103:25, 122:3, 167:8
human [1] - 78:29
hundred [1] - 171:27
hungry [1] - 97:28
Hurricane [4] - 77:19, 91:5, 107:22, 109:9
hydrological [1] - 180:2

I

icons [1] - 157:5
idea [7] - 75:24, 107:10, 111:12, 112:20, 121:1, 127:5, 187:1
identical [1] - 178:21
identifies [1] - 24:26
identifying [1] - 42:23
ignored [1] - 102:24
II [1] - 153:26
ills [1] - 14:6
immediately [2] - 19:22, 99:1
immense [1] - 92:23
impact [6] - 90:29, 91:14, 91:17, 91:19, 92:10
impacts [2] - 147:5, 161:28
impede [1] - 160:23
impediment [1] - 107:24
implement [4] - 153:12, 153:27, 153:28, 154:12
implementatio [3] - 155:25, 156:4, 156:6
implemented [1] - 19:28
imponderables [1] - 108:2
important [36] - 11:15, 13:2, 13:7, 15:17, 18:28, 24:21, 25:7, 25:22, 25:27, 26:17, 41:4, 41:22, 47:4, 47:9, 53:6, 61:22, 72:9, 72:17, 78:27, 87:12, 90:12, 99:11, 102:3, 103:23, 103:24, 103:25, 104:25, 105:17, 107:20, 109:16, 110:5, 118:18, 121:14, 124:12, 150:13, 164:20
importantly [1] - 24:2
impossible [1] - 158:17
improve [3] - 128:19, 128:21, 129:17
improving [2] - 103:22, 168:27
inadequate [1] - 89:5
inaudible [3] - 38:24, 163:29, 165:1
inaudible [1] - 39:27
inch [1] - 108:23
inches [1] - 107:15
include [6] - 55:23, 130:19, 131:7, 140:28, 174:28, 190:14
included [6] - 41:23, 43:15, 126:22, 161:15, 161:18, 163:8
includes [4] - 40:12, 131:9, 174:19, 175:11
including [4] - 79:4, 125:10, 184:21, 185:2
income [2] - 21:22, 33:7
incorporate [1] - 182:15
incorporated [3] - 37:7, 190:10, 191:8
increase [5] - 70:5, 105:3, 128:23, 166:15, 187:13
increased [2] - 70:8, 89:8
incredibly [1] - 166:8
indeed [3] - 41:7, 42:11, 42:21
independent [3] - 87:20, 88:12, 110:2
independently [1] - 93:28
indicate [1] - 180:1
indicated [1] - 136:9
indication [1] - 15:23
indicative [1] - 126:24
indicators [1] - 15:25
individual [2] - 140:25, 146:11
individual's [1] - 141:13
individuals [1] - 25:6
indulgence [1] - 68:27

industrial [2] - 166:5, 175:17
infill [1] - 142:19
infilled [1] - 139:7
influence [1] - 81:13
information [5] - 17:26, 23:17, 66:20, 109:5, 114:15
informed [2] - 16:23, 34:5
infrastructure [4] - 114:28, 117:22, 173:12, 176:28
inhibit [1] - 160:16
Inishowen [1] - 79:27
inlets [2] - 109:7, 109:8
input [1] - 72:1
inserted [1] - 147:7
inside [3] - 60:7, 69:13, 137:4
insisted [1] - 108:5
instance [2] - 54:18, 143:20
instead [8] - 9:6, 44:18, 55:2, 61:7, 61:10, 71:9, 71:10, 137:15
instill [1] - 161:5
Institute [1] - 31:24
instruct [1] - 59:27
integrity [1] - 191:17
intense [1] - 80:3
intensive [2] - 180:28, 180:29
intent [1] - 16:12
intention [1] - 111:4
Interest [1] - 66:2
interest [11] - 11:8, 23:28, 24:3, 24:4, 24:10, 25:14, 28:18, 70:28, 76:27, 101:2, 180:27
interested [4] - 27:15, 59:1, 90:15, 170:6
interests [2] - 9:10, 191:17
interfered [1] - 97:3
interfering [1] - 141:11
internet [1] - 111:6
interpretation [1] - 24:15
intervene [1] - 31:26
interviewed [1] - 10:25
intrinsically [1] - 132:12
introduced [1] - 50:1
investment [1] - 9:12
invitation [1] - 81:23
invite [2] - 78:9, 118:10
invited [1] - 118:14
inviting [1] - 122:7
involved [17] - 3:9, 3:16, 3:17, 20:24, 21:2, 23:29, 24:9, 25:17, 69:25, 99:20, 99:22, 101:24, 114:24, 141:18, 146:5, 167:1, 170:1
involvement [2] - 3:26, 17:27
involves [1] - 139:5
Ireland [4] - 31:25, 78:24, 81:28, 88:18
Irish [2] - 10:21, 54:17
iron [1] - 149:14
irrelevant [1] - 179:20
island [1] - 137:4
isolation [1] - 118:22
issue [35] - 7:3, 33:22, 43:26, 48:18, 48:24, 50:11, 53:26, 56:14, 56:22, 57:11, 58:9, 66:27, 68:27, 73:9, 74:9, 84:2, 84:3, 89:11, 93:22, 102:3, 102:15, 121:14, 149:2, 154:21, 156:25, 159:6, 164:15, 164:20, 168:17, 171:22, 177:3, 178:11
issued [1] - 153:19
issues [34] - 15:19, 15:22, 25:12, 43:7, 43:23, 44:23, 46:27, 47:5, 47:8, 47:24, 48:9, 49:23, 50:2, 50:6, 50:15, 50:19, 50:21, 50:23, 52:3, 52:6, 52:10, 55:13, 61:15, 61:17, 70:28, 71:10, 72:2, 72:9, 87:12, 88:29, 106:4, 140:23
Item [13] - 6:7, 6:13, 6:27, 6:28, 7:7, 7:8, 7:13, 65:24, 66:11, 66:16, 66:19, 66:20, 67:7
item [16] - 6:20, 7:22, 8:24, 12:21, 30:8, 35:22, 35:23, 66:15, 66:17, 99:11, 115:20, 125:6, 132:5, 134:11, 152:28, 162:27
items [5] - 51:14, 65:21, 120:9, 192:1, 192:4
itself [2] - 106:13, 155:27

J

jams [2] - 178:1, 178:5
January [5] - 17:21, 17:22, 26:13, 66:1, 66:6
JANUARY [3] - 1:9, 2:2, 192:8
job [7] - 30:21, 74:13, 77:29, 88:4, 97:10, 139:24, 189:24
jobs [1] - 30:2
Joe [14] - 46:8, 47:13, 51:20, 57:19, 58:24, 59:4, 59:14, 60:21, 61:9, 61:17, 62:28, 63:13, 76:11, 177:21
John [1] - 155:13
join [5] - 4:3, 117:16, 122:5, 122:6, 131:2
joined [1] - 117:22
joined-up [1] - 117:22
joining [2] - 81:26, 123:2
joins [1] - 122:25
journey [1] - 73:8
judicial [2] - 146:6, 154:6
jump [1] - 167:24
junction [7] - 56:26, 57:7, 63:6, 63:10, 175:13, 178:1, 178:10
justification [1] - 109:27
justified [3] - 109:28, 110:1, 110:3

K

Kavanagh [4] - 82:7, 120:25, 156:28, 158:28
KAVANAGH [4] - 82:8, 120:26, 156:13, 157:1
keen [1] - 15:8
keep [13] - 7:25, 27:19, 56:7, 75:24, 79:1, 79:9, 82:26, 91:27, 94:24, 110:7, 120:17, 178:26, 190:3
Kelly [1] - 3:7
Kennedy [1] - 157:11
KENNEDY [1] - 157:12
kept [3] - 130:15, 181:6, 181:24
Kevin [1] - 3:2
Kilfenora [1] - 126:22
kill [1] - 91:21
killed [1] - 45:29
Kilmac [4] - 126:13, 132:10, 146:25, 156:25
Kilmacanogue [16] - 3:15, 68:27, 69:3, 125:4, 125:16, 125:25, 127:17, 131:18, 132:13, 132:15, 132:18, 155:17, 155:19, 155:21, 155:24, 166:27
Kilmurray [5] - 132:11, 132:12, 132:15, 132:17, 132:23
Kilquade [1] - 37:11
Kilruddery [2] - 172:26, 179:13
kind [7] - 58:25, 67:25, 71:21, 71:22, 84:1, 157:7, 166:1
kinds [2] - 44:28, 45:21
knocked [1] - 109:10
knowledge [2] - 57:12, 57:16
knowledgeable [1] - 102:27
known [6] - 2:28, 3:25, 4:20, 7:14, 15:29, 175:13
knows [8] - 29:24, 44:24, 85:2, 86:13, 87:4, 102:6, 111:18, 127:17

L

lack [6] - 5:20, 43:28, 46:21, 50:3, 50:16, 173:12
lad [1] - 3:7
ladies [1] - 2:4
lads [1] - 96:13
laid [6] - 81:27, 121:3, 121:25, 121:27, 122:16, 137:2
land [66] - 7:14, 8:25, 13:6, 13:18, 13:25, 13:26, 13:27, 15:3, 21:17, 36:10, 49:8, 54:12, 57:12, 58:15, 58:22, 59:2, 73:12, 73:18, 83:11, 84:4, 85:10, 85:25, 85:28, 87:7, 87:8, 89:4, 105:1, 105:5, 118:27, 120:29, 129:26, 133:25, 140:21, 140:26, 142:28, 144:14, 144:26, 145:9, 147:3, 147:19, 147:21, 147:26, 148:14, 148:16, 148:19, 148:21, 149:15, 150:21, 152:13, 152:14, 152:19, 155:29, 166:20, 167:8, 169:11, 169:16, 174:23, 176:8, 180:21, 183:22, 184:3, 184:6, 186:15, 186:17
landlords [1] - 44:3
landowner [17] - 49:11, 49:16, 127:6, 147:11, 148:20, 149:7, 149:18, 150:3, 150:22, 150:26, 150:27, 150:29, 151:2, 151:12, 151:27, 180:25
landowner" [1] - 150:20
landowners [15] - 78:2, 147:8, 147:28, 148:4, 148:7, 148:12, 149:6, 149:10, 149:29, 151:1, 151:28, 152:4, 152:5, 165:24, 167:23

landowners' ^[1] 146:24, 161:20, 171:10
 - 147:6
lands ^[14] - 68:21, 68:22, 69:7, 89:17, 89:26, 91:16, 92:6, 107:8, 107:20, 107:27, 116:5, 119:21, 119:22, 148:15
landscape ^[3] - 81:24, 157:9, 158:3
landscaping ^[1] - 47:2
lane ^[6] - 20:12, 20:14, 40:5, 41:19, 111:23, 178:4
Lane ^[3] - 46:8, 106:27, 126:22
LANE ^[18] - 35:27, 55:6, 57:24, 57:28, 58:1, 59:16, 59:18, 60:5, 60:11, 61:4, 61:13, 61:18, 62:26, 62:29, 63:8, 63:14, 63:19, 63:28
laneway ^[7] - 14:27, 15:4, 15:7, 20:6, 20:8, 20:9
language ^[1] - 76:17
Laoghaire ^[2] - 91:26, 169:25
LAP ^[3] - 143:3, 144:18, 145:19
LAPs ^[1] - 143:6
large ^[2] - 38:18, 165:3
last ^[33] - 3:8, 3:19, 5:23, 9:3, 9:28, 9:29, 10:25, 12:15, 16:6, 27:4, 27:12, 65:23, 67:27, 74:12, 80:25, 81:19, 92:7, 100:2, 103:16, 111:2, 112:24, 112:29, 113:6, 117:24, 118:10, 118:19, 123:9, 131:17, 145:26, 145:28, 145:29, 170:17, 170:29
late ^[4] - 4:26, 146:24, 161:20, 171:10
law ^[3] - 5:4, 5:6, 146:8
lawless ^[4] - 14:23, 20:5, 47:17, 58:23
Lawless ^[1] - 2:22
LAWLESS ^[20] - 2:23, 14:24, 20:20, 47:18, 58:24, 59:17, 60:1, 61:1, 61:7, 61:17, 62:2, 62:14, 62:22, 62:28, 63:13, 63:17, 63:24, 63:27, 65:13, 65:16
lawyers ^[3] - 10:1, 11:5, 31:5
layout ^[2] - 38:18, 132:9
lead ^[2] - 33:27, 51:26
lead-in ^[1] - 33:27
leading ^[2] - 51:23, 80:18
leads ^[1] - 111:19
leakage ^[4] - 12:17, 14:11, 86:15, 86:16
learn ^[3] - 95:23, 95:26, 97:28
learned ^[1] - 78:23
lease ^[5] - 7:17, 8:5, 8:6, 8:8, 21:6
leasing ^[1] - 19:15
least ^[5] - 44:17, 54:13, 75:24, 89:3, 124:22
leave ^[9] - 8:14, 75:2, 79:20, 136:28, 175:1, 178:28, 183:25, 186:23
leaves ^[1] - 174:22
lecture ^[1] - 65:10
led ^[3] - 119:27
left ^[14] - 12:13, 20:11, 54:21, 72:7, 85:18, 85:22, 87:17, 89:1, 97:27, 97:28, 176:27, 178:4, 187:8, 191:28
legal ^[4] - 10:15, 148:20, 149:18, 187:17
legals ^[1] - 23:6
legislation ^[2] - 96:23, 155:27
length ^[3] - 25:2, 40:29, 41:16
less ^[11] - 47:27, 57:8, 67:13, 110:19, 123:13, 135:9, 135:11, 165:6, 172:13, 192:4, 192:5
letter ^[5] - 4:4, 4:14, 23:19, 23:23, 24:10
letting ^[3] - 26:24, 116:26, 125:19
level ^[17] - 19:4, 59:21, 64:14, 64:28, 84:5, 84:10, 84:20, 84:21, 89:6, 91:25, 105:25, 107:12, 109:6, 143:16, 143:18
liable ^[1] - 9:21
liaise ^[1] - 57:14
liberal ^[1] - 145:11
life ^[7] - 4:10, 10:4, 30:21, 80:10, 105:16, 105:23, 142:2
lift ^[3] - 87:9, 122:8, 161:29
lifts ^[1] - 122:4
light ^[4] - 65:22, 112:4, 137:12, 171:6
lighting ^[13] - 5:19, 37:17, 47:4, 48:18, 51:3, 52:12, 55:25, 59:10, 62:15, 63:17, 63:18, 63:19, 164:21
lightly ^[1] - 155:16
lights ^[5] - 5:22, 49:4, 55:16, 55:18, 58:21
likely ^[2] - 80:3, 80:27
Limerick ^[1] - 95:28
limit ^[6] - 36:27, 37:12, 174:1, 174:2, 174:3, 178:22
Limited ^[2] - 7:16, 8:28
line ^[14] - 10:12, 29:21, 37:26, 38:24, 54:16, 121:21, 126:21, 126:23, 126:28, 126:29, 131:20, 179:2, 179:3, 179:8
linear ^[7] - 90:2, 94:25, 101:15, 117:1, 117:16, 118:29, 148:27
lines ^[2] - 7:26, 170:23
link ^[2] - 81:29, 117:22
linkage ^[1] - 117:13
linked ^[1] - 132:12
liquidated ^[2] - 21:20, 21:25
liquidator ^[1] - 74:6
Lisa ^[2] - 69:27, 108:10
List ^[2] - 43:3, 47:26
list ^[11] - 57:21, 58:20, 69:13, 105:24, 105:29, 125:19, 126:10, 138:9, 161:18, 163:3, 163:9
listed ^[7] - 68:1, 155:28, 160:13, 162:13, 162:15, 162:16, 163:1
listen ^[3] - 34:23, 47:3, 82:24
listened ^[6] - 27:2, 44:16, 53:8, 102:10, 102:26, 102:29
listening ^[1] - 42:21
literally ^[1] - 15:3
live ^[17] - 44:4, 45:2, 48:2, 52:8, 53:7, 78:1, 82:24, 100:13, 102:20, 112:15, 118:21, 124:10, 157:18, 158:22, 167:12, 173:8, 176:22
lived ^[4] - 4:27, 92:1, 99:29, 102:4
lives ^[2] - 15:27, 83:3
living ^[7] - 47:28, 61:25, 100:4, 102:5, 112:6, 152:6, 166:28
loading ^[1] - 20:15
loads ^[1] - 155:8
Loaf ^[13] - 153:17, 154:25, 156:1, 156:10, 156:20, 157:3, 157:13, 157:21, 157:23, 158:15, 173:5, 173:10, 177:23
Loafs ^[3] - 153:15, 155:26, 155:28
Local ^[16] - 6:29, 7:8, 36:13, 36:17, 57:14, 57:17, 59:29, 65:24, 65:25, 67:9, 67:10, 71:7, 83:26, 114:22, 149:6, 154:20
local ^[11] - 36:10, 37:10, 37:23, 38:2, 55:19, 70:13, 71:10, 79:24, 129:7, 155:2, 158:18
locate ^[2] - 37:9, 37:29
located ^[7] - 38:19, 38:23, 38:28, 39:16, 70:9, 119:3, 182:17
location ^[8] - 36:19, 37:1, 37:13, 87:2, 117:4, 119:26, 176:8, 176:27
locations ^[1] - 159:8
logic ^[4] - 67:25, 68:4, 69:16, 176:21
lone ^[1] - 11:18
long-term ^[1] - 81:16
look ^[54] - 24:6, 25:27, 27:9, 27:29, 28:24, 39:5, 43:9, 43:18, 48:17, 49:3, 49:22, 50:12, 55:28, 57:1, 57:21, 59:10, 60:8, 60:27, 61:11, 61:18, 63:19, 80:24, 87:22, 88:11, 88:13, 90:8, 92:29, 93:2, 96:26, 98:22, 99:5, 99:14, 104:19, 105:19, 108:12, 108:25, 111:1, 111:3, 111:4, 114:25, 116:9, 119:13, 122:12, 146:15, 148:5, 152:11, 153:9, 155:11, 158:7, 161:10, 165:1, 167:7, 170:4, 188:1
looked ^[14] - 26:1, 26:12, 51:10, 55:25, 56:23, 58:8, 62:15, 62:17, 81:9, 111:5, 119:8, 140:15, 140:18, 174:7
looking ^[36] - 27:28, 43:1, 45:9, 48:10, 49:2, 52:27, 56:17, 56:26, 61:26, 61:27, 62:25, 63:23, 64:7, 64:23, 65:2, 69:26, 74:19, 74:20, 86:2, 91:16, 91:17, 101:12, 101:13, 118:14, 124:19, 124:21, 148:28, 154:16, 154:26, 161:11, 166:15, 183:3, 189:29, 190:6, 190:21, 190:24
looks ^[3] - 43:9, 51:20, 61:9

Lorraine [1] - 62:10
lose [2] - 17:3, 21:14
losing [4] - 19:24, 73:21, 97:13, 104:16
loss [9] - 89:3, 89:5, 105:23, 142:26, 143:1, 144:12, 144:16, 175:12, 180:21
lost [3] - 4:10, 16:2, 148:27
love [2] - 91:2, 122:29
lovely [2] - 43:9, 45:12
lower [6] - 21:21, 83:20, 84:5, 84:10, 84:21, 153:17
luck [1] - 150:15
ludicrous [1] - 121:2

M

Machinery [1] - 5:7
magnificent [1] - 86:9
mail [6] - 17:20, 23:20, 25:11, 26:12, 33:18, 44:9
mails [3] - 26:1, 46:18, 47:20
Main [5] - 8:26, 16:1, 28:4, 30:10, 104:26
main [8] - 11:21, 60:2, 104:26, 116:12, 116:18, 146:22, 171:27, 184:18
maintain [4] - 47:10, 142:24, 144:10, 162:2
maintained [1] - 47:11
maintains [1] - 175:28
maintenance [3] - 47:5, 50:17, 60:16
maith [9] - 3:5, 3:12, 23:9, 27:21, 29:10, 99:9,

101:27, 138:26, 140:19
major [7] - 23:27, 70:28, 159:5, 177:3, 185:24, 185:29, 186:5
majorities [1] - 85:4
majority [5] - 73:2, 82:25, 84:12, 85:6, 103:3
Malone [1] - 1:19
MALONE [1] - 1:26
man [2] - 2:28, 156:3
managed [4] - 114:24, 114:28, 117:4, 118:2
Management [1] - 109:23
management [8] - 23:12, 77:24, 94:2, 114:17, 114:20, 114:22, 114:24, 164:1
Manager [7] - 16:18, 104:12, 104:13, 161:14, 165:4, 167:5, 168:4
manager's [1] - 173:3
Manager's [6] - 17:5, 135:18, 167:20, 167:29, 168:3, 184:28
manner [2] - 22:18, 168:8
map [13] - 70:10, 116:15, 116:19, 116:20, 125:16, 125:25, 126:23, 128:4, 128:24, 128:27, 175:5, 175:23, 185:22
mapping [3] - 127:11, 131:19, 131:22
maps [5] - 76:18, 116:9, 132:18, 154:16, 161:11
margin [1] - 60:6
marine [1] - 94:2
Mark [4] - 20:23, 21:2, 25:18,

106:23
markers [2] - 166:12
market [2] - 16:10, 32:26
marketing [2] - 24:1, 33:1
markets [1] - 10:19
marks [1] - 21:26
marvelled [1] - 87:26
Mary [1] - 3:2
massive [4] - 95:19, 96:19, 97:9, 110:27
match [1] - 38:12
material [4] - 59:18, 60:15, 63:2, 124:21
mathematical [2] - 106:10, 121:17
mathematically [1] - 108:1
matter [8] - 30:24, 33:12, 48:21, 50:20, 67:20, 77:16, 98:2, 185:4
mATTHEWS [2] - 175:19, 191:28
MATTHEWS [8] [1] - 8:19, 15:16, 26:24, 35:19, 76:13, 114:3, 114:8, 114:10, 114:14, 114:20, 114:23, 115:1, 115:23, 115:25, 116:25, 121:10, 121:13, 125:14, 128:18, 128:21, 128:26, 129:1, 129:7, 129:12, 130:22, 131:2, 133:16, 134:24, 137:28, 140:21, 142:4, 142:10, 143:11, 143:15, 143:27, 144:9, 144:20, 144:25, 145:1, 145:5, 145:18, 145:26, 145:29, 146:20, 148:10, 152:3, 152:10, 153:2, 157:25, 158:2,

158:7, 159:28, 160:4, 160:11, 160:19, 162:29, 163:8, 169:10, 169:23, 169:28, 174:2, 174:4, 174:17, 178:29, 179:8, 180:12, 181:4, 181:11, 181:15, 181:21, 181:24, 182:7, 182:14, 182:27, 183:21, 183:27, 184:1, 188:14, 188:19, 189:15, 190:17
Matthews [7] [9] - 8:20, 15:15, 18:16, 25:10, 26:23, 69:9, 69:19, 72:26, 76:12, 88:23, 90:21, 94:3, 94:10, 96:6, 103:2, 114:13, 115:6, 115:21, 116:23, 123:6, 126:11, 128:5, 128:9, 128:11, 128:16, 128:28, 129:11, 130:8, 130:21, 130:29, 133:3, 133:11, 134:17, 134:22, 134:23, 135:10, 135:13, 135:19, 137:27, 138:4, 138:11, 140:20, 142:7, 142:8, 146:21, 148:9, 155:6, 155:18, 156:12, 157:14, 158:27, 160:3, 160:17, 162:23, 162:27, 169:9, 173:29, 175:16, 181:3, 181:27, 182:2, 182:8, 182:11, 182:12, 183:5, 183:10, 183:19, 183:24, 184:9, 184:11, 185:23, 188:12, 188:13, 188:17, 188:23, 189:12, 190:11, 190:16, 191:6
Matthews' [2] [1] - 70:18, 128:3, 128:8, 128:13, 129:9, 133:8,

135:6, 138:1, 138:14, 152:28, 156:14, 157:2, 174:18, 174:24, 178:21, 178:23, 182:22, 187:10, 187:22, 188:24, 191:12
mature [1] - 139:27
max [1] - 56:15
McLoughlin [15] [7] [9] - 51:28, 51:29, 60:29, 63:21, 63:25, 64:1, 69:10, 126:7, 126:9, 134:25, 135:5, 135:23, 178:9, 183:14, 183:17
McManus [3] - 97:25, 99:24, 100:3
mean [63] - 18:12, 18:29, 23:22, 24:17, 24:19, 25:1, 25:17, 28:1, 28:7, 28:23, 28:27, 28:29, 29:2, 29:4, 29:7, 29:16, 33:22, 35:2, 48:5, 49:13, 59:18, 59:27, 86:24, 88:12, 95:27, 96:17, 96:26, 99:2, 99:15, 99:18, 100:4, 100:6, 100:12, 100:16, 100:18, 100:20, 101:2, 105:19, 106:20, 139:21, 140:18, 141:25, 145:10, 147:17, 149:16, 151:14, 151:17, 152:5, 156:18, 156:19, 156:20, 156:22, 156:23, 158:19, 162:19, 167:20, 167:21, 186:13, 186:17, 187:24, 191:22
meaning [1] - 103:15
meanings [1] - 31:27
means [10] - 24:27, 26:11, 105:13, 124:9,

128:12, 136:22, 139:28, 147:11, 147:14, 185:1
meant [2] - 10:11, 108:13
meantime [2] - 9:11, 9:24
measure [1] - 136:20
measures [1] - 78:27
Meath [1] - 160:9
medals [1] - 4:22
meet [7] - 46:12, 51:4, 81:23, 89:8, 103:13, 122:18, 122:27
Meeting [3] - 6:8, 6:14, 6:21
MEETING [3] - 1:5, 2:1, 192:7
meeting [31] - 2:10, 2:11, 5:13, 5:23, 9:4, 15:17, 16:19, 29:12, 29:26, 31:3, 34:8, 34:23, 42:14, 52:9, 64:9, 67:1, 67:23, 68:20, 68:23, 71:29, 72:2, 95:5, 127:22, 130:17, 164:18, 164:22, 173:16, 173:18, 179:19, 191:19, 191:22
meetings [8] - 9:23, 15:18, 16:23, 32:3, 75:18, 100:24, 102:11, 127:20
meets [1] - 96:2
Mellick [1] - 79:26
member [3] - 13:28, 14:1, 87:16
Member [1] - 120:8
members [3] - 2:6, 67:7, 71:24
Members [73] - 2:13, 6:5, 8:16, 9:1, 9:5, 12:5, 15:21, 16:21, 16:23, 17:13, 18:1, 18:6, 18:10, 23:14, 27:6,

27:16, 27:17,
 33:5, 33:10,
 42:16, 43:4,
 64:29, 65:20,
 66:24, 66:28,
 67:1, 67:17,
 67:24, 68:2, 68:6,
 68:16, 68:24,
 69:29, 70:29,
 71:13, 72:15,
 72:21, 72:27,
 75:12, 76:3, 76:9,
 79:17, 85:3, 85:6,
 95:3, 95:5, 95:7,
 95:8, 104:10,
 116:16, 119:17,
 120:1, 120:28,
 125:4, 129:27,
 131:25, 132:9,
 134:4, 134:8,
 135:15, 143:24,
 153:5, 153:10,
 155:3, 155:5,
 155:8, 156:10,
 159:15, 162:3,
 191:16, 191:25
Members' [1] -
 69:21
memory [1] -
 67:16
mention [2] -
 33:12, 114:6
mentioned [9] -
 45:15, 49:3,
 57:11, 58:25,
 96:6, 97:12,
 104:17, 109:12,
 182:6
mentioning [1] -
 95:19
merging [1] -
 130:4
met [7] - 13:8,
 25:4, 86:21,
 87:22, 97:25,
 99:27, 125:25
metal [2] -
 44:26, 44:27
method [1] -
 108:5
metres [27] -
 8:25, 39:18,
 39:19, 39:20,
 39:21, 92:21,
 92:22, 92:23,
 95:21, 96:11,
 96:13, 98:19,
 104:5, 105:13,
 105:25, 108:3,
 108:7, 108:19,
 108:27, 117:27,
 117:28, 122:22,
 136:23, 136:24,
 149:16
metropolitan [1]
 - 86:19
Michael [1] -
 4:20
Mick [1] - 4:20
middle [7] -
 9:21, 11:20,
 41:11, 56:16,
 108:11, 108:12,
 187:3
Midlands [1] -
 66:21
might [34] -
 10:8, 11:9, 20:23,
 24:1, 43:9, 49:13,
 51:25, 57:19,
 59:22, 74:4, 75:7,
 83:27, 96:11,
 96:13, 104:9,
 105:1, 105:12,
 107:13, 111:11,
 111:12, 122:26,
 128:14, 130:2,
 140:27, 141:1,
 145:10, 150:25,
 154:17, 161:26,
 164:13, 174:17,
 179:17, 180:17
mightn't [1] - 7:1
mile [1] - 107:15
miles [3] -
 121:25, 121:27,
 152:6
million [21] -
 12:27, 12:28,
 27:29, 28:5, 28:6,
 28:9, 28:12,
 28:19, 29:15,
 29:16, 29:29,
 32:1, 88:17,
 88:18, 91:9,
 92:10, 95:18,
 98:12, 101:8,
 104:1
mind [20] -
 26:18, 28:26,
 30:5, 40:19,
 50:18, 51:21,
 52:26, 56:8,
 57:27, 65:8,
 75:29, 78:21,
 79:1, 79:10,
 89:12, 110:7,
 121:6, 164:16,
 164:22, 177:22
minds [1] -
 107:5
mine [2] -
 171:24, 177:18
minimum [1] -
 57:1
Minister [3] -
 153:21, 153:24,
 155:13
Ministerial [1] -
 153:13
minor [7] -
 104:7, 123:14,
 128:19, 129:2,
 129:14, 180:1,
 182:6
minus [2] - 63:2
minute [2] -
 18:28, 176:21
minute's [1] -
 5:9
MINUTE'S [1] -
 5:11
minutes [8] -
 6:7, 6:13, 6:21,
 46:7, 95:15,
 167:10, 179:18,
 191:16
Miriam [1] -
 56:10
missed [1] -
 2:29
missing [1] -
 81:29
Mississippi [1] -
 96:27
Missouri [1] -
 96:27
mistake [2] -
 25:21, 134:16
Mitchell [4] -
 39:28, 43:24,
 45:15, 50:2
MITCHELL [5] -
 39:29, 58:13,
 65:12, 170:6,
 177:28
mitigation [1] -
 116:3
Mitigation" [1] -
 78:20
mixed [4] - 45:5,
 48:2, 73:12,
 182:15
mixture [1] -
 166:5
model [12] -
 87:18, 87:23,
 87:24, 87:27,
 94:5, 94:7,
 106:11, 106:12,
 107:29
modelled [3] -
 106:9, 108:2,
 109:1
modelling [3] -
 87:28, 88:9, 94:4
models [1] -
 94:15
modification [6]
 - 134:26, 134:28,
 135:10, 138:2,
 191:12, 191:13
modifications
 [1] - 191:8
modified [3] -
 138:14, 182:1,
 182:26
moment [34] -
 5:22, 13:3, 14:3,
 35:11, 37:23,
 48:11, 54:15,
 56:5, 56:23, 57:5,
 71:27, 85:4, 86:9,
 89:2, 105:4,
 108:18, 109:8,
 110:17, 110:24,
 113:14, 113:17,
 116:21, 117:14,
 119:15, 142:11,
 142:21, 144:21,
 145:6, 156:18,
 161:18, 162:3,
 169:14, 175:20,
 189:27
MONDAY [3] -
 1:9, 2:1, 192:7
Monday [5] -
 6:9, 6:15, 6:22,
 191:24, 192:3
money [15] -
 19:25, 21:12,
 22:24, 26:16,
 29:6, 32:9, 33:6,
 58:21, 96:22,
 101:1, 101:26,
 129:28, 130:4,
 148:16, 152:19
monstrosity [1]
 - 95:20
month [2] -
 14:18, 30:6
months [5] -
 10:15, 15:20,
 54:11, 102:24,
 103:17
months' [1] -
 51:12
mooted [1] -
 155:13
morning [6] -
 5:1, 26:7, 26:12,
 167:24, 178:13,
 178:14
most [24] - 8:3,
 10:6, 15:17, 24:2,
 33:10, 47:23,
 52:2, 57:28,
 64:26, 67:16,
 76:28, 80:19,
 88:8, 100:1,
 148:1, 148:2,
 148:18, 148:22,
 149:27, 153:10,
 155:14, 160:15,
 168:25, 185:25
Mother [1] - 97:2
mother [1] - 5:4
mother-in-law
 [1] - 5:4
motion [8] -
 35:10, 35:11,
 72:25, 74:28,
 75:9, 112:18,
 157:2, 171:21
motions [1] -
 173:22
Mount [1] -
 79:26
mountain [2] -
 157:7, 157:9
mountainside
 [1] - 130:14
move [12] - 3:6,
 6:27, 6:28, 7:3,
 7:7, 16:6, 16:8,
 25:11, 74:18,
 125:5, 143:28,
 187:23
moved [3] -
 75:10, 89:7,
 126:21
moving [2] -
 168:6, 168:28
MR [125] - 7:20,
 9:1, 20:5, 20:22,
 22:11, 22:26,
 23:15, 31:1,
 34:28, 35:3,
 35:10, 35:27,
 55:6, 57:24,
 57:28, 58:1,
 59:16, 59:18,
 60:5, 60:11,
 60:18, 61:4,
 61:13, 61:18,
 62:26, 62:29,
 63:8, 63:14,
 63:19, 63:28,
 66:13, 66:29,
 67:11, 69:11,
 69:17, 69:29,
 70:3, 103:20,
 104:9, 113:12,
 113:18, 114:18,
 114:21, 114:25,
 123:12, 124:17,
 128:3, 128:12,
 128:20, 128:25,
 129:20, 130:9,
 131:11, 131:28,
 132:22, 133:4,
 133:14, 134:20,
 134:26, 135:3,
 135:7, 135:17,
 135:21, 136:2,
 137:3, 138:8,
 138:19, 141:27,
 144:1, 144:23,
 145:2, 145:7,
 147:10, 147:16,
 147:21, 147:25,
 149:9, 151:26,
 159:19, 159:22,
 160:2, 160:6,
 160:12, 163:12,
 163:15, 163:27,
 164:27, 165:14,
 169:20, 169:24,
 170:1, 170:4,
 172:10, 173:22,
 173:27, 173:29,
 174:3, 175:10,
 176:9, 176:15,
 177:16, 177:24,
 178:16, 178:21,
 179:5, 179:23,
 179:25, 180:10,
 181:13, 181:19,
 181:22, 182:1,
 182:5, 182:11,
 182:20, 182:25,
 183:22, 183:28,
 184:2, 184:5,
 184:9, 185:22,
 188:8, 189:2,
 189:9
MS [92] - 2:18,
 2:21, 5:3, 6:3,
 6:10, 6:16, 6:19,
 6:23, 7:10, 7:12,
 8:21, 8:23, 18:8,
 35:8, 35:12,
 35:14, 35:16,
 35:18, 35:21,
 36:5, 62:12,
 62:21, 62:22,
 65:17, 65:28,
 69:24, 95:9,
 115:4, 115:12,
 115:14, 115:18,
 115:22, 116:23,

123:6, 123:18,
125:2, 126:8,
131:6, 131:15,
132:29, 134:18,
135:12, 135:24,
136:1, 136:6,
137:9, 138:1,
138:11, 143:9,
143:19, 144:29,
145:25, 145:27,
147:9, 152:25,
158:27, 159:21,
159:29, 162:25,
163:14, 163:21,
163:24, 164:6,
172:3, 172:17,
172:21, 172:22,
172:25, 174:18,
175:5, 175:11,
175:22, 176:3,
176:7, 176:12,
176:14, 178:19,
179:10, 179:28,
180:7, 180:14,
181:10, 181:27,
182:8, 182:29,
183:12, 185:16,
185:17, 185:20,
189:6, 191:11,
191:15
multi [1] - 9:6
multi-storey [1]
- 9:6
Municipal [22] -
9:23, 16:20, 19:4,
25:1, 27:6, 33:10,
42:22, 42:25,
47:20, 51:1,
51:11, 64:14,
64:27, 67:9,
72:28, 104:13,
143:2, 143:6,
144:17, 166:24,
167:7, 170:5
Murphy [1] -
43:6
MURPHY [1] -
43:7
must [8] - 27:25,
32:4, 37:13,
41:15, 42:5,
42:19, 99:22
myth [1] - 158:4
mile [2] - 23:9,
101:27

N

N11 [6] - 126:16,
126:19, 127:2,

127:25, 129:23,
130:20
naively [1] -
97:29
NAMA [1] -
84:19
name [4] -
72:22, 72:23,
84:8, 95:23
named [1] - 1:21
narrow [2] -
139:21, 175:26
national [1] -
108:20
National [1] -
52:22
naturally [1] -
98:1
nature [2] -
77:21, 79:9
Nature [1] - 97:2
Navybrook [4] -
8:28, 24:5, 24:9,
28:21
near [2] - 28:9,
152:18
nearer [1] - 28:5
nearly [4] - 9:4,
11:29, 156:3,
169:2
necessarily [8] -
46:19, 46:20,
53:16, 65:6, 76:2,
136:13, 136:15,
166:2
necessary [8] -
2:12, 31:7, 48:12,
86:17, 86:29,
104:5, 133:29,
169:2
necessity [1] -
18:16
need [48] - 5:27,
11:4, 18:6, 24:29,
25:8, 30:11,
30:12, 32:7, 40:1,
42:18, 43:23,
44:11, 44:15,
46:21, 48:3, 48:8,
48:16, 49:2, 49:5,
49:22, 49:29,
50:18, 50:22,
52:3, 52:12,
52:13, 67:1, 72:9,
83:2, 83:3, 90:1,
94:22, 102:7,
105:4, 108:27,
113:13, 114:28,
142:17, 145:2,
145:4, 164:18,

165:2, 167:2,
178:2, 178:3,
180:3, 187:4
needed [11] -
9:27, 14:5, 56:28,
73:23, 118:19,
119:29, 129:22,
143:17, 166:18,
168:1, 168:17
needn't [1] -
68:14
needs [20] -
17:13, 33:29,
34:12, 38:12,
39:24, 43:10,
45:18, 50:8,
50:12, 51:6, 58:8,
69:25, 105:7,
112:10, 129:15,
154:29, 155:2,
158:3, 167:4,
167:7
negatively [2] -
12:16, 88:6
neighbourhood
d [1] - 176:24
neighbouring
[2] - 39:17, 190:8
never [17] -
19:23, 30:5, 31:9,
53:12, 71:27,
79:2, 79:10,
79:27, 80:10,
80:11, 80:12,
88:24, 91:2,
96:16, 154:7,
186:27, 186:28
new [37] - 2:8,
8:7, 8:11, 8:13,
8:14, 11:4, 37:9,
37:17, 37:22,
37:29, 39:1,
39:24, 40:27,
50:4, 50:18,
50:24, 59:19,
86:7, 91:25,
97:15, 113:27,
117:7, 117:12,
118:13, 118:15,
118:22, 119:10,
119:12, 129:24,
144:2, 153:6,
166:14, 176:2,
176:6, 186:26
New [1] - 97:1
news [1] - 42:10
newspaper [1] -
10:22
next [30] - 7:22,
11:3, 34:7, 35:22,

51:5, 92:14,
93:12, 94:21,
106:16, 115:10,
115:20, 134:11,
134:22, 137:6,
137:26, 138:17,
143:28, 152:28,
162:27, 164:22,
164:25, 172:26,
175:5, 179:14,
179:19, 185:17,
188:18, 191:19,
191:24, 192:3
nice [7] - 20:22,
49:1, 49:3, 62:6,
122:26, 186:9,
189:24
nicer [2] - 61:9,
96:7
night [3] - 92:12,
100:2, 103:12
nightmare [1] -
156:6
nilly [1] - 85:9
nine [4] - 10:15,
27:12, 108:19
no-brainer [1] -
52:12
nobody [9] -
33:23, 33:25,
34:10, 43:21,
48:6, 88:23,
127:17, 127:18,
158:14
Noel [2] - 4:5,
4:14
Noelle [1] - 36:1
Noelle's [1] -
55:15
Noelly [1] - 5:4
Noleen [5] -
97:25, 97:28,
99:24, 100:2,
102:11
nominate [1] -
31:25
non [1] - 52:4
non-
consultation [1] -
52:4
none [8] - 74:22,
74:24, 77:16,
80:8, 88:19,
96:25, 110:16,
134:21
normal [3] -
60:16, 112:28,
146:12
normally [8] -
60:12, 60:13,

142:25, 142:29,
144:11, 144:15,
144:25, 144:27
North [1] - 169:3
north [2] - 119:3,
137:11
northbound [1] -
117:18
note [6] - 6:29,
7:8, 67:29, 134:3,
169:15
noted [4] - 7:10,
7:11, 7:12, 65:26
notes [1] - 1:21
nothing [10] -
23:19, 24:11,
26:10, 26:20,
27:10, 58:4,
71:15, 75:9,
88:13, 115:26
notice [8] - 7:18,
8:29, 12:3, 17:23,
17:24, 85:20,
99:1, 164:14
noticed [2] -
31:9, 167:28
notified [1] -
172:9
noting [1] - 7:5
notwithstanding
g [1] - 123:27
November [4] -
6:9, 6:15, 17:29,
103:12
NRA [1] - 127:26
NTA [5] - 67:16,
159:22, 169:20,
169:26, 182:5
number [86] -
7:1, 12:21, 22:27,
27:4, 32:11,
35:27, 37:6,
39:10, 40:2,
40:16, 43:24,
56:3, 67:15,
68:19, 68:25,
69:7, 69:18,
69:19, 69:23,
69:25, 70:13,
72:13, 72:22,
88:29, 115:12,
123:10, 125:16,
126:3, 126:4,
126:5, 126:16,
127:11, 127:20,
127:23, 128:3,
131:17, 132:7,
133:11, 134:12,
134:13, 134:23,
135:2, 135:3,

135:22, 135:27,
137:21, 137:27,
138:3, 138:13,
138:14, 138:17,
152:29, 159:1,
160:5, 160:24,
160:26, 161:17,
162:28, 163:11,
163:19, 163:20,
163:26, 163:27,
167:15, 171:20,
171:24, 171:26,
171:29, 172:1,
172:9, 172:27,
173:15, 179:15,
179:23, 182:3,
182:13, 183:3,
183:6, 183:10,
183:12, 183:20,
185:16, 185:17,
186:1
numbers [3] -
69:20, 160:2,
165:3
nursing [2] -
180:22, 180:27

O

O'Brien [20] -
4:20, 14:15,
18:23, 19:13,
22:16, 25:12,
29:8, 33:16,
72:25, 95:12,
103:1, 110:16,
111:20, 115:6,
123:7, 139:1,
167:17, 172:8,
190:12
O'BRIEN [100] -
7:20, 9:1, 20:5,
20:22, 22:11,
22:26, 23:15,
31:1, 34:28, 35:3,
35:10, 66:29,
67:11, 69:11,
69:17, 69:29,
70:3, 95:13,
104:9, 113:12,
113:18, 114:18,
114:21, 114:25,
123:5, 123:12,
124:17, 128:3,
128:12, 128:20,
128:25, 129:20,
130:9, 131:11,
131:28, 132:22,
133:4, 133:14,
134:20, 134:26,

135:3, 135:7,
135:17, 135:21,
136:2, 137:3,
138:8, 138:19,
144:1, 144:23,
145:7, 147:10,
147:16, 147:21,
147:25, 151:26,
159:19, 159:22,
160:2, 160:6,
160:12, 163:12,
163:15, 163:27,
164:27, 165:14,
169:24, 170:1,
173:22, 173:27,
173:29, 174:3,
175:10, 176:9,
176:15, 177:16,
177:24, 178:16,
178:21, 179:5,
179:23, 179:25,
180:10, 181:13,
181:19, 181:22,
182:1, 182:5,
182:11, 182:20,
182:25, 183:22,
183:28, 184:2,
184:5, 184:9,
185:22, 188:8,
189:2, 189:9
O'Brien's [1] -
100:12
o'clock [6] -
2:12, 95:5,
146:19, 191:24,
192:2, 192:3
O'Connor [5] -
22:13, 72:26,
83:8, 103:2,
115:6
O'CONNOR [3] -
22:14, 23:7, 83:9
O'Neill [1] -
53:10
O'NEILL [4] -
53:11, 58:11,
125:7, 125:10
O'Sullivan [1] -
88:10
O'Toole [2] -
101:16, 101:21
obey [1] -
189:10
objecting [1] -
173:2
objection [11] -
131:21, 131:23,
133:10, 133:29,
134:2, 134:9,
134:28, 137:28,
138:5, 182:19,
182:22
objections [2] -
15:2, 184:26
objective [9] -
70:13, 77:4,
116:4, 116:6,
141:23, 147:2,
148:17, 153:25,
155:3
objectives [3] -
38:17, 118:28,
136:7
obliged [2] -
36:14, 189:10
observation [1]
- 64:8
observations [4]
- 44:18, 134:5,
146:12, 152:10
OBSERVED [1] -
5:11
obvious [3] -
27:6, 36:13,
156:19
obviously [21] -
18:13, 21:16,
21:18, 22:1,
33:11, 40:1, 44:6,
64:12, 67:17,
71:12, 88:16,
91:7, 92:5, 98:12,
104:24, 146:9,
146:14, 151:23,
156:23, 164:10,
172:11
occasion [4] -
19:18, 19:19,
71:23, 74:11
occupation [1] -
86:10
occupied [1] -
24:20
occupy [1] -
53:22
occurs [1] - 84:3
ocean [1] -
42:12
OF [2] - 1:5, 2:1
offer [7] - 3:14,
3:20, 4:19, 31:3,
118:11, 127:2,
127:28
offered [1] -
86:17
offering [3] -
10:8, 14:10,
86:14
offers [1] - 157:3
Officer [2] - 4:9,
65:28
officialdom [1] -
102:15
officials [4] -
22:17, 25:17,
76:1, 102:22
often [2] -
138:24, 161:20
old [8] - 42:11,
58:15, 80:24,
137:4, 175:22,
176:16, 176:17,
186:26
Old [6] - 183:10,
183:11, 183:22,
184:23, 185:18,
186:27
older [1] -
105:27
Oliver [1] - 172:8
omit [2] - 70:12,
70:15
omits [1] -
174:23
omitted [1] -
184:16
omitting [1] -
136:2
ON [2] - 1:9, 2:1
on-street [1] -
139:25
once [7] - 11:15,
37:1, 55:10, 98:7,
99:12, 107:12,
189:20
one [167] - 2:10,
5:14, 5:22, 7:24,
8:14, 11:18,
11:25, 12:21,
14:24, 15:17,
15:24, 19:1, 19:2,
19:11, 21:9, 22:3,
26:29, 27:12,
27:15, 27:17,
27:26, 30:5, 30:8,
30:14, 33:2,
38:13, 38:21,
39:13, 41:22,
44:9, 46:7, 47:21,
47:24, 51:3, 51:4,
51:22, 51:26,
52:23, 52:26,
53:19, 53:26,
54:3, 54:18,
54:22, 54:25,
56:7, 56:16,
56:28, 57:3, 58:6,
61:13, 63:2,
64:10, 64:16,
65:19, 69:9, 70:5,
72:15, 72:18,
72:19, 72:20,
72:22, 72:23,
73:11, 74:10,
77:18, 78:13,
78:15, 80:23,
80:28, 80:29,
81:19, 82:17,
86:3, 86:20, 88:5,
88:8, 90:6, 90:9,
91:22, 91:24,
92:24, 93:13,
93:15, 93:25,
94:18, 94:19,
98:23, 99:17,
99:18, 100:9,
101:15, 101:21,
104:29, 106:9,
106:16, 106:19,
106:20, 108:14,
109:13, 109:21,
109:26, 110:12,
110:29, 112:19,
115:8, 118:10,
120:11, 120:14,
125:24, 127:10,
127:11, 127:12,
130:1, 131:19,
132:7, 132:15,
132:29, 134:13,
134:22, 134:29,
136:4, 136:22,
138:6, 138:17,
139:8, 141:24,
142:12, 145:14,
146:25, 147:4,
147:18, 149:1,
152:27, 155:17,
155:20, 157:5,
159:9, 160:7,
164:1, 165:12,
165:13, 165:16,
165:26, 166:12,
167:15, 170:29,
171:1, 171:2,
171:3, 172:12,
174:6, 175:24,
177:16, 177:25,
179:7, 179:21,
179:25, 186:1,
188:21
ONE [1] - 5:11
one's [1] - 189:3
one-off [2] -
155:17, 155:20
onerous [1] -
164:4
ones [6] - 56:24,
57:3, 67:21,
83:25, 187:12,
189:4
ongoing [2] -
50:21, 106:29
online [1] -
111:9
onus [1] - 46:25
open [58] -
11:21, 21:29,
26:19, 28:28,
81:20, 81:25,
84:20, 85:14,
88:20, 93:9,
97:14, 116:7,
116:10, 117:4,
117:5, 119:19,
122:24, 123:14,
124:8, 124:26,
138:20, 140:28,
141:3, 141:22,
141:29, 142:20,
142:24, 142:27,
142:28, 143:1,
143:15, 144:10,
144:13, 144:14,
144:16, 145:11,
145:13, 145:14,
154:14, 165:5,
165:7, 165:27,
165:28, 166:15,
166:24, 168:22,
168:25, 170:10,
170:13, 184:21,
186:26, 186:29,
190:21, 190:24
opened [3] -
15:9, 35:4,
184:26
opening [4] -
57:20, 57:25,
61:19
openness [2] -
28:27, 29:24
operate [2] -
60:4, 97:8
operational [1] -
163:29
Ophelia [1] -
80:1
opinion [8] -
24:11, 31:26,
65:5, 78:13,
113:3, 121:20,
155:14, 190:7
opinions [1] -
121:20
opportunity [15]
- 13:25, 16:15,
76:6, 81:29,
112:5, 119:25,
122:5, 133:26,
137:12, 138:27,
151:20, 166:10,
166:11, 178:7,
189:21
oppose [3] -
141:8, 162:9,
189:19
opposed [7] -
52:26, 77:6,
77:12, 84:13,
155:12, 156:3,
173:7
opposing [3] -
39:18, 120:23,
124:13
opposition [3] -
125:26, 125:27,
155:24
option [3] - 2:11,
95:4, 131:4
options [1] -
149:22
OPW [6] - 74:1,
81:5, 87:19,
105:24, 106:1,
109:29
oral [1] - 101:1
Order [2] -
72:24, 153:13
order [20] -
37:28, 67:25,
68:3, 72:23,
132:2, 153:2,
153:13, 153:19,
153:21, 153:23,
153:27, 153:28,
153:29, 154:6,
154:12, 157:27,
158:16, 164:12,
170:27, 183:2
ordering [1] -
5:21
orders [1] -
163:5
Orders [3] -
5:14, 5:17,
164:14
ordinary [6] -
43:13, 99:25,
99:27, 100:14,
101:11, 130:4
ORDINARY [1] -
1:5
Ordinary [2] -
6:8, 6:21
organisation [3]
- 3:18, 84:9,
120:29
organisations
[2] - 166:25, 167:1

organised [2] - 106:29
original [4] - 38:7, 41:13, 77:8, 184:29
originally [6] - 4:21, 12:27, 25:29, 40:4, 73:10, 166:4
Orleans [1] - 97:1
otherwise [2] - 27:19, 59:27
ourselves [2] - 29:4, 83:29
outcomes [1] - 81:14
outfit [1] - 123:28
outlet [1] - 111:10
outlined [1] - 15:26
outs [1] - 15:12
outset [2] - 80:7, 90:13
outside [10] - 14:11, 48:14, 55:24, 60:11, 60:22, 63:12, 78:7, 86:19, 87:5, 93:9
outskirts [2] - 159:10, 168:22
outstanding [1] - 4:22
Overall [1] - 132:5
overall [5] - 7:21, 49:29, 50:26, 100:27, 160:29
overdominant [1] - 181:8
overflow [6] - 83:18, 83:21, 98:20, 104:5, 108:26
overflowed [1] - 107:23
overflows [2] - 107:10, 107:21
overlapping [1] - 173:23
overly [3] - 81:6, 136:27, 137:14
overtopped [1] - 74:25
owe [1] - 82:23
owed [1] - 22:23

own [19] - 10:3, 12:24, 20:6, 29:19, 51:12, 57:8, 58:3, 58:6, 73:8, 82:1, 96:22, 99:14, 100:28, 118:23, 142:2, 147:19, 177:5, 185:28
owned [9] - 9:9, 15:4, 36:10, 40:23, 58:7, 73:17, 133:24, 148:14, 186:15
owners [2] - 8:5, 78:3
ownership [6] - 10:10, 57:17, 58:16, 58:19, 60:24, 150:4
owns [2] - 59:4, 150:21

P

P.M [2] - 1:9, 192:8
Paddy [1] - 4:10
page [62] - 10:20, 10:21, 66:7, 69:10, 69:15, 69:22, 115:7, 115:13, 115:21, 123:11, 125:15, 125:17, 126:7, 126:8, 128:20, 131:17, 132:8, 133:3, 133:22, 134:11, 134:22, 135:5, 135:6, 135:7, 135:23, 135:24, 135:28, 135:29, 136:1, 137:27, 138:14, 138:18, 146:24, 146:27, 147:1, 152:29, 159:1, 160:5, 162:28, 163:13, 163:14, 164:25, 165:17, 171:28, 172:7, 172:8, 172:27, 179:14, 179:29, 180:15, 182:13, 183:6, 183:8, 183:10, 183:14, 183:16, 183:19, 185:17, 188:18
pages [2] -

67:29, 69:15
paid [6] - 10:6, 23:3, 74:8, 148:16, 152:19, 154:8
painting [1] - 99:11
paper [1] - 122:29
Paper [1] - 72:24
parameters [1] - 62:18
parcel [1] - 20:13
park [38] - 9:6, 16:2, 28:2, 32:5, 33:7, 49:4, 59:12, 60:1, 60:3, 62:14, 63:1, 70:6, 70:19, 70:20, 75:3, 82:1, 90:2, 94:25, 101:15, 105:15, 108:12, 108:28, 116:18, 117:1, 117:16, 118:8, 123:14, 124:8, 124:26, 124:28, 136:3, 137:4, 148:27, 159:7, 175:18, 179:22, 180:12
Park [18] - 75:4, 81:26, 92:18, 101:17, 106:27, 107:25, 108:17, 111:20, 117:15, 117:17, 122:6, 122:26, 136:13, 137:7, 145:8, 179:25, 179:26, 179:28
parking [11] - 12:23, 28:11, 45:4, 48:10, 48:13, 48:16, 56:22, 56:23, 62:4, 62:12, 139:25
parkland [4] - 117:4, 119:2, 119:25, 167:3
parks [3] - 81:27, 142:26, 144:13
part [45] - 7:20, 7:21, 7:27, 8:8, 10:14, 14:29, 18:17, 20:13, 20:19, 20:20, 20:24, 21:25,

25:18, 37:16, 37:21, 41:12, 41:19, 74:12, 85:27, 91:11, 92:9, 92:15, 92:20, 108:25, 112:3, 112:4, 114:10, 114:27, 116:4, 116:27, 122:24, 131:28, 148:15, 154:2, 163:2, 166:18, 168:15, 171:20, 173:1, 173:2, 179:21, 180:23, 183:4, 190:14, 191:15
Part [23] - 35:23, 36:5, 41:21, 42:9, 43:5, 51:13, 51:14, 51:16, 55:24, 58:26, 58:27, 59:8, 59:15, 59:19, 59:23, 60:3, 60:23, 62:3, 62:4, 62:23, 64:10, 64:16, 153:26
particular [59] - 13:29, 15:12, 15:13, 17:15, 17:23, 19:2, 21:27, 21:28, 26:11, 29:17, 34:5, 56:10, 56:24, 57:3, 57:12, 69:4, 73:8, 85:15, 85:19, 85:21, 86:1, 86:2, 86:22, 87:13, 87:23, 87:25, 87:26, 87:28, 88:2, 88:6, 88:12, 88:29, 89:25, 89:27, 94:16, 102:15, 109:28, 120:9, 120:10, 120:13, 120:14, 120:23, 139:3, 139:13, 140:4, 141:13, 141:14, 141:17, 141:24, 145:13, 147:5, 150:5, 167:27, 173:19, 186:9, 186:17, 186:22, 187:2, 187:25
particularly [10] - 2:5, 12:17, 40:18, 65:22, 70:26, 89:28,

112:23, 122:15, 181:23, 187:5
parties [2] - 112:23, 112:25
partners [1] - 109:29
parts [5] - 7:14, 94:28, 132:24, 172:29, 185:13
Party [1] - 77:11
party [4] - 27:15, 77:10, 77:11, 110:2
pass [4] - 2:24, 35:18, 154:3
passed [5] - 3:19, 42:15, 64:10, 67:21, 73:1
passionate [1] - 99:25
passive [1] - 168:22
past [9] - 15:20, 50:6, 74:11, 74:14, 77:7, 100:23, 111:11, 138:24, 191:16
Pat [3] - 2:24, 2:25, 5:7
paths [2] - 51:23, 51:24
patiently [1] - 65:23
Patrick [1] - 3:24
patterns [1] - 160:28
pay [8] - 7:28, 14:15, 21:12, 75:11, 83:26, 90:18, 99:5
paying [2] - 9:14, 101:9
peace [1] - 121:5
pedestrian [6] - 37:22, 37:23, 38:1, 39:24, 50:5, 87:10
pedestrianised [1] - 15:1
pedestrians [3] - 15:9, 139:21, 159:26
Peggy [1] - 3:20
penalties [2] - 13:8, 24:22
penalty [3] - 19:15, 19:21, 22:1

Peninsula [1] - 79:28
people [166] - 10:24, 10:29, 11:5, 12:25, 12:29, 14:15, 17:14, 18:21, 18:22, 20:10, 20:17, 22:23, 25:4, 28:15, 28:16, 28:25, 29:1, 30:3, 30:8, 37:26, 40:17, 41:7, 41:17, 42:10, 42:28, 43:1, 43:3, 44:1, 45:2, 47:7, 49:3, 49:12, 49:13, 50:7, 52:8, 52:15, 52:28, 53:22, 55:2, 55:21, 56:3, 56:24, 61:3, 61:23, 61:25, 65:23, 68:19, 68:23, 68:26, 70:26, 71:11, 71:17, 71:19, 72:6, 73:21, 74:4, 74:9, 75:14, 75:15, 78:1, 81:27, 82:12, 83:2, 83:22, 84:14, 86:22, 87:19, 88:21, 90:14, 91:3, 91:10, 92:16, 93:10, 93:15, 94:27, 95:10, 96:9, 96:15, 96:16, 96:17, 97:11, 99:20, 99:22, 99:23, 99:25, 99:27, 99:28, 99:29, 100:4, 100:5, 100:14, 100:28, 101:5, 101:6, 101:11, 101:22, 101:24, 102:29, 104:22, 104:28, 105:4, 105:13, 105:14, 105:27, 106:7, 107:18, 111:9, 112:15, 112:16, 113:2, 113:5, 118:12, 118:21, 119:28, 120:28, 121:6, 122:11, 122:18, 122:20, 124:10, 125:20, 127:3,

127:29, 129:4,
129:22, 139:27,
140:5, 140:16,
146:10, 148:22,
148:23, 149:1,
150:5, 150:7,
152:17, 154:22,
154:23, 154:27,
157:17, 158:18,
158:22, 161:19,
162:17, 166:28,
167:11, 167:12,
168:14, 168:16,
168:19, 169:1,
170:1, 172:29,
173:7, 176:22,
177:3, 178:11,
186:17, 186:27,
186:28, 187:2,
190:6, 190:11,
190:13
people's [6] -
28:18, 83:22,
107:4, 149:16,
152:12, 184:24
People's [7] -
75:4, 81:26,
101:17, 117:14,
117:17, 122:6,
122:26
peppered [1] -
160:25
per [7] - 7:17,
8:28, 72:15,
108:3, 108:7,
153:25, 172:12
percentage [2] -
36:23, 37:2
Percy [1] - 8:28
perfect [1] - 23:7
perfectly [1] -
33:4
perhaps [3] -
74:24, 130:7,
146:15
perimeter [4] -
37:18, 45:7,
55:16, 55:17
period [7] -
10:26, 25:3, 66:5,
66:6, 67:22,
106:17, 134:6
permanently [1]
- 127:29
permission [13]
- 9:28, 16:10,
20:29, 36:19,
73:18, 85:16,
89:2, 98:29,
110:3, 110:17,
110:20, 114:26,
124:5
permissions [4]
- 9:25, 13:19,
16:4, 116:21
permit [5] -
142:25, 142:29,
144:11, 144:15,
179:1
permitted [3] -
137:18, 144:26,
144:27
person [7] -
10:6, 10:7, 88:5,
96:3, 110:10,
124:4, 186:14
personally [3] -
73:7, 75:7,
191:23
Peter [3] - 4:27,
5:5
petrol [1] -
189:26
Phase [5] -
56:19, 141:28,
141:29, 145:3,
168:6
phase [1] - 47:8
phased [1] -
126:14
phasing [9] -
145:3, 168:4,
168:5, 168:28,
170:11, 170:15,
170:21
phone [1] -
47:22
physical [1] -
106:12
pick [1] - 79:25
picking [1] -
138:4
picture [2] -
99:12, 110:22
piece [9] - 26:21,
57:12, 58:15,
59:2, 92:13,
92:14, 117:24,
118:1, 133:24
pieces [1] -
140:26
pipe [2] - 89:19,
108:23
pitch [1] -
124:27
itches [1] -
93:5
Pizarro [7] -
73:17, 74:3, 74:5,
84:19, 101:6,
111:2, 116:22
Place [2] - 7:17,
8:28
place [22] -
19:21, 31:14,
60:25, 81:29,
83:13, 83:16,
83:21, 91:7,
93:16, 93:17,
95:16, 104:26,
104:29, 109:13,
110:6, 110:16,
113:13, 122:5,
129:21, 145:20,
168:13, 168:17
places [8] -
95:11, 95:29,
100:24, 122:17,
156:9, 167:3
placing [1] -
117:10
plain [3] - 35:1,
35:3, 35:5
Plan [49] - 36:9,
36:25, 65:22,
67:9, 67:10, 68:5,
69:12, 71:5,
71:22, 71:23,
71:25, 75:27,
90:7, 98:9, 98:26,
113:26, 113:29,
130:11, 132:24,
136:8, 140:29,
141:2, 141:4,
142:11, 143:5,
147:2, 147:27,
153:4, 153:25,
154:20, 156:11,
168:12, 168:13,
168:15, 175:6,
175:23, 175:24,
175:25, 176:4,
176:5, 176:6,
176:7, 176:14,
176:16, 176:18,
180:18, 183:19,
190:18, 191:18
plan [58] - 5:28,
14:29, 15:12,
19:3, 40:27,
53:29, 67:11,
70:7, 71:18,
71:28, 73:10,
76:15, 84:20,
85:15, 85:19,
86:3, 89:18,
89:27, 89:28,
102:20, 102:23,
111:3, 141:12,
141:14, 141:21,
142:11, 144:21,
144:23, 144:24,
148:6, 148:17,
160:25, 163:1,
163:2, 163:5,
163:6, 165:25,
166:4, 168:4,
168:6, 168:29,
169:1, 169:4,
170:7, 173:2,
173:3, 173:20,
175:22, 176:16,
176:17, 178:7,
178:16, 184:24,
186:22, 189:6,
189:10, 189:11
Plan" [1] - 67:29
planned [2] -
84:13, 84:14
planner's [2] -
121:20, 142:16
Planner's [1] -
184:29
planners [9] -
9:26, 76:1, 81:19,
121:21, 126:23,
163:2, 185:7,
186:23
Planning [7] -
26:9, 35:24,
76:14, 90:17,
104:11, 153:5,
158:13
planning [45] -
9:25, 9:27, 13:19,
16:9, 20:29,
36:19, 60:7, 71:4,
73:18, 82:18,
85:16, 89:2, 89:6,
89:9, 95:16, 96:1,
96:2, 98:29, 99:2,
108:4, 108:9,
108:14, 108:16,
109:21, 110:3,
110:17, 110:20,
114:26, 124:4,
138:24, 140:25,
141:19, 141:20,
146:8, 146:12,
146:14, 152:10,
155:26, 156:5,
156:17, 156:19,
156:23, 156:25,
157:16, 185:4
plans [4] -
86:18, 123:10,
125:28, 126:13
Plans [3] - 71:7,
124:18, 125:24
Plant [1] -
174:23
planting [1] -
38:29
play [5] - 34:9,
101:2, 141:23,
142:27, 144:13
playing [6] -
33:23, 52:15,
93:5, 124:27,
142:26, 144:12
Pleanála [7] -
13:20, 77:9,
85:17, 110:1,
139:5, 146:11,
185:8
pleasant [1] -
122:7
pleased [1] -
88:19
plenty [1] -
54:12
plonked [1] -
40:6
plot [5] - 136:19,
136:20, 136:21,
137:15, 137:16
plugging [1] -
105:21
plus [4] - 8:1,
58:29, 139:20
point [49] -
18:12, 18:14,
18:29, 19:11,
37:27, 58:10,
58:11, 65:7, 71:3,
71:21, 72:10,
73:3, 73:7, 80:16,
81:19, 81:24,
86:3, 92:19,
93:14, 96:9,
100:22, 102:28,
104:11, 106:28,
107:27, 110:15,
110:26, 113:12,
114:14, 117:10,
122:27, 127:6,
128:4, 134:1,
140:17, 141:17,
147:5, 156:17,
157:25, 159:7,
159:12, 164:12,
165:19, 167:15,
169:18, 170:27,
171:29, 183:2
points [6] -
49:29, 92:22,
110:12, 127:21,
165:18, 184:29
policies [2] -
160:25, 160:26
policy [21] -
13:23, 13:28,
29:22, 36:26,
140:22, 140:28,
141:3, 141:22,
142:9, 142:10,
142:14, 142:20,
142:23, 143:7,
143:15, 144:9,
144:20, 145:20,
147:27
policy-specific
[1] - 140:22
political [3] -
45:20, 45:22,
112:25
politician [1] -
155:15
poor [3] - 53:20,
86:14, 178:1
popular [1] -
168:17
populated [1] -
121:24
population [6] -
133:7, 139:29,
140:1, 148:25,
169:16, 172:12
position [2] -
102:25, 148:13
positive [3] -
15:25, 16:11,
51:21
positively [2] -
119:9, 119:13
possibility [1] -
105:1
possible [10] -
87:10, 105:8,
105:12, 105:18,
106:1, 134:4,
167:11, 167:22,
184:20, 188:7
possibly [4] -
48:4, 59:6,
166:27, 167:28
Post [1] - 23:18
potential [4] -
79:4, 104:19,
173:14, 190:28
potentially [2] -
102:6, 102:7
power [5] -
64:12, 71:12,
147:12, 147:14,
147:17
practical [7] -
30:25, 31:1,
31:21, 34:18,
35:3, 140:17,

151:8
practically [9] -
24:14, 24:15,
24:16, 24:24,
24:26, 29:26,
158:17, 162:10,
173:4
practice [2] -
149:20, 185:11
Practices [1] -
78:19
precautionary
[3] - 77:25, 80:14,
94:10
precedent [3] -
148:8, 185:8,
185:9
predictor [1] -
94:7
prefer [3] -
61:26, 150:5,
187:7
preference [2] -
42:29, 93:23
preferred [1] -
12:1
prepared [2] -
94:13, 188:4
preparing [1] -
76:15
**prequalificatio
n** [1] - 10:28
prescribed [2] -
16:27, 38:6
prescriptive [4]
- 119:21, 136:28,
137:14, 142:19
present [13] -
65:18, 115:9,
115:19, 123:8,
125:3, 131:15,
133:1, 152:27,
158:29, 162:26,
165:25, 172:18,
172:25
presentation
[14] - 35:27,
35:29, 36:5, 51:7,
66:23, 67:5,
76:21, 76:25,
76:26, 76:28,
78:17, 78:21,
82:15, 170:5
presentations
[3] - 75:13, 77:2,
82:22
preservation [1]
- 163:28
preserved [2] -
74:15, 157:5

President [1] -
31:24
press [1] -
156:28
pressing [1] -
40:1
pressure [5] -
45:20, 45:21,
88:1, 123:25,
154:24
presumably [2] -
32:7, 169:26
presume [1] -
70:4
prettier [1] -
61:12
pretty [2] -
30:16, 125:26
prevailing [1] -
105:25
prevent [4] -
49:12, 153:16,
161:4, 161:19
prevention [2] -
78:18, 84:1
Prevention [1] -
78:20
prevents [1] -
158:5
previous [15] -
17:27, 42:14,
47:19, 50:1, 64:9,
70:7, 83:10, 85:9,
85:29, 87:27,
120:16, 126:1,
139:24, 176:5,
176:7
previously [4] -
7:18, 8:29,
126:12, 137:18
price [3] - 28:19,
29:16, 79:12
pride [1] - 161:5
primarily [2] -
71:18, 78:28
primary [3] -
108:20, 112:11,
146:14
principle [4] -
77:23, 77:25,
80:14, 94:10
priorities [1] -
56:4
prioritising [1] -
42:23
Priory [13] -
37:14, 37:28,
38:27, 40:5,
44:24, 49:7,
57:16, 59:25,

61:8, 62:5, 62:12,
62:15, 62:29
private [16] -
36:24, 40:3,
40:14, 48:21,
48:26, 49:8,
49:14, 54:22,
59:2, 60:20,
142:3, 142:26,
144:12, 148:19,
152:13, 152:18
privately [3] -
15:4, 58:7,
114:24
pro [2] - 156:23,
159:25
probability [3] -
106:8, 109:26,
109:27
problem [23] -
5:25, 27:23,
41:29, 43:28,
54:24, 58:7,
60:16, 63:10,
65:11, 102:13,
120:14, 120:23,
129:16, 141:27,
148:22, 150:28,
157:6, 164:21,
185:25, 185:29,
187:14, 189:18,
190:23
problems [13] -
14:9, 20:26, 46:7,
54:16, 54:29,
57:9, 100:6,
106:5, 109:3,
176:25, 186:4,
186:5
procedures [1] -
146:13
proceed [9] -
16:28, 24:29,
26:26, 26:27,
26:28, 26:29,
42:18, 154:11,
191:1
proceedings [1]
- 187:9
process [19] -
10:14, 21:26,
22:5, 25:7, 33:26,
55:9, 55:10,
58:28, 59:2,
71:22, 71:29,
82:18, 90:17,
114:10, 153:29,
154:14, 154:18,
185:5, 190:14
processes [1] -
94:2
procurement [2]
- 17:16, 33:27
Procurement [1]
- 10:13
procuring [1] -
10:11
produced [1] -
169:21
Prof [1] - 88:10
professional [3]
- 17:27, 28:27,
102:26
professor [1] -
80:19
profit [1] - 32:7
profits [2] -
74:20, 96:5
programme [2] -
96:19, 182:6
progress [2] -
21:19, 164:23
prohibit [1] -
157:28
project [9] -
18:25, 19:2,
21:27, 25:27,
26:17, 27:12,
27:13, 34:6,
102:27
projects [1] -
42:17
Promenade [1] -
81:27
prominent [1] -
4:28
promote [1] -
3:29
promoting [1] -
163:28
proper [11] -
13:11, 33:21,
34:1, 34:5, 41:26,
43:12, 45:18,
95:16, 98:24,
148:20, 167:2
properly [7] -
29:1, 34:4, 40:7,
40:22, 44:7,
45:24, 52:13
properties [5] -
20:7, 20:12, 44:2,
116:14, 174:9
property [7] -
11:24, 33:3,
49:14, 78:2, 79:1,
152:18, 152:19
proposal [94] -
5:14, 7:7, 17:16,
25:11, 26:25,

27:5, 38:13,
39:23, 53:12,
54:11, 65:15,
68:10, 76:10,
80:21, 88:29,
91:15, 91:23,
98:10, 103:4,
112:3, 113:8,
115:21, 116:4,
116:8, 117:14,
118:26, 118:27,
118:28, 120:10,
120:14, 123:4,
123:10, 124:13,
125:17, 125:24,
125:27, 125:29,
126:1, 126:2,
126:4, 127:15,
128:27, 129:9,
129:12, 129:18,
130:26, 131:1,
131:2, 131:24,
132:7, 135:6,
140:27, 143:20,
152:20, 152:23,
153:12, 154:11,
155:16, 156:5,
156:14, 160:18,
168:23, 168:26,
170:22, 170:24,
171:9, 171:17,
171:27, 172:7,
172:20, 172:27,
173:3, 173:24,
174:9, 174:18,
174:22, 174:24,
174:28, 175:1,
175:11, 175:27,
177:29, 178:18,
179:10, 179:11,
180:14, 182:12,
184:8, 184:17,
187:10, 187:21,
187:23, 187:25,
191:12
proposals [12] -
68:7, 68:8, 68:11,
68:13, 68:14,
68:15, 69:8,
117:18, 132:6,
135:26
propose [23] -
5:17, 8:18, 12:10,
13:13, 30:24,
42:9, 43:5, 62:2,
62:8, 64:6, 67:24,
123:16, 127:26,
130:18, 133:28,
137:23, 141:5,
159:4, 163:22,
164:5, 182:7,

185:14, 191:1
Proposed [3] -
67:28, 68:5,
69:12
proposed [43] -
6:16, 6:23, 8:9,
9:5, 35:25, 50:4,
66:27, 67:18,
67:20, 68:1, 70:1,
70:6, 87:23,
91:21, 103:2,
110:11, 115:3,
115:4, 116:13,
123:6, 126:27,
128:23, 129:2,
131:7, 131:10,
133:5, 133:21,
135:19, 136:6,
137:9, 150:29,
152:25, 158:27,
159:28, 160:7,
164:13, 168:1,
169:17, 181:27,
182:8, 183:18,
184:15
proposer [6] -
6:10, 123:17,
135:17, 137:22,
163:21, 180:7
proposers [1] -
72:24
proposes [1] -
173:25
proposing [27] -
18:2, 37:18,
37:29, 38:29,
39:13, 39:19,
66:26, 70:8,
72:16, 75:2,
112:18, 116:10,
119:2, 126:20,
127:8, 127:27,
128:9, 128:26,
129:10, 132:16,
166:9, 171:28,
173:19, 174:25,
182:25, 185:12,
188:2
proposition [1] -
75:11
prospective [1] -
38:26
prospects [1] -
155:29
prosperous [1] -
2:8
protect [13] -
76:27, 87:3,
96:22, 130:14,
142:23, 144:10,

153:15, 155:1,
158:14, 160:29,
181:6, 181:16,
186:8
protected [5] -
157:13, 161:16,
161:19, 163:1,
190:27
protecting [3] -
143:15, 160:26,
160:27
Protection [8] -
73:16, 73:23,
74:7, 74:12,
78:20, 88:19,
95:15, 95:18
protection [14] -
73:20, 78:28,
79:2, 79:10,
88:10, 88:23,
88:25, 98:16,
109:24, 155:25,
156:20, 157:3,
161:2, 163:4
protections [1] -
31:18
proud [2] -
88:20, 91:11
proven [2] -
80:9, 80:12
provide [26] -
14:4, 36:6, 36:26,
37:1, 37:16,
37:21, 38:13,
38:29, 39:23,
41:25, 41:26,
55:29, 91:28,
92:1, 116:29,
117:5, 117:11,
117:13, 117:29,
118:2, 120:18,
123:26, 129:27,
129:28, 151:9,
182:14
provided [13] -
39:9, 40:27, 41:5,
51:8, 74:1, 74:2,
130:2, 143:3,
144:18, 144:23,
145:19, 145:27,
183:25
provides [2] -
79:15, 117:21
providing [5] -
36:18, 55:18,
74:7, 118:8,
148:24
provision [5] -
117:3, 119:19,
123:13, 146:7,

146:10
provisions [1] -
23:1
proximity [1] -
132:11
pub [1] - 7:26
public [57] - 2:6,
5:19, 5:22, 16:22,
20:2, 26:15,
26:16, 27:4, 27:8,
28:13, 29:5, 29:6,
34:1, 34:2, 37:16,
47:4, 48:18,
55:16, 55:25,
71:24, 71:28,
74:8, 75:27, 86:6,
90:8, 90:10,
90:11, 90:14,
93:7, 93:9,
102:18, 116:7,
116:10, 117:11,
124:8, 124:28,
127:16, 127:20,
127:22, 134:5,
142:26, 144:12,
148:21, 152:14,
152:19, 161:8,
162:4, 162:5,
164:21, 173:16,
177:13, 190:2,
190:7, 190:17
PUBLIC [15] -
76:11, 82:5, 83:6,
84:26, 89:24,
90:3, 95:1, 97:21,
101:29, 103:7,
113:10, 120:4,
124:15, 130:13,
130:24
publicly [1] -
148:14
published [2] -
131:28, 136:9
pubs [1] - 7:25
pull [2] - 43:13,
161:12
pun [1] - 83:25
purchase [2] -
13:26, 13:27
purchased [1] -
36:17
pure [1] - 52:4
purely [1] -
127:1
purple [3] -
174:20, 175:3,
175:7
purposes [3] -
36:18, 142:28,
144:15

purposely [1] -
15:7
pursued [1] - 9:9
push [2] - 25:7,
120:22
pushed [3] -
26:4, 27:14,
27:18
put [78] - 2:11,
10:5, 10:27,
14:17, 14:20,
17:15, 18:24,
19:18, 21:20,
21:24, 25:20,
30:5, 31:6, 32:16,
33:25, 41:15,
41:17, 42:5,
45:16, 56:1,
58:21, 61:15,
63:5, 64:21,
66:21, 67:22,
67:25, 71:26,
72:18, 73:5,
73:25, 74:2,
74:28, 82:22,
83:13, 83:16,
91:7, 93:5, 96:20,
97:26, 101:8,
102:28, 103:5,
116:10, 119:12,
119:25, 122:5,
124:4, 125:25,
127:19, 129:10,
129:14, 129:21,
129:23, 129:25,
129:29, 130:9,
147:21, 147:23,
150:24, 151:24,
151:26, 156:11,
161:8, 163:17,
164:28, 166:13,
167:6, 168:3,
168:12, 170:18,
170:22, 171:10,
177:9, 178:4,
189:12, 190:15
puts [3] - 71:15,
93:26, 123:12
putting [14] -
12:26, 19:14,
46:2, 46:23,
57:22, 61:19,
64:19, 76:17,
124:8, 152:3,
156:22, 165:9,
174:1, 174:2

Q

QS [1] - 55:22

qualifications
[1] - 28:22
qualified [1] -
10:29
quality [3] -
47:9, 79:20,
117:3
quantity [2] -
9:18, 64:21
quarters [1] -
24:18
queries [1] -
23:29
query [4] -
14:25, 15:3, 43:8,
51:22
questions [4] -
16:21, 26:5,
33:20, 36:3
queues [1] -
111:25
quickly [5] -
21:26, 47:16,
59:6, 165:17,
167:28
Quinsboro [4] -
7:15, 7:25, 8:27,
160:8
Quirke [1] -
164:14
quite [35] -
10:26, 12:9,
16:11, 29:24,
31:19, 32:12,
39:9, 40:23,
40:24, 42:1,
46:27, 47:7,
47:16, 48:12,
48:19, 48:26,
51:4, 51:27, 57:6,
59:6, 68:25,
78:18, 79:28,
80:27, 102:3,
107:29, 112:26,
121:24, 132:10,
138:24, 139:23,
146:2, 147:5,
161:7, 165:3
quote [2] -
78:17, 80:4
quoting [1] -
78:25

R

R20 [2] - 174:12,
175:10
R761 [2] - 45:9,
45:10

radical [1] -
165:7
raibh [9] - 3:5,
3:12, 23:9, 27:21,
29:10, 99:9,
101:27, 138:26,
140:19
railing [3] -
61:11, 61:20,
61:26
railings [3] -
61:7, 61:14,
64:23
rain [1] - 78:14
raised [4] -
18:27, 53:26,
55:13, 154:21
ramp [3] - 39:25,
41:5, 41:10
ramps [1] -
37:22
range [2] -
38:13, 38:20
ranges [1] -
156:1
rapidly [1] -
161:7
rate [1] - 21:21
rateable [1] -
21:21
rates [2] - 30:1,
30:20
Rathdown [1] -
91:26
Rathdrum [1] -
160:21
rather [13] -
7:28, 19:22, 28:5,
51:10, 71:22,
75:1, 116:26,
123:13, 124:27,
132:25, 145:17,
148:25, 187:26
Rathnew [1] -
42:16
ratio [6] - 106:2,
136:19, 136:20,
136:21, 137:15,
137:16
rational [1] -
97:27
rationale [2] -
94:23, 97:6
Ravenswell [1] -
122:2
re [1] - 183:29
re-erecting [1] -
183:29
reach [3] - 22:2,
148:4, 151:11

reached [4] -
22:2, 127:7,
148:3, 149:23
reaching [1] -
169:15
reaction [1] -
177:14
read [17] - 17:17,
22:26, 26:11,
66:14, 66:18,
66:19, 74:4, 98:9,
136:4, 142:12,
142:21, 143:22,
143:26, 143:29,
144:6, 144:7,
171:11
reading [3] -
40:2, 97:4,
139:18
ready [3] - 35:4,
86:10, 170:5
real [3] - 54:7,
92:1, 109:3
realise [7] -
16:24, 21:27,
53:15, 55:21,
87:19, 100:6,
168:16
realised [1] -
105:22
realising [1] -
154:23
realistic [5] -
167:25, 168:7,
168:26, 168:29,
177:7
realistically [2] -
128:14, 166:14
reality [4] - 19:1,
48:6, 110:23,
172:14
really [55] - 10:1,
11:12, 11:20,
13:2, 13:7, 18:18,
19:8, 20:17,
20:27, 30:22,
35:13, 46:7, 49:1,
53:28, 56:16,
57:24, 61:9,
67:20, 73:2,
81:15, 87:12,
90:12, 91:21,
91:27, 93:15,
102:3, 102:12,
102:25, 103:23,
104:24, 105:2,
105:14, 109:18,
110:5, 111:1,
113:13, 118:24,
122:4, 130:14,

133:25, 137:7,
140:22, 142:1,
145:13, 150:2,
150:13, 150:28,
158:15, 159:5,
159:19, 165:22,
167:15, 169:2,
186:6, 187:28
realm [1] -
117:11
reaping [1] -
95:29
rear [4] - 116:13,
117:7, 174:6,
174:8
reared [1] -
157:17
reason [22] -
5:20, 16:2, 19:20,
21:24, 32:10,
74:17, 82:17,
87:1, 87:6, 91:27,
104:6, 117:2,
120:11, 129:20,
153:14, 156:26,
160:23, 172:2,
178:25, 184:18,
186:3
reasonable [4] -
75:11, 130:1,
186:25, 187:24
reasons [5] -
11:1, 32:28, 36:1,
120:15, 141:9
reassured [1] -
17:5
receipt [1] - 18:2
received [10] -
17:20, 17:21,
23:11, 24:11,
25:8, 39:15,
39:25, 46:18,
76:25, 76:28
receiver [2] -
9:10, 74:6
receiver's [1] -
29:18
receivership [2]
- 9:9, 73:28
recent [2] - 4:8,
100:1
recently [4] -
4:5, 79:26, 79:28,
80:17
recession [1] -
73:28
recognise [1] -
94:11
recognised [1] -
129:21
recommend [6]
- 8:15, 12:5, 33:5,
104:6, 159:27,
184:5
**recommendati
on** [2] - 97:4,
168:3
**recommendati
ons** [1] - 163:11
recommended
[6] - 52:24, 104:7,
138:3, 138:5,
180:16, 181:1
recommending
[5] - 16:28, 70:15,
180:11, 136:19,
180:22
record [4] -
17:17, 33:21,
33:25, 161:15
recreation [3] -
167:3, 168:6,
168:19
recreational [9]
- 81:26, 119:20,
122:10, 142:28,
144:14, 156:2,
167:27, 168:15,
169:11
rectify [1] -
161:21
red [2] - 23:21,
38:21
Redford [1] -
145:8
reduce [5] -
38:1, 39:19, 57:5,
122:23, 126:26
reduced [3] -
78:4, 113:26,
116:10
reducing [1] -
126:28
reduction [3] -
111:5, 111:6,
113:25
refer [1] - 69:20
reference [3] -
116:2, 159:23,
159:24
referring [1] -
69:14
refinements [1]
- 134:29
reflected [1] -
29:17
regard [19] -
18:16, 29:21,
46:17, 71:11,
73:8, 84:29,
86:27, 87:27,
88:9, 89:22,
90:24, 120:16,
137:13, 149:26,
150:1, 168:27,
169:5, 180:16
regarding [3] -
17:22, 17:27,
55:7
regardless [3] -
106:15, 109:24,
169:10
regards [10] -
14:26, 24:21,
42:25, 48:9,
48:29, 56:10,
56:14, 62:6,
146:8, 161:14
regenerate [2] -
101:19, 112:16
region [2] -
82:11, 82:21
Regional [1] -
66:21
regional [2] -
37:11, 86:18
Registrar [1] -
66:9
regularly [1] -
79:11
regulation [1] -
156:25
regulations [1] -
31:22
Regulations [1]
- 35:24
Rehill's [1] -
147:3
reject [2] -
88:28, 156:10
rejuvenation [1]
- 120:21
related [1] - 68:8
relates [3] -
70:13, 83:1,
136:12
relating [1] -
71:5
relation [20] -
23:12, 27:22,
28:22, 28:28,
29:9, 50:11,
50:16, 50:19,
66:4, 68:20, 69:7,
72:13, 99:18,
100:1, 133:23,
136:19, 139:2,
171:14, 176:19,
191:22
relatively [3] -
4:29, 41:16,
60:18
relaxation [1] -
124:3
released [2] -
23:4, 170:3
relevance [1] -
163:5
relevant [2] -
111:13
reliant [1] - 81:6
relief [9] - 74:29,
92:9, 92:15,
92:20, 92:24,
92:26, 93:17,
110:21, 110:22
relieve [1] -
109:18
rely [1] - 106:7
remain [1] -
78:27
remainder [1] -
41:15
remaining [2] -
40:29, 79:13
remains [1] -
52:19
remark [1] - 58:2
remarks [3] -
3:24, 57:26,
100:12
remember [10] -
21:7, 27:25, 91:4,
94:22, 100:14,
100:23, 110:15,
136:4, 152:15,
164:13
remind [1] -
179:27
removal [4] -
59:12, 62:4,
62:12, 128:8
remove [18] -
57:3, 57:6, 63:1,
126:26, 128:10,
128:28, 129:1,
129:11, 130:19,
131:3, 145:5,
145:18, 145:25,
145:26, 184:17,
184:19, 188:26,
190:20
removed [6] -
125:28, 126:12,
129:6, 145:29,
155:18, 185:12
removes [1] -
177:23
removing [3] -
174:11, 174:26,
190:3
rent [3] - 19:16,
21:23
rents [3] - 9:13,
9:20, 32:8
reopening [2] -
126:1, 126:14
repaired [2] -
5:24, 109:14
repairing [1] -
5:19
repeat [5] -
34:21, 43:19,
62:10, 95:7,
181:10
repeated [1] -
50:23
repeating [1] -
104:10
replace [2] -
62:29, 63:14
replacing [1] -
63:16
reply [1] - 22:15
report [19] -
17:5, 29:27,
35:23, 55:12,
55:15, 56:22,
66:13, 67:8,
67:14, 132:26,
135:24, 154:5,
159:21, 163:14,
169:21, 172:10,
179:29, 180:15,
184:29
Report [2] -
6:29, 7:9
represent [3] -
71:12, 166:25,
167:12
representative
[4] - 26:15, 28:14,
34:1, 102:19
**representative
s** [3] - 27:4, 29:5,
127:16
represented [1]
- 37:25
representing [2]
- 28:14, 75:15
represents [1] -
16:14
request [1] -
180:24
require [1] -
118:26
required [3] -
43:13, 136:29,
180:2
requirement [4]
- 41:22, 124:2,
136:3, 137:15
requirements
[1] - 86:21
 requisite [1] -
67:12
research [1] -
9:20
researcher [1] -
80:19
residences [1] -
40:3
resident [1] -
44:10
residential [33] -
36:10, 36:14,
75:8, 79:21,
112:6, 112:9,
117:5, 133:20,
133:27, 142:27,
144:13, 170:19,
173:20, 174:9,
174:23, 174:26,
175:21, 176:9,
176:11, 180:19,
181:7, 181:16,
182:14, 182:16,
182:17, 183:4,
183:23, 184:15,
184:18, 190:4,
190:8, 190:10,
190:14
residents [31] -
14:26, 15:6, 40:3,
44:9, 44:15,
46:11, 46:12,
46:19, 46:26,
47:13, 47:21,
47:28, 49:18,
52:5, 53:6, 58:29,
62:23, 102:13,
102:25, 126:16,
127:2, 127:24,
128:22, 129:15,
139:11, 173:18,
184:25, 185:25,
185:29, 186:2,
186:13
residents' [1] -
43:26
residual [1] -
79:3
Resolution [2] -
154:1, 154:14
resolution [2] -
35:8, 154:18
resolve [2] -
149:2, 149:3
resolved [2] -
27:11, 46:28

resources [2] - 55:29, 56:6
respect [4] - 19:27, 35:25, 148:13, 155:2
respected [1] - 80:19
respond [5] - 103:19, 103:20, 121:10, 121:11, 121:15
responded [1] - 23:18
response [11] - 18:1, 44:21, 75:18, 93:27, 106:25, 167:20, 171:7, 171:9, 171:11, 182:18, 183:21
responsibilitie
s [1] - 44:4
responsibility [7] - 26:16, 34:2, 34:4, 44:29, 45:1, 47:1, 71:16
responsible [1] - 54:25
rest [3] - 75:6, 80:10, 166:20
restrict [3] - 142:1, 162:12, 162:13
restricted [2] - 149:13, 181:25
restriction [1] - 124:3
restrictive [1] - 142:20
restricts [2] - 157:28, 158:17
result [9] - 73:29, 133:6, 142:25, 143:1, 144:12, 144:16, 164:28, 166:7, 167:9
results [1] - 94:4
retail [36] - 9:12, 11:24, 12:17, 13:12, 14:10, 23:24, 70:14, 73:12, 85:13, 86:14, 86:16, 86:17, 86:20, 86:29, 87:1, 89:3, 91:18, 98:24, 100:17, 103:24, 103:29, 104:22, 105:3, 110:27, 111:5, 111:6, 112:7, 113:25, 113:27, 118:17, 118:18, 122:12, 122:23, 123:28, 136:10
retailers [3] - 24:19, 25:5, 135:1
retain [3] - 81:20, 131:3, 190:21
retired [2] - 2:28, 4:5
return [3] - 106:15, 106:17, 106:21
returned [2] - 66:1, 66:3
revert [1] - 132:1
review [1] - 154:6
revised [1] - 133:7
revisit [1] - 151:25
rewards [1] - 95:29
rezone [1] - 118:27
rezoned [1] - 169:17
rezoning [4] - 115:26, 118:26, 166:7, 166:19
rid [1] - 108:6
ride [3] - 159:7, 179:22, 180:12
right-of-way [3] - 20:8, 20:13, 20:14
rightly [1] - 162:14
rights [2] - 31:16, 149:26
Risk [1] - 109:22
risk [10] - 56:2, 78:4, 78:6, 78:8, 79:3, 79:13, 79:16, 79:17, 105:19, 116:3
risks [3] - 94:12, 94:13, 105:20
river [32] - 70:9, 73:13, 78:14, 81:24, 83:18, 84:5, 93:13, 95:24, 96:7, 98:1, 104:4, 105:26, 106:13, 107:11, 107:14, 108:22, 109:7, 109:8, 109:18, 116:19, 117:2, 117:9, 118:6, 118:8, 118:9, 118:29, 122:1, 122:2, 148:27, 148:28, 149:22, 152:9
River [4] - 92:2, 117:15, 117:29, 148:18
riverbed [1] - 107:16
riverside [2] - 70:20, 70:21
Road [45] - 7:15, 7:25, 8:27, 14:26, 20:6, 20:7, 28:2, 28:3, 28:8, 32:22, 37:11, 37:14, 37:28, 38:27, 40:5, 44:24, 49:7, 52:14, 57:16, 59:25, 61:8, 62:5, 62:13, 62:15, 62:29, 75:5, 107:23, 122:2, 160:9, 175:14, 184:12, 184:23, 186:12, 186:21, 186:22, 187:26, 189:13, 189:20, 189:22, 189:23, 190:29
road [67] - 12:1, 27:26, 37:8, 37:10, 37:12, 37:27, 38:28, 40:4, 40:8, 40:13, 40:20, 40:21, 40:26, 40:29, 41:1, 41:8, 41:15, 41:17, 41:25, 41:27, 42:5, 45:4, 45:10, 46:4, 47:6, 48:11, 48:19, 52:13, 56:27, 58:5, 58:15, 60:2, 60:19, 62:16, 85:26, 108:21, 111:19, 111:20, 116:18, 125:25, 125:28, 126:12, 126:20, 127:1, 128:8, 128:10, 128:19, 129:2, 129:5, 129:7, 129:10, 129:11, 129:14, 129:22, 129:24, 129:27, 130:2, 130:4, 131:4, 131:20, 145:4, 152:7, 178:2, 185:2
Roads [1] - 129:14
roads [1] - 129:28
Roadstone [2] - 164:29, 165:24
roadway [2] - 118:4, 130:19
robust [1] - 39:4
Roche [2] - 5:4
rock [1] - 173:5
rolling [1] - 166:1
roof [1] - 190:6
room [3] - 78:6, 78:7, 148:12
rot [1] - 32:25
rough [1] - 16:1
round [2] - 27:19, 61:11
route [4] - 37:24, 38:2, 74:14, 183:27
routes [1] - 164:2
Rovers [1] - 3:9
Royal [1] - 31:24
rubbish [4] - 50:20, 111:28, 111:29, 112:7
rules [1] - 106:26
ruleing [1] - 159:6
run [2] - 18:22, 95:22
running [3] - 45:29, 117:1, 140:6
runs [1] - 106:26
rural [12] - 132:24, 155:15, 156:9, 156:17, 156:19, 156:23, 156:25, 157:15, 157:16, 157:17, 157:18, 157:21
rushing [1] - 122:18
RUTTLE [1] - 158:1
RYAN [7] - 12:8, 30:16, 34:23, 90:6, 123:20, 125:11, 150:11
Ryan [13] - 6:23, 12:7, 13:17, 13:26, 18:15, 25:9, 30:15, 58:12, 90:5, 95:19, 98:12, 123:21, 150:10

S

SAC [1] - 180:3
sac [7] - 37:28, 44:4, 44:6, 44:25, 44:26, 45:18, 126:20
sacs [2] - 184:21, 185:9
sadly [2] - 2:29, 3:18
safe [5] - 52:28, 53:1, 82:14, 127:2, 127:29
safeguard [2] - 84:16
safer [2] - 41:12, 92:12
safety [19] - 56:27, 57:2, 60:8, 60:9, 61:14, 61:16, 61:17, 62:7, 62:18, 63:15, 64:23, 78:29, 79:12, 108:7, 128:19, 128:21, 129:3, 129:17
sale [4] - 10:2, 10:4, 19:14, 29:18
SAME [1] - 114:12
SAO [7] - 155:12, 155:25, 156:4, 156:6, 156:22, 158:4, 158:16
sat [2] - 15:18, 98:8
satisfaction [1] - 99:7
satisfied [3] - 24:2, 24:3, 158:9
satisfy [2] - 142:15, 142:16
Savills [7] - 9:11, 9:20, 10:20, 10:22, 11:25, 24:1, 24:6
saw [6] - 77:19, 79:27, 79:28, 96:19, 96:21, 169:15
scale [1] - 106:12
scandal [1] - 30:6
scenario [1] - 95:11
Schedule [2] - 67:28, 69:12
scheduled [1] - 183:18
Scheme [7] - 73:16, 73:23, 74:8, 74:12, 88:19, 95:15, 95:18
scheme [23] - 20:19, 20:20, 20:26, 39:26, 41:13, 74:1, 74:2, 85:27, 88:12, 88:14, 91:7, 92:8, 92:9, 92:15, 93:16, 93:17, 105:21, 106:8, 107:5, 109:19, 110:19
schemes [1] - 106:1
school [6] - 93:6, 93:8, 102:4, 112:12, 170:20, 181:7
schools [8] - 85:25, 86:7, 86:8, 86:9, 93:3, 93:7, 93:8, 138:10
scientific [1] - 154:8
scope [2] - 103:29, 185:13
Scotland [1] - 87:21
screen [3] - 110:23, 175:24, 188:9
scroll [1] - 175:5
scupper [1] - 169:4
se [1] - 72:15
sea [1] - 104:4
seafront [1] - 82:1
Seafront [10] - 75:5, 87:29, 88:7, 99:14, 101:20, 112:12, 117:19, 160:9, 162:19
Sean [4] - 3:15,

3:19, 5:6
second [42] -
4:17, 7:6, 8:19,
11:7, 13:16,
14:14, 14:21,
18:4, 26:26,
36:29, 62:9,
68:18, 68:28,
71:21, 72:18,
72:19, 76:20,
92:18, 103:4,
108:4, 108:7,
110:26, 112:3,
112:18, 125:15,
127:14, 128:1,
131:26, 132:19,
133:2, 133:17,
134:7, 138:12,
143:10, 143:11,
145:23, 156:13,
156:14, 163:23,
170:23, 182:24,
191:3
secondary [8] -
112:11, 126:26,
126:27, 128:22,
128:23, 129:13,
130:19, 131:3
seconded [20] -
6:10, 6:16, 6:23,
65:17, 115:7,
115:14, 115:22,
123:5, 123:6,
123:18, 135:19,
137:24, 152:25,
158:27, 159:29,
164:6, 172:8,
172:21, 181:27,
182:8
seconded [21] -
6:3, 6:4, 65:14,
65:15, 123:4,
123:19, 127:13,
135:12, 135:14,
135:17, 138:11,
143:9, 143:19,
147:9, 156:12,
162:22, 163:21,
167:16, 173:21,
179:11, 188:25
secondly [1] -
72:13
seconds [2] -
8:20, 33:14
Secretary [1] -
2:25
Section [7] -
35:16, 42:20,
44:21, 46:9,
50:21, 56:4,
153:26
section [1] -
174:12
secure [3] -
12:25, 82:14,
167:10
security [1] -
79:3
security" [1] -
80:5
see [51] - 17:6,
18:29, 24:9,
25:13, 38:18,
38:21, 38:26,
43:17, 49:11,
49:16, 50:3, 53:4,
53:27, 53:29,
54:9, 57:2, 57:15,
59:16, 60:9, 61:8,
61:14, 63:4, 63:8,
69:18, 80:10,
86:8, 91:27,
94:25, 97:4,
105:10, 105:14,
108:21, 112:3,
114:27, 116:7,
118:13, 122:29,
125:6, 128:26,
133:29, 134:24,
139:9, 140:18,
145:2, 150:23,
157:8, 162:5,
177:13, 184:14,
190:1
seeing [1] -
170:6
seek [2] - 13:25,
90:8
seeking [3] -
87:7, 155:1,
180:20
seeks [1] -
155:20
seem [7] - 3:17,
11:7, 51:24,
80:11, 97:7,
154:9, 169:12
selling [1] -
28:18
semi [2] - 54:3,
54:13
semi-detached
[2] - 54:3, 54:13
send [2] - 4:14,
57:20
senior [2] - 46:9,
46:10
Senior [1] - 4:9
sense [13] -
62:19, 62:20,
79:3, 80:5, 83:12,
83:17, 84:4,
86:26, 98:10,
101:14, 102:12,
120:11, 173:25
sensitive [1] -
26:4
sent [4] - 23:19,
23:20, 26:1,
33:17
sentence [2] -
145:28, 145:29
sentiment [1] -
158:7
separate [3] -
43:14, 115:25,
171:3
separates [2] -
175:7, 175:9
serious [1] -
134:3
seriously [6] -
52:27, 75:21,
96:15, 101:23,
126:19, 173:11
servant [1] -
3:27
serve [9] - 72:6,
81:20, 81:21,
118:3, 118:5,
118:9, 119:4,
121:28, 127:1
served [4] - 4:8,
18:20, 28:18,
127:15
serves [2] -
116:14, 118:7
Service [1] -
4:13
service [11] -
4:6, 4:7, 4:12,
4:15, 4:16,
104:28, 128:10,
129:7, 129:15,
130:20, 131:4
serviced [1] -
14:28
services [4] -
4:5, 14:27, 15:7,
139:20
Services [3] -
1:19, 65:26, 71:7
set [8] - 11:4,
24:25, 37:8, 68:3,
106:24, 124:18,
126:24, 166:11
sets [2] - 38:19,
175:28
settlement [2] -
132:16, 132:17
seven [6] - 9:3,
152:27, 154:22,
158:29, 191:16,
191:17
several [1] -
32:3
severely [1] -
147:5
severs [1] -
116:18
sewerage [4] -
54:18, 54:20,
54:26
shall [3] - 23:3,
69:29, 165:6
Shanganagh [1]
- 117:19
Shannon [1] -
107:14
shape [2] -
141:11, 141:14
share [1] - 146:3
shareholder [1]
- 23:27
SHAY [3] -
150:17, 151:10,
156:16
Shay [2] - 6:16,
156:15
shed [1] - 7:24
shifts [1] -
174:20
shillings [1] -
96:4
shooting [1] -
92:26
shoots [1] -
105:26
shop [2] - 18:22,
104:21
shopping [22] -
33:6, 50:7, 86:27,
91:18, 104:15,
108:11, 110:27,
111:7, 111:9,
111:12, 111:16,
111:28, 112:8,
118:17, 118:18,
122:9, 122:12,
122:14, 122:19,
176:23
Shopping [1] -
112:14
shops [12] -
28:3, 37:23,
37:24, 38:2, 41:6,
96:12, 104:20,
111:11, 111:26,
118:15, 118:23,
122:19
short [4] - 32:18,
41:16, 65:21,
78:18
shortcuts [1] -
50:7
shortfall [2] -
36:12, 185:14
shorthand [1] -
136:4
show [3] -
108:8, 124:22,
175:5
showing [2] -
70:10, 111:20
shows [1] -
176:14
shut [2] -
155:16, 155:20
side [24] - 23:24,
40:16, 48:12,
48:16, 54:6, 55:8,
77:22, 77:26,
93:27, 95:24,
101:15, 101:16,
101:21, 101:22,
111:22, 145:16,
181:26, 183:24,
184:3, 184:6,
184:11, 184:12,
184:23
sides [9] - 77:15,
79:15, 81:23,
93:21, 93:25,
93:28, 149:22,
184:18, 184:27
Sidmonton [3] -
139:6, 139:18,
160:9
sightlines [2] -
189:25, 191:1
sign [5] - 6:7,
6:13, 6:20, 15:23,
21:13
significant [1] -
86:15
significantly [1]
- 78:4
signing [1] -
12:2
silence [1] - 5:9
SILENCE [1] -
5:11
Sillogue [3] -
179:25, 179:27,
179:28
similar [11] - 8:6,
19:18, 21:4, 21:5,
23:16, 43:19,
46:7, 140:29,
173:25, 174:10,
174:11
simple [9] -
10:4, 30:17,
31:19, 39:4, 47:2,
47:3, 151:16,
178:25, 186:3
simpliciter [1] -
21:18
simply [1] -
163:29
single [5] - 30:5,
30:9, 105:27,
108:20, 111:23
single-storey [1]
- 105:27
sister [1] - 3:2
sit [4] - 46:11,
122:17, 149:28,
190:4
site [139] - 7:15,
7:21, 7:28, 8:5,
8:9, 9:10, 10:2,
10:3, 10:10,
10:12, 10:19,
10:22, 12:12,
12:23, 12:26,
15:24, 15:27,
16:2, 16:3, 16:5,
16:8, 16:9, 16:13,
16:16, 16:26,
16:27, 17:1,
17:13, 17:28,
18:19, 21:6, 21:8,
21:10, 21:22,
21:24, 22:4,
23:22, 23:29,
24:5, 24:6, 27:9,
28:1, 28:12,
28:16, 28:19,
28:23, 29:14,
29:19, 29:20,
30:19, 32:4, 32:5,
32:23, 32:29,
33:1, 34:11,
36:17, 36:29,
37:2, 37:6, 37:7,
37:10, 37:14,
37:19, 38:5, 38:6,
38:17, 38:19,
38:20, 45:8, 45:9,
60:22, 60:28,
74:18, 85:16,
85:21, 98:10,
98:15, 98:25,
99:1, 99:2,
103:23, 103:26,
105:2, 109:28,
112:6, 116:11,
116:18, 116:27,
117:1, 117:7,

120:13, 122:24,
128:5, 133:27,
136:8, 136:22,
136:24, 136:25,
137:5, 137:8,
137:11, 137:12,
137:13, 137:18,
139:7, 139:14,
139:17, 140:4,
140:6, 140:12,
141:17, 159:9,
165:23, 166:3,
166:5, 166:8,
166:14, 166:28,
173:14, 180:2,
180:3, 180:18,
180:25, 181:2,
181:6, 181:16,
182:13, 182:17,
183:4, 183:25,
184:28, 185:11,
188:3, 188:5,
190:28
sites [9] - 28:29,
36:14, 36:15,
42:23, 137:20,
140:23, 184:20,
185:12, 190:8
sitting [6] -
42:16, 42:28,
112:27, 154:15,
164:15, 164:19
situated [1] -
8:25
situation [12] -
17:2, 45:25,
100:11, 100:13,
100:27, 126:17,
139:14, 140:8,
141:24, 150:14,
156:24, 169:2
situations [1] -
94:8
six [8] - 13:20,
53:19, 54:19,
108:23, 154:22,
154:26, 162:25,
172:17
sixth [1] - 70:12
sixties [1] -
89:15
size [4] - 9:27,
70:5, 86:18,
86:29
sizing [1] -
139:28
sketch [1] -
38:26
slant [1] - 82:2
slight [3] -

131:19, 179:6,
180:21
slightly [3] -
40:10, 62:26,
187:13
slim [2] - 129:25,
130:5
SLO [1] - 118:29
slope [1] -
126:21
slopes [2] -
153:17, 154:24
slow [2] -
161:22, 161:23
slowly [1] -
144:8
sluggish [1] -
107:14
small [14] -
25:12, 43:2,
59:28, 60:19,
111:10, 113:12,
126:20, 127:10,
131:22, 132:11,
133:24, 138:22,
140:2, 141:29
smaller [2] -
39:21, 107:3
smallish [1] -
86:25
smart [3] - 16:8,
58:10, 58:11
Smith [5] - 2:24,
2:25, 3:24,
182:10, 182:13
Snell [8] - 6:10,
27:1, 42:7, 64:2,
65:9, 149:4,
152:26, 189:28
SNELL [10] -
27:2, 42:8, 64:3,
64:6, 65:11,
137:23, 146:1,
149:5, 163:23,
189:29
Snell's [1] -
65:14
snorting [1] -
53:18
Soccer [1] - 2:26
social [50] -
36:6, 36:18,
36:22, 36:24,
36:26, 37:2, 40:1,
40:10, 40:13,
40:14, 40:15,
40:25, 41:2, 41:9,
41:18, 41:25,
41:27, 43:2,
44:28, 46:20,

47:6, 47:23,
48:20, 48:21,
48:24, 48:25,
49:21, 50:3,
50:13, 52:3, 52:6,
52:23, 52:29,
53:1, 53:5, 53:14,
53:17, 53:21,
54:7, 54:8, 54:23,
55:3, 55:28, 56:7,
58:3, 142:2,
186:4, 186:7
society [2] -
79:13, 79:16
soften [1] -
151:8
sold [5] - 17:2,
21:8, 58:16,
186:15, 186:16
sole [2] - 87:6
solution [3] -
126:18, 127:3,
129:19
solutions [1] -
57:15
someone [10] -
23:22, 31:25,
46:10, 58:9,
93:25, 96:10,
105:28, 138:22,
145:9, 150:21
sometimes [2] -
37:27, 94:13
somewhere [6] -
82:11, 84:11,
97:15, 107:22,
122:7, 177:9
soon [3] - 28:13,
91:19, 170:4
Sorcha [5] -
66:26, 67:27,
141:1, 163:9,
174:17
sorry [17] - 62:2,
66:15, 69:24,
130:16, 134:13,
134:16, 136:3,
145:25, 145:26,
146:28, 157:1,
157:14, 178:9,
179:16, 183:15,
185:17, 187:15
sort [14] - 31:13,
32:12, 40:22,
48:8, 58:17,
92:29, 93:16,
106:26, 118:22,
136:10, 151:14,
161:5, 180:18,
190:26

sorted [1] -
27:11
sorting [1] - 14:9
sought [5] -
11:22, 23:17,
32:29, 126:26,
129:11
sound [1] -
163:29
sounds [1] -
122:29
source [1] -
55:20
south [7] -
117:1, 119:1,
181:6, 181:15,
181:23, 181:24,
190:25
southbound [1] -
117:19
Southern [11] -
19:13, 19:23,
22:22, 173:8,
173:13, 175:14,
176:22, 177:3,
178:10, 178:12,
178:26
southwest [1] -
181:26
space [48] -
28:2, 38:18,
38:24, 58:18,
60:1, 81:20,
85:14, 89:3,
97:14, 116:7,
116:11, 117:4,
117:5, 119:19,
124:8, 124:26,
136:24, 138:20,
138:23, 139:23,
140:28, 141:3,
141:22, 142:1,
142:20, 142:24,
142:28, 143:1,
143:13, 143:16,
144:10, 144:14,
144:16, 145:11,
145:13, 145:14,
165:5, 165:7,
165:27, 165:28,
166:15, 166:24,
168:22, 168:25,
170:10, 170:13
space" [1] -
123:14
spaces [16] -
28:11, 38:9,
38:15, 48:17,
49:4, 59:12, 60:6,
62:4, 62:12,

62:14, 63:1,
142:27, 144:13,
144:14, 184:22
spacing [1] -
60:3
sparse [1] -
70:19
SPC [1] - 153:5
speaker [1] -
30:14
SPEAKER [1] -
191:3
speakers [8] -
22:9, 22:12,
29:13, 47:19,
49:27, 50:1,
64:18, 83:10
speaking [2] -
58:2, 80:18
special [6] -
43:10, 70:13,
153:18, 153:24,
154:1, 157:26
specific [5] -
43:10, 120:11,
140:22, 140:23,
164:10
specifically [4] -
143:2, 144:18,
145:19, 145:27
specifics [1] -
145:17
speculative [1] -
119:14
speed [4] -
37:12, 143:23,
177:12, 187:8
spend [4] -
92:11, 104:19,
104:21
spent [7] -
88:17, 88:18,
91:9, 95:15,
96:28, 98:12,
104:1
spin [1] - 34:9
split [3] - 91:23,
121:1, 180:19
spoken [4] -
27:3, 47:21,
93:21, 188:3
sport [1] - 3:29
sporting [6] -
132:13, 165:29,
166:25, 167:1,
167:26, 170:20
sports [1] -
168:19
sportsman [2] -
4:22, 4:23

spot [2] - 51:6,
189:22
spots [1] - 51:2
sprawl [2] -
153:16, 154:29
spread [1] -
71:13
spreadsheet [5]
- 67:26, 69:14,
125:16, 132:4,
172:2
spreadsheets
[1] - 69:15
springs [1] -
180:3
square [6] -
8:25, 14:8, 86:27,
104:20, 136:23
staff [2] - 18:23,
64:21
stage [31] - 10:7,
10:27, 10:28,
11:3, 11:11,
11:16, 12:1,
13:10, 14:21,
22:8, 22:16,
23:27, 29:22,
31:4, 38:11, 46:8,
50:23, 52:1,
52:15, 57:2,
58:26, 65:3,
70:22, 95:13,
101:18, 109:7,
124:11, 130:10,
130:18, 161:24,
169:3
Stage [1] - 39:26
stages [2] -
32:20, 176:15
stake [1] - 19:8
stand [3] -
30:23, 106:23,
153:10
standard [2] -
43:12, 179:5
standards [1] -
159:24
standing [1] -
91:4
Standing [3] -
5:14, 5:17,
164:14
stands [2] -
85:22, 116:20
start [11] - 2:7,
2:10, 8:7, 22:5,
33:22, 76:14,
85:20, 99:11,
132:2, 164:11,
170:16

started [5] - 9:29, 51:1, 168:16, 187:18, 188:22
starters [2] - 60:19, 148:5
starting [2] - 100:13, 161:7
starts [1] - 122:27
state [4] - 14:3, 90:12, 105:17, 186:21
State [2] - 83:24, 155:15
statement [1] - 66:4
station [2] - 112:13, 189:26
statutory [3] - 55:8, 55:10, 163:18
staying [1] - 125:5
stays [1] - 110:6
stead [1] - 163:17
steel [1] - 61:10
steep [1] - 107:16
steered [1] - 98:8
Steering [1] - 170:2
stem [1] - 104:24
stenographic [1] - 1:21
Stenography [1] - 1:19
STENOGRAPH Y [1] - 1:26
step [5] - 11:14, 22:20, 25:7, 39:25, 174:26
Stephen [2] - 133:11, 157:14
stepped [1] - 74:1
steps [2] - 37:22, 41:5
stick [3] - 151:29, 152:1, 179:1
sticking [1] - 188:21
stifle [2] - 64:11, 64:12
still [25] - 12:29, 16:26, 17:6, 17:7, 26:29, 36:12, 37:3, 46:3, 54:23, 57:5, 60:5, 64:28, 75:23, 77:13, 87:16, 94:7, 97:8, 104:3, 104:27, 113:21, 124:21, 142:12, 155:6, 190:4
sting [1] - 21:9
stipulates [1] - 24:26
stitch [1] - 118:28
stock [3] - 161:2, 161:5, 161:14
stone [8] - 45:11, 49:1, 61:7, 62:17, 63:23, 63:27, 124:18, 126:24
stop [14] - 14:12, 37:22, 38:2, 41:5, 41:17, 41:18, 43:11, 43:13, 52:18, 95:26, 156:23, 157:27, 158:4, 161:26
stopped [1] - 5:19
storage [1] - 85:26
store [5] - 7:24, 8:10, 8:11, 8:12, 8:13
Stores [2] - 7:16, 8:12
storey [6] - 9:6, 105:27, 137:1, 137:19, 181:5, 181:11
storeys [2] - 181:13, 181:22
storm [7] - 79:29, 87:24, 92:13, 92:25, 106:16, 114:19
Storm [1] - 80:1
storms [1] - 79:29
story [2] - 96:24, 140:9
straight [1] - 92:27
straightforward [2] - 10:2, 44:23
strategies [1] - 37:6
strategy [2] - 12:20, 38:5
Strategy [1] - 132:5
stream [3] - 140:6, 170:21, 175:26
street [6] - 25:3, 118:3, 136:10, 136:12, 139:25, 160:28
Street [8] - 8:26, 16:1, 28:4, 30:11, 104:26, 111:19, 136:13, 136:14
streetlighting [8] - 41:26, 45:15, 45:16, 45:19, 50:4, 51:8, 60:10, 60:24
streetlights [8] - 40:20, 40:26, 40:27, 41:1, 41:15, 42:5, 56:19, 62:5
streets [2] - 39:1, 122:12
streetscape [3] - 39:11, 181:8, 181:18
strengthening [1] - 163:27
stretch [1] - 60:19
strikes [2] - 170:14, 170:24
strip [1] - 148:14
strong [3] - 15:25, 31:9, 184:26
strongly [1] - 173:7
structural [1] - 78:27
structure [1] - 190:27
structured [1] - 21:9
structures [2] - 161:16, 161:19
studies [2] - 81:5, 81:6
study [3] - 154:8, 159:24, 169:13
stuff [11] - 26:3, 45:22, 57:22, 64:19, 85:4, 95:25, 95:27, 96:5, 149:26, 159:23, 159:25
stupid [2] - 95:26, 96:3
subject [8] - 36:17, 62:29, 63:15, 63:28, 127:6, 140:7, 164:2, 188:19
subjective [1] - 122:21
submission [8] - 41:21, 55:11, 110:18, 111:2, 111:3, 116:1, 116:22, 164:28
submissions [11] - 35:28, 39:15, 67:8, 67:12, 77:8, 114:4, 121:11, 133:6, 136:26, 154:21, 190:19
submit [1] - 141:4
submitted [7] - 67:18, 116:8, 132:18, 142:13, 161:10, 170:27, 191:2
subsection [1] - 154:2
substandard [1] - 126:19
substantial [1] - 41:10
substantially [1] - 128:4
substantive [2] - 7:21, 52:5
succeed [1] - 83:15
successful [3] - 82:17, 87:4, 149:28
successfully [1] - 148:2
suddenly [2] - 111:16, 168:16
suffer [2] - 79:21, 186:4
suffered [1] - 86:14
sufficient [1] - 60:6
Sugar [16] - 153:15, 153:17, 154:25, 155:26, 155:28, 156:1, 156:9, 156:20, 157:3, 157:13, 157:21, 157:23, 158:15, 173:5, 173:10, 177:23
suggest [6] - 30:7, 68:5, 111:23, 115:2, 147:23, 154:5
suggested [6] - 81:5, 119:11, 135:18, 136:27, 136:28, 137:12
suggesting [13] - 25:10, 60:8, 68:18, 68:21, 70:26, 95:4, 98:6, 116:26, 116:29, 119:9, 122:22, 140:26, 171:16
suggestion [1] - 146:3
suit [2] - 141:12, 191:23
suitable [7] - 43:12, 81:3, 136:25, 159:8, 184:14, 188:6, 190:23
summary [1] - 39:23
summer [1] - 11:21
Sunday [1] - 23:17
superb [1] - 88:14
Superintenden t [1] - 4:26
Superquinn [1] - 112:14
SuperValu [1] - 105:2
supervise [1] - 31:17
supplies [1] - 5:21
support [39] - 3:11, 3:28, 12:6, 27:17, 49:21, 53:12, 54:9, 62:3, 62:22, 76:9, 77:2, 77:3, 82:9, 83:4, 84:14, 84:24, 97:5, 98:15, 113:7, 118:19, 119:17, 120:1, 120:26, 123:2, 127:5, 148:6, 148:19, 151:5, 152:12, 154:9, 155:3, 157:2, 157:14, 157:15, 160:24, 161:1, 162:4, 176:29, 184:2
supported [1] - 189:17
supporting [7] - 16:13, 19:9, 94:22, 94:29, 97:17, 99:3, 157:10
suppose [10] - 11:29, 52:1, 56:4, 58:29, 93:23, 98:3, 104:11, 105:7, 159:12, 169:25
supposed [3] - 52:24, 114:6, 184:24
surely [2] - 61:25, 161:28
surprised [1] - 10:27
surprising [1] - 58:17
surrounding [3] - 60:27, 61:5, 112:10
surveyor [1] - 9:18
surveyors [1] - 64:21
Suspension [3] - 5:14, 5:17, 164:13
sustainable [1] - 52:25
sustainably [1] - 81:16
SWAP [28] - 73:20, 74:17, 75:14, 76:22, 77:2, 82:10, 84:1, 84:9, 84:15, 89:11, 89:22, 91:23, 92:5, 96:17, 97:11, 97:17, 97:25, 98:5, 99:5, 99:23, 100:28, 101:22, 102:14, 103:10, 107:28, 114:5, 120:28
swap [4] - 74:18, 91:15, 91:20, 92:6
SWAPs [1] - 87:20
swapped [1] - 84:10

Sweeney [1] - 36:1
SWEENEY [1] - 36:5
swim [1] - 96:13
sympathetic [1] - 190:27
sympathies [2] - 3:15, 3:20
sympathy [6] - 2:20, 2:24, 3:6, 4:19, 5:3, 158:2
synopsise [1] - 69:29
system [6] - 72:5, 72:7, 82:26, 146:6, 150:6, 165:1
systems [1] - 85:26

T

tab [1] - 79:25
table [4] - 12:11, 15:18, 79:17, 112:24
tail [1] - 21:9
tailored [1] - 141:23
TAKEN [13] - 35:20, 65:18, 115:8, 115:17, 123:7, 125:1, 131:14, 132:28, 152:26, 158:28, 162:24, 172:16, 172:24
talks [2] - 44:10, 92:11
Tank [1] - 12:20
tanks [1] - 85:26
tapered [1] - 174:7
target [6] - 11:21, 95:9, 95:10, 123:12, 124:2, 124:19
targets [3] - 89:8, 169:16, 190:5
taxpayer [3] - 79:24, 101:10
taxpayers [2] - 74:2, 74:3
team [1] - 51:20
Team [2] - 42:20, 76:14
technical [1] - 163:19
teens [1] - 48:23
ten [17] - 19:24, 34:7, 59:20, 77:7, 80:24, 80:25, 81:2, 85:17, 108:27, 149:16, 162:25, 179:18, 187:11, 191:20, 192:1, 192:4
tenant [1] - 54:23
tenants [3] - 9:13, 24:6, 24:19
tend [1] - 94:14
tender [8] - 10:5, 11:9, 11:15, 11:17, 11:19, 13:18, 25:8, 32:29
tendered [1] - 10:29
tenderer [1] - 11:7
tenderers [1] - 21:26
tenders [3] - 11:23, 32:11, 33:1
tenure [1] - 45:5
Terenure [1] - 7:16
term [3] - 81:16, 84:8, 152:5
terminate [1] - 23:2
terminated [1] - 22:29
terms [15] - 40:10, 78:23, 90:11, 91:18, 93:3, 103:22, 103:24, 103:26, 103:27, 103:29, 104:7, 119:9, 174:11, 176:28
terrace [6] - 54:1, 54:5, 54:17, 54:19, 56:15
test [1] - 109:27
tested [2] - 80:11, 154:7
text [1] - 185:23
th [1] - 96:11
thanking [1] - 25:16
THE [38] - 2:1, 2:14, 6:2, 6:12, 6:18, 6:26, 7:11, 8:22, 34:14, 76:11, 82:5, 83:6, 84:26, 89:24, 90:3, 95:1, 95:6, 97:21, 101:29, 103:7, 113:10, 120:4, 124:15, 130:13, 130:24, 133:19, 134:10, 135:16, 137:25, 138:16, 159:16, 163:25, 164:8, 177:27, 180:6, 181:29, 183:1, 192:7
theirs [2] - 174:26, 177:18
themselves [6] - 32:16, 39:14, 49:10, 77:28, 83:23, 129:28
THEN [1] - 192:7
theory [2] - 88:7, 113:19
there'd [1] - 104:6
thereabouts [1] - 8:25
therefore [5] - 48:3, 60:15, 74:9, 79:4, 82:19
they've [16] - 15:22, 24:5, 24:7, 25:19, 52:2, 76:15, 78:13, 78:14, 83:16, 86:10, 96:20, 103:16, 147:16, 173:11, 176:27, 186:5
thinks [1] - 150:26
third [6] - 4:7, 4:12, 73:7, 110:2, 165:12, 165:13
thirties [1] - 89:15
Thornhill [22] - 3:4, 23:8, 26:6, 27:20, 29:24, 31:29, 32:3, 72:26, 99:8, 103:2, 104:17, 114:1, 115:6, 138:17, 138:25, 140:24, 141:9, 142:5, 143:11, 144:2, 144:3, 146:15
THORNHILL [11] - 3:5, 18:4, 23:9, 27:21, 99:9, 114:4, 114:12, 138:26, 142:6, 143:12, 144:5
Thornhill's [5] - 140:27, 141:6, 142:15, 143:20, 146:3
thousand [3] - 109:26, 111:23, 172:12
thousands [3] - 154:20, 177:4, 177:10
three [30] - 14:2, 14:15, 20:7, 20:12, 24:18, 28:2, 28:24, 35:12, 35:21, 38:7, 38:14, 38:22, 38:23, 56:15, 63:5, 63:11, 65:18, 70:21, 121:21, 121:22, 125:10, 132:6, 136:29, 148:26, 160:7, 164:27, 172:28, 173:22, 176:15, 191:28
three-bed [3] - 38:7, 38:14, 38:23
three-quarters [1] - 24:18
thrilled [1] - 13:10
throughout [11] - 5:19, 5:25, 39:1, 51:3, 52:25, 53:15, 53:16, 56:1, 78:24, 117:11, 160:20
tidy [2] - 42:5, 62:1
tie [1] - 133:25
tied [3] - 13:7, 72:18, 182:11
tight [4] - 13:4, 17:8, 56:29, 105:8
TII [1] - 169:24
timeframes [1] - 13:6
timing [4] - 171:2, 171:14, 171:19, 171:20
Tinahely [1] - 160:21
tired [2] - 124:11, 158:12
today [47] - 2:7, 7:2, 14:18, 14:21, 16:14, 17:22, 19:8, 23:12, 23:15, 24:11, 25:7, 26:5, 27:3, 27:7, 27:18, 33:20, 34:6, 42:10, 43:18, 51:13, 51:16, 58:27, 59:17, 59:18, 60:2, 64:7, 64:26, 68:20, 75:22, 75:24, 75:26, 75:27, 76:3, 77:4, 81:13, 82:16, 90:22, 103:3, 104:25, 111:13, 111:16, 112:20, 112:26, 112:27, 113:2, 116:24, 164:24
today's [1] - 15:17
together [14] - 12:26, 48:3, 91:28, 93:5, 94:24, 94:28, 96:9, 96:20, 101:5, 101:25, 118:11, 118:24, 121:29, 122:6
Tom [2] - 18:5, 115:7
Tommy [4] - 4:2, 5:7, 24:12, 115:27
TOMMY [8] - 4:3, 24:13, 30:25, 34:16, 34:18, 34:21, 34:26, 35:1
tomorrow [1] - 85:20
tonic [1] - 188:21
tonight [1] - 158:24
took [9] - 10:15, 12:14, 14:2, 16:8, 59:25, 60:5, 75:20, 91:7, 107:29
top [4] - 40:6, 140:2, 173:4, 175:24
topic [4] - 115:20, 172:26, 187:18, 187:19
total [1] - 40:21
totally [5] - 44:11, 46:4, 61:21, 102:24, 155:12
touched [1] - 43:24
tourists [1] - 99:15
toward [1] - 147:3
towards [4] - 9:21, 11:6, 104:4, 157:8
Town [43] - 9:1, 12:22, 12:24, 13:22, 15:26, 16:6, 16:15, 18:19, 19:7, 29:28, 29:29, 30:2, 30:21, 33:9, 42:27, 68:5, 71:9, 71:23, 76:5, 77:9, 77:11, 79:20, 87:2, 87:3, 87:6, 87:8, 87:9, 87:11, 103:23, 104:12, 106:23, 111:21, 111:27, 112:15, 112:16, 118:12, 120:12, 120:18, 120:20, 120:21, 135:4, 135:8, 166:26
TOWN [1] - 1:7
town [64] - 10:8, 12:15, 12:16, 12:21, 13:13, 14:5, 14:11, 18:17, 18:21, 18:23, 74:20, 81:21, 86:17, 86:21, 87:5, 88:18, 90:26, 91:2, 91:4, 91:9, 91:19, 91:20, 91:22, 91:24, 91:25, 91:28, 92:1, 93:14, 93:15, 94:24, 94:28, 96:6, 96:9, 96:10, 97:15, 99:13, 102:7, 102:8, 105:18, 106:28, 107:13, 117:6, 117:10, 117:13, 118:21, 119:18, 120:18, 121:1, 121:3, 121:14, 121:24,

121:26, 121:28,
122:4, 122:8,
160:27, 161:6,
162:1, 166:14,
185:14, 187:3
town's [1] -
160:29
townland [1] -
52:25
tracks [1] -
168:7
traditional [1] -
39:3
traffic [6] -
146:9, 146:13,
176:25, 178:1,
178:5, 184:27
tragedy [1] -
50:9
tragic [1] - 4:11
trails [1] -
156:21
transcript [1] -
1:20
transfer [2] -
8:11, 43:9
transferring [1] -
21:10
translate [1] -
9:14
transparency
[2] - 28:27, 29:25
transport [2] -
159:23, 169:13
trap [1] - 127:26
travel [1] - 105:4
travelling [1] -
111:10
treat [1] - 61:2
treated [2] -
55:11, 61:3
tree [1] - 163:4
trees [7] - 38:29,
163:1, 163:3,
163:28, 186:6,
186:9
tremendous [2]
- 14:17, 29:16
triangle [1] -
175:7
tribute [3] -
14:15, 75:11,
99:5
trouble [2] -
75:17, 82:20
true [3] - 1:20,
106:8, 111:8
truly [2] - 46:8,
150:3
truth [2] - 77:16,

81:12
try [12] - 46:3,
56:2, 59:9, 71:16,
87:8, 133:25,
149:29, 161:20,
162:2, 166:11,
166:15, 167:10
trying [20] -
18:22, 28:10,
55:29, 82:12,
82:13, 82:14,
94:24, 105:21,
112:25, 130:13,
144:7, 155:1,
159:7, 159:12,
160:24, 161:3,
161:29, 178:11,
187:23
turn [1] - 178:4
turned [2] -
10:13, 106:14
turning [1] -
64:17
turns [1] - 192:4
twelve [2] -
19:24, 187:11
twice [1] -
134:13
two [77] - 11:1,
11:5, 13:19, 22:9,
22:12, 28:1, 28:3,
29:12, 34:8,
38:13, 38:22,
41:22, 43:7,
46:11, 47:22,
56:28, 57:3, 57:6,
57:24, 59:12,
63:5, 63:6, 63:11,
63:13, 63:16,
65:20, 69:8,
69:15, 70:3, 70:6,
70:7, 70:8, 70:19,
70:20, 81:27,
85:8, 85:18,
85:22, 85:25,
86:7, 86:8, 89:1,
94:28, 100:20,
102:11, 105:9,
105:25, 110:12,
111:22, 115:18,
116:7, 116:28,
118:24, 118:29,
120:10, 121:27,
128:15, 136:21,
137:16, 139:16,
139:19, 140:14,
147:28, 148:27,
149:1, 152:6,
158:28, 159:8,
162:26, 165:24,

167:4, 185:5,
189:1
two-bedroom
[3] - 139:16,
139:19, 140:14
two-hectare [1]
- 148:27
type [9] - 65:2,
88:7, 134:25,
154:23, 158:18,
158:19, 168:22,
180:16, 180:26
types [2] -
38:20, 156:2

U

ugly [1] - 108:10
ultimately [1] -
130:13
unacceptable
[2] - 41:23, 173:6
unadded [1] -
117:8
unanimous [1] -
125:26
unanimously [2]
- 12:24, 13:24
unauthorised
[1] - 161:17
uncertainty [1] -
77:22
under [17] -
12:28, 36:9,
36:24, 38:8,
44:29, 54:23,
60:16, 62:18,
105:25, 114:16,
114:20, 116:4,
126:28, 132:24,
144:20, 153:26,
169:3
underestimate
[1] - 170:12
underlying [2] -
32:19, 77:23
underresource
[1] - 104:22
undertaking [2]
- 21:28, 108:24
unfair [1] - 46:4
unfold [1] - 81:8
unfortunate [2] -
27:9, 45:28
unfortunately
[4] - 31:5, 72:7,
100:26, 120:22
unheard [1] -
106:3

unit [5] - 38:7,
38:20, 38:22,
39:15, 39:20
units [28] -
35:26, 36:6, 37:1,
38:9, 38:14, 39:5,
39:14, 39:23,
42:12, 42:15,
49:27, 49:28,
50:27, 56:10,
64:10, 103:24,
103:25, 103:27,
123:13, 123:26,
133:26, 170:19,
173:4, 177:8,
190:4
universally [2] -
56:11, 56:13
UNKNOWN [1] -
191:3
unless [5] -
20:18, 110:20,
149:10, 152:13,
171:3
unlit [1] - 118:3
unmade [1] -
41:8
unmade-up [1] -
41:8
unprecedented
[1] - 80:2
unpredictabilit
y [1] - 79:9
unreasonable
[3] - 40:18, 99:27,
101:12
unsafe [1] -
59:23
unsatisfactory
[1] - 126:17
unsure [1] -
77:25
UNTIL [1] -
192:7
unwelcoming
[1] - 118:3
up [123] - 2:27,
7:4, 7:7, 10:5,
10:27, 11:4,
13:19, 14:25,
15:9, 15:28, 17:2,
17:17, 18:3, 18:5,
19:20, 19:24,
19:25, 20:25,
22:24, 29:7,
30:10, 30:12,
31:4, 31:6, 31:13,
33:3, 36:26,
38:17, 39:17,
41:8, 42:6, 45:22,

45:23, 46:27,
49:15, 49:17,
51:2, 51:4, 51:5,
52:8, 52:13,
54:22, 54:27,
56:29, 57:15,
58:22, 59:21,
61:19, 64:4, 71:6,
72:27, 73:13,
74:18, 75:29,
79:25, 80:1,
84:10, 92:13,
94:12, 96:29,
100:15, 100:16,
101:1, 101:8,
101:19, 104:12,
105:9, 105:23,
105:29, 106:7,
106:24, 108:8,
108:26, 111:27,
116:15, 117:16,
117:22, 121:21,
122:25, 123:2,
126:18, 126:27,
138:4, 139:4,
143:23, 147:3,
147:22, 148:28,
150:11, 152:6,
153:3, 153:4,
157:23, 158:22,
165:3, 166:20,
168:6, 168:15,
168:28, 169:17,
170:18, 170:22,
173:4, 173:5,
177:12, 181:13,
184:26, 185:14,
186:23, 186:26,
186:29, 187:8,
190:28
update [2] -
16:20, 143:5
uplifted [1] -
75:19
Upper [1] - 75:5
ups [1] - 9:7
upstream [7] -
89:14, 89:16,
107:9, 107:18,
107:22, 107:23,
109:18
Urban [4] - 71:8,
72:29, 73:9, 85:1
urban [7] -
117:22, 121:19,
121:20, 121:21,
132:25, 153:16,
154:23
urge [3] -
101:23, 119:17,

120:1
usable [1] -
166:2
useful [1] -
145:11
useless [1] -
107:13
user [1] - 156:1
users [2] - 156:2
usual [1] - 26:3

V

valid [2] - 50:2,
89:2
valuable [3] -
78:29, 166:8,
167:8
valuation [16] -
11:22, 23:25,
27:28, 28:5, 28:7,
28:29, 29:9,
30:19, 31:12,
31:29, 32:2,
32:10, 32:14,
32:17, 33:2, 33:4
value [7] - 23:22,
24:4, 28:17, 32:6,
32:19, 33:5,
161:1
valuers [1] -
32:16
valves [1] -
109:11
Vance [32] -
6:11, 8:17, 13:15,
18:16, 20:22,
25:9, 29:13,
30:16, 84:28,
92:13, 97:12,
120:6, 123:17,
141:7, 149:24,
158:6, 158:11,
162:7, 165:6,
165:14, 170:12,
170:23, 174:10,
175:16, 177:1,
181:28, 185:21,
185:22, 187:20,
190:11, 190:29,
191:6
VANCE [1] - 8:18
VANCE [45] -
6:28, 7:5, 13:16,
29:14, 66:16,
66:20, 66:25,
67:5, 84:29,
89:25, 116:23,
120:7, 123:16,
131:26, 133:17,

134:7, 135:19,
141:8, 141:25,
143:18, 145:23,
149:25, 151:28,
158:13, 162:9,
167:18, 172:6,
173:24, 173:28,
175:9, 176:1,
177:2, 177:15,
177:19, 178:24,
179:6, 181:9,
182:24, 182:28,
185:24, 187:22,
188:26, 189:17,
191:26, 192:2
Vance's [1] -
170:24, 171:4,
171:18, 172:19,
174:14, 174:18,
174:24, 178:21,
179:9, 179:10,
179:11
variety [1] -
39:10
various [12] -
9:22, 11:1, 13:23,
31:17, 47:20,
69:13, 102:10,
109:6, 149:22,
149:29, 150:2,
162:14
vegetation [1] -
173:4
vendor [1] - 23:4
verge [2] -
145:11, 145:15
version [1] -
153:23
versus [2] -
100:10, 171:28
veto [3] -
147:12, 147:17,
147:29
vetoed [1] -
152:17
Vevay [13] -
183:26, 184:12,
184:22, 186:12,
186:21, 186:22,
187:26, 189:4,
189:13, 189:20,
189:21, 189:23,
190:29
via [2] - 185:22,
185:23
viable [1] - 9:22
vibrancy [1] -
104:16
vibrant [1] -
99:13

Victorian [4] -
81:27, 82:1,
161:2
view [14] -
17:20, 24:23,
24:25, 77:13,
86:4, 102:28,
104:11, 134:1,
140:17, 141:17,
154:10, 156:17,
161:8, 173:17
views [5] -
28:14, 155:28,
161:9, 162:5,
181:21
VII [1] - 51:13
VIII [20] - 35:23,
36:5, 41:21, 42:9,
43:5, 51:14,
51:16, 55:24,
58:26, 58:27,
59:8, 59:15,
59:19, 59:23,
60:3, 60:23, 62:3,
62:4, 62:23,
64:10
VIII's [1] - 64:16
village [5] -
102:20, 131:21,
132:10, 132:11,
132:25
Village [1] -
155:19
Vision [1] -
132:5
vision [1] -
123:2
visual [2] -
173:9, 173:10
visually [1] -
181:17
vital [1] - 130:15
vitality [1] -
103:22
volition [1] -
100:28
voluntary [1] -
96:18
volunteers [1] -
106:25
vote [59] - 2:24,
3:6, 18:10, 19:8,
20:3, 26:26,
26:27, 27:18,
30:13, 30:15,
30:24, 30:29,
33:8, 34:15,
34:24, 35:6,
35:19, 51:15,
61:29, 64:8, 65:3,

65:8, 65:10, 77:4,
81:17, 82:26,
83:1, 85:8,
110:13, 112:20,
114:2, 115:3,
115:15, 115:27,
121:9, 123:9,
125:8, 128:2,
131:13, 132:27,
152:2, 152:24,
154:3, 156:15,
158:11, 158:23,
158:25, 162:8,
162:23, 169:7,
169:9, 172:15,
172:23, 187:17,
188:15, 191:15,
191:18
VOTE [13] -
35:20, 65:18,
115:8, 115:17,
123:7, 125:1,
131:14, 132:28,
152:26, 158:28,
162:24, 172:16,
172:24
voted [4] -
73:11, 155:18,
155:23, 158:23
votes [2] - 2:20,
5:3
voting [4] -
19:29, 82:16,
99:3, 156:26

W

wait [2] - 68:23,
191:18
waited [1] -
65:23
waiting [7] -
45:28, 52:17,
69:5, 70:27,
164:15, 164:19,
164:22
walk [13] - 25:3,
96:11, 105:9,
105:14, 111:27,
117:21, 122:2,
122:15, 148:29,
151:2, 152:8,
167:3, 186:26
Walk [2] -
117:15, 146:27
walked [1] -
188:4
walking [3] -
20:17, 38:1,
156:21

walks [2] -
149:26, 150:2
walkway [3] -
147:3, 147:29,
150:23
walkways [2] -
148:1, 148:12
wall [18] - 61:14,
61:15, 61:27,
62:6, 63:14,
63:22, 63:23,
63:25, 65:2,
73:13, 74:25,
98:1, 106:27,
109:9, 109:10,
109:17
walling [1] -
61:20
Wallingford [5] -
87:16, 87:17,
87:21, 106:10,
108:2
walls [3] - 60:29,
61:4, 64:23
Walsh [4] - 3:22,
6:24, 49:25,
65:17
WALSH [29] -
3:23, 49:26,
69:24, 135:24,
136:1, 136:6,
137:9, 138:1,
144:29, 159:21,
163:14, 172:22,
174:18, 175:5,
175:11, 175:22,
176:3, 176:7,
176:12, 176:14,
179:28, 180:14,
181:10, 183:12,
185:17, 185:20,
189:6, 191:11,
191:15
wants [7] -
30:14, 43:20,
43:21, 58:10,
59:13, 128:28,
143:11
ward [1] -
162:11
WAS [2] - 5:11,
192:7
waste [1] - 44:27
wasteland [1] -
188:5
water [19] -
74:14, 74:29,
83:18, 83:21,
84:11, 92:17,
92:27, 94:2,

95:22, 97:29,
107:10, 107:21,
107:26, 108:6,
108:24, 109:11,
109:17, 114:16,
153:1
Water [1] - 54:17
waters [2] -
104:3, 107:21
ways [2] - 119:7,
138:20
wayside [1] -
51:17
weaken [1] -
151:23
weather [2] -
74:23, 76:23
Wednesday [3] -
66:1, 66:3, 67:27
week [10] - 3:8,
3:19, 10:26, 30:6,
34:7, 67:22,
94:21, 106:16,
111:3, 170:29
weeks [8] - 12:3,
27:4, 34:9, 54:25,
75:25, 113:2,
113:6, 134:6
weigh [1] -
94:12
welcome [10] -
2:5, 2:6, 19:19,
41:4, 43:4, 47:22,
49:27, 64:13,
65:11, 176:26
welcomed [5] -
47:27, 49:29,
50:5, 50:26,
122:3
wells [1] -
105:15
west [6] -
126:21, 181:6,
181:15, 181:23,
181:24, 181:26
West [3] - 53:28,
54:4, 54:15
western [5] -
184:3, 184:6,
184:11, 190:21,
190:22
wetland [1] -
188:10
Wexford [1] -
4:27
whatsoever [3] -
24:10, 90:1
whereas [6] -
110:23, 120:9,
124:2, 128:6,

129:11, 174:21
whereby [2] -
22:23, 125:28
whichever [3] -
99:15, 101:6,
140:17
whilst [1] -
94:18
white [3] -
131:20, 152:22,
175:1
Whitmore [8] -
46:15, 93:19,
106:11, 151:6,
164:6, 171:13,
173:21, 191:4
WHITMORE [12]
- 46:16, 62:9,
63:7, 63:18,
93:20, 135:28,
151:7, 171:14,
184:4, 184:8,
191:5, 191:13
who'd [2] -
148:23
who'll [1] - 79:25
who've [1] -
65:23
whole [26] -
7:28, 13:12, 22:5,
22:23, 28:22,
28:23, 33:26,
33:27, 43:1,
45:10, 52:25,
63:12, 77:21,
84:17, 87:18,
97:1, 102:27,
140:8, 140:15,
161:29, 162:11,
166:3, 169:5,
173:10, 184:10
wholeheartedl
y [1] - 49:21
whooshed [1] -
109:11
WICKLOW [3] -
1:5, 1:7
Wicklow [39] -
2:27, 4:23, 5:18,
6:8, 6:14, 6:21,
7:16, 8:26, 15:4,
17:29, 22:19,
22:23, 27:13,
36:9, 36:25,
42:15, 43:1,
47:29, 49:9,
49:15, 50:29,
53:28, 54:4,
54:15, 76:20,
79:22, 117:20,

117:21, 129:14,
141:2, 141:4,
150:2, 153:25,
153:27, 157:6,
160:20, 160:21,
169:3, 169:25
Wicklow's [1] -
58:16
**Wicklow/
Wexford** [1] - 4:28
wide [13] -
26:19, 40:11,
95:21, 108:19,
108:20, 118:5,
121:25, 122:23,
145:10, 162:10,
162:20, 162:21
widened [1] -
178:2
wider [1] -
108:21
widespread [1] -
5:25
widows [1] -
39:18
width [4] -
92:22, 108:22,
108:23, 117:27
wife [1] - 3:20
wilderness [1] -
40:22
willing [4] -
14:4, 19:3, 80:9,
161:9
willy [1] - 85:9
willy-nilly [1] -
85:9
win [1] - 112:19
window [3] -
39:17, 39:20,
39:21
winter [1] -
76:23
Winters [3] -
50:28, 58:25,
182:9
WINTERS [9] -
2:16, 50:29,
60:10, 61:25,
125:9, 163:22,
164:5, 175:3,
187:16
wise [3] - 80:13,
104:22, 152:3
wish [2] - 17:15,
48:7
wishes [1] -
36:29
wishing [1] - 2:7
withdraw [6] -

146:16, 159:13,
163:7, 178:18,
178:19, 183:3
withdrawing [2]
- 177:16, 179:20
withdrawn [4] -
163:10, 180:8,
180:13, 183:9
withdrew [1] -
179:21
withstand [1] -
154:6
woman [1] -
156:3
won [1] - 4:22
wonder [1] -
139:12
wonderful [2] -
90:16, 189:21
wondering [4] -
151:7, 169:14,
187:16, 188:14
Wood [9] -
47:21, 49:18,
184:7, 184:23,
184:25, 185:3,
185:27, 186:13,
187:27
word [5] - 124:8,
135:4, 144:27,
150:8, 151:23
wording [12] -
136:8, 141:4,
145:25, 149:5,
150:17, 150:19,
150:24, 150:27,
151:15, 151:18,
151:20, 151:25
words [4] -
20:23, 28:26,
70:20, 81:2
works [4] -
24:16, 73:20,
77:28, 98:16
workshop [3] -
16:23, 66:26,
67:2
workshops [1] -
71:26
world [2] -
78:24, 98:14
worried [1] -
96:15
worry [3] -
20:19, 96:10,
96:14
worse [1] - 45:1
worst [1] - 95:11
worst-case [1] -
95:11

worth [3] -
29:28, 32:5,
136:24
wrap [1] - 64:4
write [5] - 4:4,
17:26, 57:26,
66:28, 181:20
writing [4] -
44:18, 57:21,
57:23, 136:5
written [2] -
17:18, 96:23
wrote [2] -
10:22, 12:20

Y

yard [1] - 20:16
Yard [1] - 5:8
ye [4] - 58:6,
59:16, 59:27,
60:5
year [20] - 2:8,
8:7, 9:28, 9:29,
19:17, 73:14,
74:24, 78:13,
78:15, 80:23,
80:28, 80:29,
92:25, 93:13,
94:19, 106:15,
106:16, 109:26,
163:18
years [64] - 2:26,
3:8, 3:27, 4:6,
4:8, 4:15, 4:28,
9:4, 9:8, 12:16,
13:20, 14:16,
15:12, 15:28,
18:18, 19:24,
21:7, 23:23,
27:10, 27:12,
27:26, 28:24,
29:3, 50:17,
56:20, 77:7,
78:22, 78:25,
80:24, 80:25,
81:2, 82:11,
82:12, 83:2,
83:15, 85:17,
85:18, 85:22,
89:1, 92:7, 94:20,
96:21, 96:28,
99:16, 99:26,
102:18, 104:13,
104:14, 106:18,
106:19, 107:28,
111:13, 125:23,
127:17, 139:4,
139:10, 139:11,
145:20, 149:26,

154:22, 154:26
years' [1] - 14:2
yellow [2] -
37:25, 38:22
young [4] - 2:29,
3:7, 4:29, 52:15
younger [2] -
139:29, 140:1
yourself [6] -
46:10, 93:1,
114:7, 114:12,
149:8

€24 [1] - 29:15
€46 [6] - 88:17,
88:18, 91:9,
92:10, 104:1
€7 [2] - 28:5,
32:1
€700,000 [1] -
53:19
€750,000 [1] -
27:28
€900,000 [1] -
28:9

Z

zero [1] - 8:7
zone [16] -
38:28, 129:1,
139:3, 165:2,
166:18, 174:5,
174:7, 174:13,
174:20, 174:27,
174:29, 175:7,
175:28, 176:3,
180:24, 185:5
zoned [8] -
85:11, 133:27,
142:28, 144:14,
175:20, 175:23,
176:8, 176:14
zones [1] -
132:14
zoning [30] -
70:15, 73:11,
85:29, 110:6,
111:15, 120:8,
126:27, 128:6,
128:22, 128:23,
128:27, 128:28,
129:13, 129:20,
129:25, 130:9,
130:15, 130:19,
131:3, 155:18,
155:19, 165:26,
169:11, 173:20,
175:12, 175:17,
176:2, 190:20,
190:21, 190:22
zonings [1] -
144:26

€

€1.95 [1] - 29:16
€2 [1] - 12:28
€2.6 [4] - 27:29,
28:6, 28:12,
28:19
€20 [1] - 12:27