



SEANAD ÉIREANN

**AN BILLE UM ATHCHÓIRIÚ RIALTAIS ÁITIÚIL, 2013
LOCAL GOVERNMENT REFORM BILL 2013**

*ATHRAITHE Ó
CHANGED FROM*

*AN BILLE RIALTAIS ÁITIÚIL, 2013
LOCAL GOVERNMENT BILL 2013*

**LEASUITHE COISTE
COMMITTEE AMENDMENTS**

SEANAD ÉIREANN

AN BILLE UM ATHCHÓIRIÚ RIALTAIS ÁITIÚIL, 2013 —AN COISTE

LOCAL GOVERNMENT REFORM BILL 2013 —COMMITTEE STAGE

*athraithe ó
changed from*

**AN BILLE RIALTAIS ÁITIÚIL, 2013
LOCAL GOVERNMENT BILL 2013**

*Leasuithe
Amendments*

**Government amendments are denoted by an asterisk*

*[Note: The page and line references in this list of amendments
refer to the line numbers as printed in the Bill.]*

SECTION 1

- *1. In page 11, line 31, to delete all words from and including “and”, and in page 12, line 1, to delete all words down to and including “2013.” and substitute “and may be cited together as the Local Government Acts 1925 to 2013.”.
- *2. In page 12, lines 7 and 8, to delete all words from and including “and” in line 7 down to and including “2013.” in line 8 and substitute “and may be cited together as the Housing Acts 1966 to 2013.”.
- *3. In page 12, lines 16 and 17, to delete all words from and including “and” in line 16 down to and including “2013.” in line 17 and substitute “and may be cited together as the Electoral Acts 1992 to 2013.”.
- *4. In page 12, lines 23 and 24, to delete all words from and including “and” where it secondly occurs in line 23 down to and including “2013.” in line 24 and substitute “and may be cited together as the Planning and Development Acts 2000 to 2013.”.
- *5. In page 12, lines 42 and 43, to delete all words from and including “shall” in line 42 down to and including “2013.” in line 43 and substitute “may be cited together as the Health Acts 1947 to 2013”.
- *6. In page 13, line 29, to delete “*section 28* and” and substitute the following:

“section 28, section 51 (in so far as it relates to the insertion of section 149A into the Principal Act) and”.
- *7. In page 13, line 31, to delete “fixed” and substitute “appointed”.

SECTION 2

- 8. In page 14, to delete lines 8 to 16.

—*Senator David Norris.*

[SECTION 8]

SECTION 8

9. In page 17, between lines 2 and 3, to insert the following:

“8. The Minister proposes to hold a plebiscite in each of the following local authorities: Limerick City Council, Limerick County Council, Waterford City Council, Waterford County Council, North Tipperary County Council and South Tipperary County Council.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

10. In page 17, between lines 2 and 3, to insert the following:

“Holding a plebiscite

9. (1) Where a resolution has been adopted by each of the said local authorities on the proposed amalgamation of their respective councils—

- (a) Limerick City Council and Limerick County Council,
- (b) Waterford City Council and Waterford County Council, and
- (c) North Tipperary County Council and South Tipperary County Council,

a plebiscite shall be held whether legislation should be brought forward to proceed with amalgamation.

(2) The plebiscite referred to in *subsection (1)* shall—

- (a) be held in conjunction with and at time duly fixed by the Minister for the 2014 local elections, and
- (b) put a proposal for a decision of those entitled to vote at the 2014 local elections in Limerick City Council and Limerick County Council, Waterford City Council and Waterford County Council, and North Tipperary County Council and South Tipperary County Council for amalgamation of—
 - (i) Limerick City Council and Limerick County Council,
 - (ii) Waterford City Council and Waterford County Council, and
 - (iii) North Tipperary County Council and South Tipperary County Council.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

Section opposed.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

SECTION 9

Section opposed.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, David Cullinane, Trevor Ó Clochartaigh.*

SECTION 10

Section opposed.

[SECTION 10]

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

SECTION 11

Section opposed.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

SECTION 12

Section opposed.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

SECTION 13

Section opposed.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

SECTION 14

Section opposed.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

SECTION 15

11. In page 26, to delete lines 20 to 45 and substitute the following:

“

Carlow	18
Cavan	19
Clare	30
Cork	55
Donegal	41
Dun Laoghaire-Rathdown	52
Fingal	69
Galway	44
Kerry	37
Kildare	53
Kilkenny	24
Laois	23
Limerick	34
Leitrim	18
Longford	18
Louth	31
Mayo	33
Meath	47
Monaghan	18
Offaly	20
Roscommon	18
Sligo	18
South Dublin	67
North Tipperary	18
South Tipperary	23
Waterford	18
Westmeath	22
Wexford	37
Wicklow	37

[SECTION 15]

”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

12. In page 27, to delete lines 6 to 10 and substitute the following:

“

Limerick	18
Waterford	18

”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

SECTION 16
Section opposed.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

SECTION 17
Section opposed.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan,
Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White,
David Cullinane, Trevor Ó Clochartaigh.*

SECTION 18
Section opposed.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

SECTION 19

13. In page 29, between lines 4 and 5, to insert the following:

“19. The Principal Act is amended by inserting the following Part after Part 3:

“PART 3A

COMMUNITY COUNCILS

- 22A. (1) Every city and county council shall designate Community Council Areas throughout its local authority area.
- (2) The structure of each such Community Council Area shall reflect the natural community of that area and each village and town shall have its own Community Council.
- (3) The number of members on each Community Council shall be between the range of 7 to 15 (towns shall have 15 members and villages shall have 7 members).
- (4) Members of the Community Council shall undertake their duties on a voluntary basis.
- (5) Community Council members shall be elected annually, such election shall take place at an annual general meeting of the Community

Council.

- (6) Persons registered on the register of electors for the particular year shall be invited to the Annual General meeting and each such person shall be entitled to vote to elect Community Council members.
- (7) Each Community Council may extend ex-officio, non-voting positions to representatives of local community groups, such groups shall be chosen at the annual general Meeting.
- (8) Community Councils may draft Local Area Plans in conjunction with the executive of the relevant local authority and any such plans so drafted, shall only be put to the relevant Local Authority for approval following a vote of persons on the register of electors of the relevant Community Council Area.
- (9) Community Councils shall be consulted on any major planning applications within that Community Council's area and shall be invited to make submissions on same to the relevant local authority.
- (10) Community Councils may organise matters such as—
 - (a) local community events,
 - (b) plebiscites on matters including street name changes, and
 - (c) community levies for specific projects, including playgrounds, sports facilities, parks.”.”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

[Acceptance of this amendment involves the deletion of section 19 of the Bill.]

14. In page 29, line 12, to delete “districts” and substitute “district councils”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, David Cullinane, Trevor Ó Clochartaigh.*

15. In page 29, line 13, after “district” to insert “council”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, David Cullinane, Trevor Ó Clochartaigh.*

16. In page 29, line 14, after “districts” to insert “or as municipal district councils”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, David Cullinane, Trevor Ó Clochartaigh.*

[SECTION 20]

SECTION 20

Section opposed.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

SECTION 21

- *17.** In page 33, line 5, after “may,” to insert “following consultation with the municipal district members concerned,”.

Section opposed.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

SECTION 22

Section opposed.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

SECTION 23

Section opposed.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

SECTION 24

- *18.** In page 36, delete lines 8 to 12 and insert the following:

“24. (1) The Minister shall by order specify a date (in this Part referred to as the “transfer date”) to be the transfer date for the purposes of this Part.”.

Section opposed.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

SECTION 25

Section opposed.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

SECTION 28

- *19.** In page 39, between lines 29 and 30, to insert the following:

“(3) For the purposes of the local elections held in 2014, the definition of “ordinary day of retirement” in section 17(1) of the Principal Act shall be read—

[SECTION 28]

- (a) in the case of every local authority (including a local authority that is being dissolved under *section 17*)—
 - (i) as if the reference in that definition to the seventh day after the polling day at the election of the incoming members of the local authority were a reference to the 2014 establishment day, and
 - (ii) as if the reference to the seventh day after the date provided for the purposes of paragraph (b) of that definition were a reference to the 2014 establishment day or the seventh day after the day on which the poll is completed or the fresh poll held, whichever is the later,
- and
- (b) in the case of a local authority that is being dissolved under *section 24*, as if that definition referred to the transfer date and to no other day referred to in that definition.”.

SECTION 29

20. In page 40, between lines 16 and 17, to insert the following:

“(2) Each municipal district may, in respect of that district, set an additional commercial rate for premises occupied by large commercial entities which exceed such thresholds in turnover or other economic activity as may be prescribed.”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, David Cullinane, Trevor Ó Clochartaigh.*

21. In page 40, between lines 16 and 17, to insert the following:

“(2) Each municipal district council may in respect of that district, vary the commercial rate and Local Property Tax within the district from the amount applicable to the county council or city and county council concerned.”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

22. In page 40, between lines 16 and 17, to insert the following:

“(2) Each municipal district may, in respect of that district, vary the commercial rate within the district from the amount applicable to the county council or city council concerned.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

23. In page 40, to delete lines 17 to 19, and substitute the following:

“(2) The base year adjustment shall be determined in accordance with *subsections (3) and (4)* by a rating authority, with agreement of the members of the Municipal District Area where the base year adjustment will apply, in respect of each year of the adjustment period for each of the specified areas of the rating authority.”.

[SECTION 29]

—Senators David Cullinane, Trevor Ó Clochartaigh.

*24. In page 41, between lines 10 and 11, to insert the following:

“(8) Notwithstanding *subsection (7)*, where—

- (a) in respect of a specified area the base year adjustment calculated in accordance with *subsection (3)* would result in a levy with a value greater than 20,
- (b) the local authority concerned, following the adoption by it of a resolution for the purpose of this subsection—

- (i) applies in writing to the Minister to make an order that the adjustment period applicable to such specified area may be greater than 10 years, and
- (ii) such resolution and application states the length of the extension being sought (which extension so stated shall be in respect of a period not greater than 10 years),

and

- (c) following consideration of the application under *paragraph (b)*, the Minister determines that an extension should be granted,

then, the Minister may by order grant an extension, which extension may, if the Minister considers it appropriate in the circumstances but subject to it not being greater than 10 years, be different from that sought in the application referred to in *paragraph (b)* and, accordingly, in its application to that specified area, the reference to 10 years in *subsection (7)(a)* shall be read as if it were a reference to the sum of those 10 years and the extension provided for by that order.”.

*25. In page 41, between lines 15 and 16, to insert the following:

“(9) Notwithstanding *subsection (8)#*, it shall be lawful for the rating authority to determine an increase in the annual rate on valuation where—

- (a) the adjustment period of a specified area in the administrative area of the rating authority has been the subject of an order under *subsection (8)#*, and
- (b) the adjustment period applicable to all specified areas in the administrative area of the rating authority, other than any specified area that is the subject of an order under *subsection (8)#*, have ceased in accordance with *subsection (7)*.”.

[#This is a reference to the subsection proposed to be inserted by amendment 24.]

SECTION 30

Section opposed.

—Senators David Cullinane, Trevor Ó Clochartaigh.

SECTION 31

*26. In page 41, between lines 32 and 33, to insert the following:

“Amendment of certain provisions relating to rates on vacant premises

31. (1) Section 71 of the Local Government (Dublin) Act 1930 is amended—

[SECTION 31]

(a) by inserting the following after subsection (1):

“(1A) A local authority may—

- (a) specify a local electoral area or local electoral areas within its administrative area where owners of vacant premises shall be entitled to claim and receive a refund of differing proportion of the municipal rate to that referred to in subsection (1), and
- (b) determine the proportion of the refund to apply in respect of each specified local electoral area or local electoral areas in accordance with paragraph (a).

(1B) The specifying of a local electoral area or local electoral areas and the determination of the proportion of the refund shall be a reserved function.”,

and

(b) by inserting the following after subsection (3):

“(4) The Minister may make regulations specifying the financial considerations and administrative and other procedures to apply in relation to the performance by Dublin City Council of functions to which subsections (1A) and (1B) relate.”.

(2) Section 20 of the Cork City Management Act 1941 is amended—

(a) by inserting the following after subsection (1):

“(1A) A local authority may—

- (a) specify a local electoral area or local electoral areas within its administrative area where owners of vacant premises shall be entitled to claim and receive a refund of differing proportion of the municipal rate to that referred to in subsection (1), and
- (b) determine the proportion of the refund to apply in respect of each specified local electoral area or local electoral areas in accordance with paragraph (a).

(1B) The specifying of a local electoral area or local electoral areas and the determination of the proportion of the refund shall be a reserved function.”,

and

(b) by inserting the following after subsection (3):

“(4) The Minister may make regulations specifying the financial considerations and administrative and other procedures to apply in relation to the performance by Cork City Council of functions to which subsections (1A) and (1B) relate.”.

(3) Section 14 of the Local Government Act 1946 is amended—

[SECTION 31]

(a) in subsection (1) by deleting “which is situated in a county but not in an urban area and”,

(b) by inserting the following after subsection (1):

“(1A) For the purposes of subsection (1) reference to county rate shall include a rate adopted by a city and county council.

(1B) A local authority may—

(a) specify a local electoral area or local electoral areas within its administrative area where owners of vacant premises shall be entitled to claim and receive a refund of differing proportion of the county rate to that referred to in subsection (1), and

(b) determine the proportion of the refund to apply in respect of each specified local electoral area or local electoral areas in accordance with paragraph (a).

(1C) The specifying of a local electoral area or local electoral areas and the determination of the proportion of the refund shall be a reserved function.”,

and

(c) by inserting the following after subsection (3):

“(4) The Minister may make regulations specifying the financial considerations and administrative and other procedures to apply in relation to the performance by a local authority of functions to which subsections (1B) and (1C) relate.”.

[Acceptance of this amendment involves the deletion of section 31]

27. In page 41, to delete line 38.

—Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.

SECTION 32

*28. In page 42, between lines 3 and 4, to insert the following:

“Duty to inform rating authority of transfer of relevant property

32. (1) In this section—

“occupier”, in relation to property (whether corporeal or incorporeal), means every person in the immediate use or enjoyment of the property;

“owner”, in relation to a relevant property, means a person (other than a mortgagee not in possession) who, whether in that person’s own right or as trustee or agent for any other person, is entitled to receive the rent of the property or, where the property is not let, would be so entitled if it were so let;

[SECTION 32]

“relevant property” shall be read in accordance with Schedule 3 of the Valuation Act 2001.

- (2) Where relevant property, or an interest in relevant property, is transferred from one person to another person in circumstances that render that other person liable for rates on the property so transferred, then—
 - (a) it shall be the duty of the owner of the property (being the owner of the property prior to transfer) or such other person as the owner has authorised in writing to act on his or her behalf to notify, in writing, the rating authority in whose functional area the property is situated of the transfer not later than 2 weeks after the date of the transfer, and
 - (b) it shall be the duty of the person transferring the property being either the occupier or the owner, to discharge all rates for which he or she is liable for at the date of the transfer of the property or of an interest in it.
- (3) Any rates due by an owner of relevant property and not discharged in accordance with *subsection (2)(b)* shall remain a charge on the relevant property, but that property shall not, as against a purchaser in good faith for full consideration in money or money’s worth or a mortgagee, remain charged with or liable to the payment of such unpaid rates after the expiration of 12 years from the date upon which the amount concerned fell due.
- (4) The owner of relevant property shall be liable for a charge equivalent to no more than 2 years of the outstanding rates due from the previous occupier or occupiers where—
 - (a) the owner has not notified the rating authority in writing of a transfer of relevant property or an interest in relevant property in accordance with *subsection (2)(a)*, and
 - (b) the requirements of *subsection (2)(b)* have not been met.
- (5) Any charge due by an owner of relevant property and not discharged in accordance with *subsection (4)* shall remain a charge on the relevant property, but that property shall not, as against a purchaser in good faith for full consideration in money or money’s worth or a mortgagee, remain charged with or liable to the payment of such unpaid rates after the expiration of 12 years from the date upon which the amount concerned fell due.
- (6) Any charge levied under *subsection (3)* or *(5)* does not affect—
 - (a) the liability of any previous occupier for outstanding rates in respect of which he or she is primarily liable, or
 - (b) the functions of the rating authority concerned under any other enactment to collect any outstanding rates from the occupier or occupiers primarily liable.”.

SECTION 34

***29.** In page 43, line 17, to delete “, 13, 14(3) and 15” and substitute “and 13, *subparagraphs (3) and (4) of paragraph 14 and paragraph 15*”.

Section opposed.

[SECTION 34]

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

SECTION 35

***30.** In page 45, line 1, to delete “relates.” and substitute the following:

“relates.

(8) Section 45 shall not apply to meetings of the Committee.”.

***31.** In page 45, between lines 12 and 13, to insert the following:

“ ‘community elements of the Plan’ means those parts of a local economic and community plan relating to the local and community development of the functional area of the Committee pursuant to section 66B;

‘economic elements of the Plan’ means those parts of a local economic and community plan relating to the promotion of economic development of the administrative area of the local authority pursuant to section 66B;”.

***32.** In page 45, to delete line 24 and substitute the following:

“ ‘Plan’ means the local economic and community plan to which section 66B relates;”.

***33.** In page 45, line 34, after “section 128,” to insert “youth organisations,”.

***34.** In page 45, to delete lines 38 to 41, and in page 46, to delete lines 1 to 10 and substitute the following:

“(a) to prepare and adopt the community elements of every 6 year local economic and community plan concerned in accordance with section 66C and any regulations made, or general policy guidelines issued, by the Minister for the purposes of that section,

(b) to implement, or to arrange for the implementation of, the community elements of the Plan (as the case may be) as made by the local authority in accordance with section 66C(4),”.

35. In page 45, line 41, to delete all words from and including “local”, and in page 46, line 1, to delete all words to and including “of” and substitute “development of the community in”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

***36.** In page 46, line 11, after “of” where it firstly occurs to insert “the community elements of”.

***37.** In page 46, line 12, to delete “5 calendar years” and substitute “6 calendar years”.

***38.** In page 46, to delete lines 15 to 17 and substitute the following:

“(i) to amend the community elements of the Plan, or

(ii) to prepare and adopt new community elements of the Plan to be made by the local authority under section 66C,”.

[SECTION 35]

*39. In page 46, line 22, before “the” to insert “the community elements of”.

40. In page 46, line 27, to delete “local and” and substitute “the”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

41. In page 46, line 37, to delete “local and”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

42. In page 47, line 1, to delete “all local and”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

*43. In page 47, lines 4 and 5, to delete all words from and including “to” in line 4 down to and including “and” in line 5 and substitute the following:

“improve the efficiency with which publicly-funded local and community development resources are used.”

*44. In page 47, between lines 5 and 6, to insert the following:

“(h) to consider and adopt a statement in respect of the economic elements of a draft of the Plan prepared by the local authority in accordance with section 66C, and”.

*45. In page 47, line 6, to delete “(h) not later” and substitute “(i) not later”.

46. In page 48, line 16, after “inclusion” to insert “and address causes of social exclusion”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

47. In page 48, between lines 16 and 17, to insert the following:

“(g) the allocation of resources to areas of most social and economic disadvantage.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

48. In page 48, between lines 16 and 17, to insert the following:

“(g) the specific needs of minority groups and hard to reach groups in relation to social inclusion.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

*49. In page 48, to delete lines 27 to 43, and in page 49, to delete lines 1 to 15.

*50. In page 49, line 17, to delete “128D. (1) Subject to” and substitute “128C. (1) Subject to”.

51. In page 49, line 23, before “members” to insert “at least 3”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

52. In page 49, line 29, after “authorities” to insert “and statutory agencies”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

[SECTION 35]

53. In page 49, line 37, after “promoting” to insert “social inclusion and”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

*54. In page 49, line 41, to delete “section 128F” and substitute “section 128E”.

55. In page 49, between lines 41 and 42, to insert the following:

“(h) representatives of social partners.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

56. In page 49, between lines 41 and 42, to insert the following:

“(i) communities of interest.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

*57. In page 49, line 42, to delete “shall seek” and substitute “shall, in consultation with the Corporate Policy Group, seek”.

58. In page 49, line 42, after “nominees” to insert “, excepting the elected members of the local authority.”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

59. In page 50, between lines 5 and 6, to insert the following:

“(b) The elected members nominated to the Committee shall have been elected by the local authority.”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

60. In page 50, line 19, after “chairperson” to insert “who should be a member of the local authority”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

*61. In page 50, line 21, to delete “128E. (1) The chief” and substitute “128D. (1) The chief”.

*62. In page 50, line 37, to delete “128F. (1) The Minister” and substitute “128E. (1) The Minister”.

*63. In page 51, to delete lines 12 to 30 and substitute the following:

“(c) procedures to apply to ensure fairness and equity in the decisions of a Committee,

(d) the involvement of public authorities and other bodies and interests in the work of a Committee,

(e) the carrying out, management and control of the administration and business of a Committee and any administrative, secretarial and

[SECTION 35]

other support of a Committee, including the delegation of functions by the chief executive for the purposes of such support, and

- (f) meetings and proceedings of the Committee, including arrangements relating to scheduling and notification of meetings and meeting agendas.”.

64. In page 51, line 21, after “engagement” to insert “and consultation”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

65. In page 51, line 21, after “community” to insert “and communities of interest”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

***66.** In page 52, line 4, to delete “section 128D(2)(g)” and substitute “section 128C(2)(g)”.

***67.** In page 52, to delete lines 10 and 11.

***68.** In page 52, line 12, to delete “(h) procedures” and substitute “(g) procedures”.

***69.** In page 52, line 14, to delete “(i) matters” and substitute “(h) matters”.

***70.** In page 52, line 15, to delete “(j) consultation” and substitute “(i) consultation”.

***71.** In page 52, line 18, to delete “(k) co-ordination” and substitute “(j) co-ordination”.

***72.** In page 52, line 21, to delete “(l) implementation” and substitute “(k) implementation”.

***73.** In page 52, line 24, to delete “and”.

***74.** In page 52, line 25, to delete “(m) matters” and substitute “(l) matters”.

***75.** In page 52, line 26, to delete “section 128G.” and substitute the following:

“section 128F, and

(m) any other matter of a general policy nature that the Minister considers appropriate for inclusion in the guidelines.”.

***76.** In page 52, line 28, to delete “128G. (1) In this section” and substitute “128F. (1) In this section”.

***77.** In page 52, line 33, to delete “section 126C(4)” and substitute “section 126L(3)”.

***78.** In page 53, line 13, to delete “the Plan” and substitute “community elements of the Plan, and the Plan generally.”.

***79.** In page 53, line 14, to delete “the Plan” and substitute “community elements of the Plan”.

***80.** In page 53, line 21, to delete “the Plan” and substitute “community elements of the Plan, and the Plan generally.”.

***81.** In page 53, line 29, to delete “the Plan” and substitute “community elements of the Plan, and the Plan generally.”.

***82.** In page 54, line 2, to delete “section 128G(2)” and substitute “section 128F(2)”.

[SECTION 36]

SECTION 36

- 83.** In page 54, to delete lines 34 to 39, and in page 55, to delete lines 1 to 4.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

- 84.** In page 56, line 16, after “council” to insert “or a county council”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

SECTION 40

- 85.** In page 58, line 1, after “matters” to insert “, and the chairperson of such committee will be a member of the relevant Local Enterprise Office”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, David Cullinane, Trevor Ó Clochartaigh.*

- *86.** In page 58, between lines 1 and 2, to insert the following:

“(b) by substituting the following for subparagraph (i) of subsection (3)(b):

“(i) the representation of each local community development committee established in accordance with section 49A and of sectoral interests,”.

- *87.** In page 59, line 5, after “regard to the” to insert “regional”.

SECTION 42

- *88.** In page 60, line 1, to delete “section 67” and substitute “section 66B or 67”.

SECTION 43

- *89.** In page 60, between lines 2 and 3, to insert the following:

“Local economic and community plan

- 43.** The Principal Act is amended by inserting the following sections after section 66:

“Interpretation (sections 66A to 66H)

66A. In the relevant sections—

‘Committee’ means a local community development committee established pursuant to section 49A;

‘Plan’ has the meaning assigned in section 66B;

‘relevant sections’ means sections 66A to 66H.

Local economic and community plan

66B. (1) Each local authority shall make, in accordance with section 66C and any regulations made, or general policy guidelines issued, by the Minister for the purposes of that section, and the principles of sustainable development, a 6 year local economic and community plan

[SECTION 43]

(in this section referred to as the 'Plan'), which shall be referred to as the 'Local Economic and Community Plan', prefixed by the name of the local authority concerned, and the Plan shall be for—

- (a) the promotion of economic development in its functional area, and
 - (b) the promotion of local and community development in its functional area.
- (2) For the purposes of subsection (1), promotion of economic development includes but is not limited to—
- (a) creating and sustaining jobs,
 - (b) promoting the interests of the community, including—
 - (i) enterprise and economic development across economic sectors,
 - (ii) foreign direct investment,
 - (iii) indigenous industry,
 - (iv) micro-enterprises and small and medium sized enterprises,
 - (v) tourism, and
 - (vi) agriculture, forestry and the marine sectors, and other natural resource sectors,
 - (c) identifying local attributes that are essential—
 - (i) to enhancing local economic performance, such as the quality of the environment and the qualities of cities, towns and rural areas, including—
 - (I) accessibility, physical character, and infrastructure,
 - (II) employment opportunities and quality of life,and the means by which these may be utilised to enhance competitiveness, and be supported by investment decisions relating to economic infrastructure (including transportation, water services, energy, communications and waste management), together with social and cultural facilities, and
 - (ii) to promoting local economic activities,
 - (d) supporting enhancement of local innovation capacity, including investment in research and development capacity, technology transfer, up-skilling and re-skilling,
 - (e) identifying, for existing and prospective businesses, opportunities to engage with local government on relevant matters in setting up and managing their businesses and to ensure speedy and coordinated access and response,
 - (f) identifying local strengths and opportunities, weaknesses and

[SECTION 43]

deficiencies relevant to economic performance and—

- (i) in relation to such strengths and opportunities having regard to economic and employment trends, the means of maintaining and augmenting them, and
- (ii) in relation to such weaknesses and deficiencies, the means of addressing or rectifying them,

and

- (g) identifying economic potential and the requirements to realise it.

(3) For the purposes of subsection (1), promotion of local and community development includes, but is not limited to—

(a) promoting and supporting the interests of local communities, or any part of a community or group within a local community, including measures to enhance quality of life and well-being of communities and measures aimed at—

- (i) tackling poverty, disadvantage and social exclusion through support for basic services and other initiatives,
- (ii) supporting training and up-skilling, creating and sustaining employment and self-employment opportunities, and investing in local development through community-focused supports and services, and
- (iii) the provision of infrastructure and community facilities and investment in physical regeneration and environmental improvements,

(b) supporting the capacity of local communities to improve their quality of life,

(c) supporting social enterprise, social capital, volunteering and active citizenship,

(d) developing integrated and evidenced-based approaches to local service planning and delivery,

(e) identifying the needs and priorities of local communities to enhance their well-being, and developing sustainable solutions that make the best use of local assets, strengths and opportunities to address those needs and priorities,

(f) exploiting and co-ordinating funding sources from the public, private and community and voluntary sectors to stimulate and support local development and sustainability, and

(g) promoting, supporting and facilitating community involvement in policy development and decision-making processes related to the planning, development and delivery of services.

- (4) Every Plan made pursuant to subsection (1) shall be consistent with—
- (a) the core strategy and the objectives of the development plan (being the development plan for the purposes of Chapter I of Part II of the Act of 2000) of the local authority concerned, and
 - (b) any regional spatial and economic strategy or, as appropriate, regional planning guidelines (being a strategy or guidelines for the purposes of Chapter III of Part II of the Act of 2000),
- that apply to the area of the Plan, and shall consist of a written statement which may include objectives for the sustainable development of the area of the Plan.
- (5) (a) Without prejudice to subsections (2) and (3), the Plan to which subsection (1) relates shall include and integrate—
- (i) economic elements in respect of local economic development, and
 - (ii) community elements in respect of local and community development.
- (b) Each local authority shall, without prejudice to and, in accordance with section 66C and any regulations made or policy guidelines issued by the Minister for that purpose, draft the economic elements of the Plan.
- (c) Each Committee shall, without prejudice to and, in accordance with sections 66C and 128B and any regulations made or policy guidelines issued by the Minister for that purpose, draft, adopt and obtain approval for the community elements of the Plan.

Preparation and making of local economic and community plans

- 66C. (1) A local authority and a Committee shall, in preparing the economic and community elements of a Plan, have regard to—
- (a) the need to integrate sustainable development considerations into the Plan,
 - (b) the resources, wherever originating from, that are available or likely to become available to it for the purpose of the Plan and the need to secure the most beneficial, effective and efficient use of such resources,
 - (c) the need for co-operation with, and the co-ordination of its activities with those of other local authorities, public authorities and publicly funded bodies, the performance of some of whose functions affect or may affect the local authority and the Committee,
 - (d) the need for consistency with the policies and objectives of the Government or any Minister of the Government or other public

[SECTION 43]

authority in so far as they may affect or relate to the promotion of economic and community development as provided for in sections 66B(2) and 66B(3), and

- (e) the need to integrate the economic and community elements, developed in accordance with the provisions of subsections (2) and (3), into the Plan.
- (2) (a) Each local authority in developing the economic elements of the Plan shall, in accordance with regulations made by the Minister under section 66H—
- (i) consult with members of the public (in this subsection referred to as a ‘public consultation process’) by publishing a public notice (which notice may be given by means of the internet or otherwise) inviting them to make observations or other submissions in writing to the local authority in relation to its proposed development of those elements of the Plan and, in relation to the observations and other submissions so made—
 - (I) prepare and publish a report on them, and
 - (II) have regard to them when preparing the economic elements of the Plan,
 - (ii) consult with those public authorities and publicly funded bodies exercising functions that, in the local authority’s opinion, have a contribution to make or are making to economic development within the functional area of that local authority, and
 - (iii) consult with any person or body prescribed by regulations made by the Minister under section 66H.
- (b) Following consultations in accordance with paragraph (a), the local authority concerned shall submit a draft of the economic elements of the Plan for consideration—
- (i) in respect of each municipal district concerned, by the municipal district members, and
 - (ii) by the regional assembly for the region within which the local authority is located pursuant to section 43 of the Local Government Act 1991,
- and each shall adopt a statement on the draft for consideration by the elected council of that local authority and by the Committee.
- (c) The consideration of the economic elements of a draft of the Plan by the regional assembly, the municipal district members, in accordance with paragraph (b), and the Committee, in accordance with section 128B(1)(h), shall relate to its consistency with—
- (i) the core strategy and the objectives of the development plan

[SECTION 43]

(being the development plan for the purposes of Chapter I of Part II of the Act of 2000) of the local authority concerned,

- (ii) any regional spatial and economic strategy or, as appropriate, regional planning guidelines (being a strategy or guidelines for the purposes of Chapter III of Part II of the Act of 2000), that may apply, and
 - (iii) the community elements of a draft of the Plan submitted by the Committee in accordance with subsection (3)(b).
- (d) The adoption by the municipal district members of a statement under paragraph (b) is a reserved function.
- (3) (a) The Committee, in developing the community elements of the Plan shall, in accordance with regulations made by the Minister under section 66H—
- (i) consult with members of the public (in this subsection referred to as a ‘public consultation process’) by publishing a public notice (which notice may be given by means of the internet or otherwise) inviting them to make observations or other submissions in writing to the local authority in relation to its proposed development of those elements of the Plan and, in relation to the observations and other submissions so made—
 - (I) prepare and publish a report on them, and
 - (II) have regard to them when preparing the community elements of the Plan,
 - (ii) consult with those public authorities and publicly funded bodies exercising functions that, in the local Committee’s opinion, have a contribution to make or are making to community development to or within, the area of the Committee, and
 - (iii) consult with any person or body prescribed by regulations made by the Minister under section 66H.
- (b) Following consultations in accordance with paragraph (a), the Committee concerned shall submit a draft of the community elements of the Plan for consideration—
- (i) in respect of each municipal district concerned, by the municipal district members, and
 - (ii) by the regional assembly for the region within which the local authority, to which the Committee relates, is located pursuant to section 43 of the Local Government Act 1991,
- and each shall adopt a statement on the draft for consideration by the elected council of that local authority.
- (c) The consideration of the community elements of a draft of the Plan

by the regional assembly, the municipal district members, in accordance with paragraph (b), and the local authority concerned, in accordance with subsection (4)(a), shall relate to its consistency with—

- (i) the core strategy and the objectives of the development plan (being the development plan for the purposes of Chapter I of Part II of the Act of 2000) of the local authority concerned,
 - (ii) any regional spatial and economic strategy or, as appropriate, regional planning guidelines (being a strategy or guidelines for the purposes of Chapter III of Part II of the Act of 2000), that may apply, and
 - (iii) the economic elements of a draft of the Plan prepared in accordance with subsection (2)(b).
- (d) The adoption by the municipal district members of a statement under paragraph (b) is a reserved function.
- (4) (a) Following the adoption of statements provided for in subsections (2)(b) and (3)(b) and any statement adopted by the Committee, the Plan (including any Plan amended consequent to subparagraph (i), or new Plan made consequent to subparagraph (ii) of section 66F (b)) shall integrate the economic and community elements and that Plan shall be made by the elected council of the local authority, with or without amendment, and any amendment by it shall relate only to the consistency of the Plan with—
- (i) the core strategy and the objectives of the development plan (being the development plan for the purposes of Chapter I of Part II of the Act of 2000) of the local authority concerned that apply to the area of the Plan, and
 - (ii) any regional spatial and economic strategy or, as appropriate, regional planning guidelines (being a strategy or guidelines for the purposes of Chapter III of Part II of the Act of 2000) that apply to the area of the Plan.
- (b) The making of the Plan under paragraph (a) by the elected council of the local authority is a reserved function.

Publication of local economic and community plans

66D. As soon as may be after the making of a Plan under section 66C, a copy of it—

- (a) shall be made available at the principal offices of the local authority and on its internet website,
- (b) shall be furnished to the Minister, and
- (c) may be inspected by any member of the public during normal opening hours, and purchased at a price not exceeding the

reasonable cost of reproduction.

Implementation of the economic elements of local economic and community plans

66E. (1) Without prejudice to the implementation of the community elements of the Plan in accordance with section 128B, each local authority shall—

- (a) implement, or arrange for the implementation of the economic elements of the Plan as made in accordance with section 66C,
- (b) co-ordinate, manage and oversee the implementation of the economic elements of the Plan and any projects or programmes prepared to support or advance the implementation of the economic elements of the Plan that have been either—
 - (i) approved by resolution from time to time for that purpose by the local authority concerned in respect of all or part of its administrative area, or
 - (ii) agreed for that purpose between the local authority and a public authority,

and ensure that any plans and strategies related to those projects or programmes are implemented in accordance with the economic elements of the Plan,

- (c) seek to ensure effectiveness, consistency, co-ordination and avoidance of duplication between the economic development programmes to which paragraph (b) applies and the functions of the local authority in relation to promoting the interests of local communities or in other related functions under sections 66 and 66B or otherwise, and
 - (d) in addition to those projects or programmes to which paragraphs (b) and (c) apply, pursue the co-ordination generally of all economic development programmes within the functional area of the local authority, for the purposes of—
 - (i) supporting or advancing the implementation of the economic elements of the Plan or optimising resources for the benefit of local communities in that area, and
 - (ii) improving the efficiency with which public authorities use their resources.
- (2) For the purposes of subsection (1), each local authority shall prepare, review and update, as appropriate, on an annual basis an implementation strategy.
- (3) The making and amendment of an implementation strategy is a reserved function.

Monitoring and review of economic elements of local economic and community plans

66F. Without prejudice to the monitoring and review of the community elements of the Plan in accordance with section 128B, each local authority shall—

- (a) monitor and review on an ongoing basis the implementation of the economic elements of the Plan, including performance against any benchmarks or indicators of performance set out in it and, if the local authority considers appropriate, to revise the actions, plans and strategies set to achieve its objectives,
- (b) undertake a review of the economic elements of the Plan at least once within the period of 6 calendar years after it was made or last amended for the purposes of this paragraph and, if the local authority considers it necessary after any such review—
 - (i) to amend the economic elements of the Plan, or
 - (ii) to make new economic elements of the Plan for approval by the local authority in accordance with the provisions of section 66C, and any such amendment or making shall be in accordance with any regulations made, or general policy guidelines issued, by the Minister for that purpose.

Annual Report on monitoring and review of local economic and community plans

66G. Each local authority shall include in its annual report an assessment in relation to the implementation and, where appropriate, review of its Plan in accordance with sections 66E, 66F and 128B during the year immediately preceding the year in which the report is submitted.

Regulations and general policy guidelines

66H. (1) The Minister may, following consultation with such public authorities as he or she considers appropriate, make regulations for the purposes of the relevant sections and sections 128B to 128E either generally or in relation to a regional assembly or a local authority or a Committee or to a particular class or classes of regional assemblies or local authorities or Committees and each regional assembly, local authority and Committee shall, to the extent that those regulations apply to it, comply with those regulations.

- (2) The Minister may, in particular but without prejudice to the generality of subsection (1), make regulations under that subsection in relation to the Plans including—
 - (a) the preparation of a Plan,
 - (b) the co-ordination of the preparation of the economic and community elements of a Plan,

[SECTION 43]

- (c) the integration of the economic and community elements into a Plan,
 - (d) the timing of the preparation of a Plan,
 - (e) the role of the strategic policy committee established pursuant to section 48(1A),
 - (f) extending or shortening the period of a Plan for the purposes of synchronising the time period for a Plan with other relevant plans and strategies,
 - (g) the format and content of a Plan,
 - (h) the procedures and processes to ensure consistency with the core strategy and objectives of the development plan of a local authority,
 - (i) the procedures and processes to ensure consistency with the regional spatial and economic strategy and any regional planning guidelines referred to in subsections (2)(c), (3)(c) and 4(a)(ii) of section 66C for the purposes of Chapter III of Part II of the Act of 2000),
 - (j) engagement and consultation with the local community in the preparation of a Plan,
 - (k) public consultation when a Plan is being prepared or reviewed, including the procedures and processes for seeking the timely and effective participation by the public concerned,
 - (l) developing performance indicators and arrangements for measuring performance of a Plan,
 - (m) publication of a Plan,
 - (n) implementation of a Plan, including the preparation, review and updating of the implementation strategies provided for in section 66E(2) and the arrangements for implementation provided for in section 128B(1), and
 - (o) the review and amendment of a Plan.
- (3) For the purposes of the relevant sections and sections 128B to 128E, the Minister may issue general policy guidelines in relation to—
- (a) principles guiding the preparation of the Plan,
 - (b) matters to be taken into consideration when a public consultation process is being undertaken for the purposes of preparing or reviewing the Plan,
 - (c) matters to be taken into account when a review of the Plan is being undertaken,
 - (d) avoidance of duplication and optimising the use of available

[SECTION 43]

resources,

- (e) implementation arrangements for the Plan, and
- (f) any other matter of a general policy nature that the Minister considers appropriate for inclusion in the guidelines,

and guidelines issued under this subsection may relate generally to all local authorities or to a particular class or classes of local authorities and shall, in so far as the guidelines relate to them, be complied with by every local authority, municipal district members and each Committee.”.”.

SECTION 44

*90. In page 60, between lines 17 and 18 insert the following:

“Consultation with local community

44. The Principal Act is amended by substituting the following for section 127:

“127. (1) A local authority may take such steps as it considers appropriate to consult with and promote effective participation by the local community in local government.

(2) Without prejudice to the generality of subsection (1) a local authority may—

- (a) undertake such action under section 64 as the authority may consider appropriate,
- (b) establish strategic policy committees in accordance with Part 7,
- (c) consult with local sectoral, community or other groups,
- (d) arrange for the representation on relevant committees of the authority of persons having knowledge or experience of relevance to the work of the particular committee,
- (e) consult with a recognised association under section 128,
- (f) make arrangements for attendance and raising of issues by interested persons at meetings of the authority or of any of its committees in accordance with such rules as may be determined by resolution of the authority,
- (g) arrange for the holding of information meetings and the dissemination of information to the public in relation to any matter connected with its functions.

(3) Without prejudice to the generality of subsection (1) each local authority shall, in accordance with regulations made under subsection (6) and general guidelines issued under subsection (7), adopt a document to be known as a Framework for Public Participation in Local Government (in this section referred to as the ‘Framework’) for

[SECTION 44]

the purposes of promoting, developing and implementing a coherent and integrated approach to participation in decision-making processes of the local authority by the local community.

- (4) For the purposes of subsection (3), the Framework shall seek to provide for participation by the local community within municipal districts and shall include the following:
 - (a) participatory mechanisms to promote, support and facilitate the local community's input into decision making by the local authority, without prejudice to any consultation procedures provided for in any enactment;
 - (b) clear and transparent mechanisms for the selection of members of the local community to participate in such participatory mechanisms including selection processes that seek to balance gender, geography, social inclusion, sectoral, age and other interests and factors;
 - (c) mechanisms to monitor, measure and evaluate participation by members of the local community with local government and to provide information to the local community arising from such monitoring, measurement and evaluation;
 - (d) mechanisms to provide for accountability of such participants to the local community;
 - (e) mechanisms for the provision of information by the local authority to the local community.
- (5) In developing the Framework, a local authority may take such steps as it considers appropriate to consult with the local community, including local sectoral, community or other groups.
- (6)
 - (a) The Minister may make regulations relating to the adoption and establishment of a Framework by each local authority and its implementation, review and revision by the local authority concerned.
 - (b) Regulations under this subsection may be made in respect of local authorities generally or in respect of any particular class or classes of local authorities as determined by those regulations.
- (7)
 - (a) The Minister may issue general policy guidelines to local authorities for the purposes of any provision of this section (including any regulations made under subsection (6)) and each local authority shall comply with any such guidelines that relate to it.
 - (b) Without prejudice to the generality of subparagraph (a), guidelines under this section may provide for any of the following:
 - (i) assistance to the local community with the preparation of strategies within municipal districts for the well-being of all;

[SECTION 44]

- (ii) provision of opportunities for networking, communication and the sharing of information with the local community;
 - (iii) mechanisms to support inclusion of socially excluded groups;
 - (iv) developing capacity and supports for public engagement and participation;
 - (v) participatory mechanisms;
 - (vi) consultation procedures and processes;
 - (vii) mechanisms for the provision of information;
 - (viii) accountability mechanisms.
- (8) (a) Where in relation to any function of a local authority under this or under any other enactment the relevant enactment requires the publication of a notice in a newspaper or on the local authority's website and the invitation of submissions or observations in connection with the performance of that function, the local authority may take such additional steps as it may consider appropriate to publicise, facilitate or promote the consultation process including the use of other forms of communications, including local radio stations, and the use of electronic forms of communication.
- (b) A local authority may, in respect of reports, plans or any other material in relation to the performance of its functions, arrange for the making available or display of such materials at suitable locations (which locations may include the internet) additional to those required by this or any other enactment.
- (9) An elected council may, by resolution, require that specified action be taken in accordance with this section for the purpose of consultation with the local community.
- (10) Nothing in this section shall be read as limiting or departing from the role of a local authority as an elected body.
- (11) The procedures and actions provided for under this section to promote and facilitate public engagement under the Framework may supplement but shall not be read as limiting or restricting—
- (a) any consultation procedures, or
 - (b) any procedures requiring consultation,
- that are otherwise provided for under any enactment and any actions taken under the Framework, or any failure to take any specified action under the Framework, shall not affect any such consultation procedures or procedures.
- (12) The adoption of the Framework to promote and facilitate participation

[SECTION 44]

by the local community under this section is a reserved function.”.”.

SECTION 45

*91. In page 62, to delete lines 11 to 29.

92. In page 62, line 18, after “party” to insert “or political grouping”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

93. In page 62, lines 19 and 20, to delete “20 per cent” and substitute “10 per cent”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

94. In page 62, line 28, after “party” to insert “or political grouping”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

*95. In page 62, line 31, to delete “(e) where for” and substitute “(c) where for”.

*96. In page 62, lines 32 and 33, to delete “paragraph (a), (b), (c) or (d) relates” and substitute “paragraph (a) or (b) relates”.

SECTION 49

Section opposed.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

SECTION 51

97. In page 71, between lines 29 and 30, to insert the following:

“(7) The chief executive will refer the establishment of all new Local Authority committees to the approval of a full meeting of the council.”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

*98. In page 72, to delete lines 17 to 38 and substitute the following:

“(3) Where, as respects a county council, city council or city and county council, including a county council or city council in a group of authorities, a recommendation is made under section 6 of the Act of 1926 of a person for appointment as the chief executive, such council shall—

(a) within 3 months of the date of the recommendation meet and decide to appoint or not appoint as chief executive the person so recommended, and

(b) in the event of deciding not to approve the appointment, furnish to the recommended person the reasons for such decision.

(4) (a) The Minister may make regulations relating to the procedures to be followed by every local authority (including a county council or city council in a group of authorities)—

[SECTION 51]

- (i) when considering a recommendation made to it to which subsection (1)(a) relates, and
 - (ii) for the purposes of subsection (3),
and each such local authority shall comply with those regulations.
 - (b) Without prejudice to the generality of paragraph (a), regulations under this subsection may provide for arrangements to be put in place and used in respect of the consideration of a recommendation made under section 6 of the Act of 1926, and for that purpose such arrangements may include—
 - (i) provisions for the purpose of a local authority seeking information from the recommended person in respect of his or her proposed appointment, the time periods within which—
 - (I) such information may be so sought, and
 - (II) further information may be so sought,
and the manner of the provision of such information to the local authority,
 - (ii) the manner of dealing with information, whether from the recommended person or otherwise, associated with such a recommendation,
 - (iii) the criteria to apply in respect of the consideration of such a recommendation,
 - (iv) the records to be maintained by a local authority in relation to the consideration of such a recommendation,
 - (v) the conducting otherwise than in public of any meeting, or part of a meeting, that considers or otherwise relates to such a recommendation, and
 - (vi) the keeping in a confidential manner of information obtained, whether from the recommended person or otherwise, and records maintained that relate to such a recommendation.
 - (c) In making regulations under paragraph (a), the Minister may have regard to and take account of any code of practice issued by the Commission for Public Service Appointments under section 23 of the Public Service Management (Recruitment and Appointment) Act 2004 in existence at the time of the making of the regulations that would relate (in whole or in part) to the selection process that precedes a recommendation to which subsection (1)(a) applies.
- (5) Where, as respects a county council, city council or city and county council, including a county council or city council in a group of authorities, such council has decided to not appoint as chief executive the person recommended to which subsection (1)(a) relates, then, for

[SECTION 51]

the purposes of section 6 (other than subsection (4)) of the Act of 1926, and notwithstanding the said subsection (4) or any other provision of this Act or any other enactment, a further request shall be deemed to have been submitted in respect of the employment of a chief executive.

- (6) Where a position of chief executive becomes vacant the Minister shall appoint a person to be the chief executive temporarily until a permanent appointment to the position is made but such temporary appointment may be terminated by the Minister at any time.
- (7) Section 5 of the Act of 1926 does not apply to the position of chief executive.”.

*99. In page 78, to delete line 10 and substitute the following:

“matter.

Executive functions and shared services

149A. (1) In respect of executive functions of a local authority, where 2 or more local authorities agree, or had agreed before the commencement of this section, that, in the interests of efficiency and effectiveness, a specified executive function should be performed by one of them (in this subsection referred to as the ‘nominated local authority’) on behalf of the other local authority or local authorities (as the case may be), then the nominated local authority may perform, and be deemed always to have had the power to perform, the function on behalf of the other local authority or local authorities (as the case may be).

- (2) Nothing in this section shall be read as affecting section 34(1)(aa) (inserted by the Waste Management (Amendment) Act 2001) of the Waste Management Act 1996.”.

SECTION 53

*100. In page 78, between lines 31 and 32, to insert the following:

“Local authority associations

53. Section 225 of the Principal Act is amended—

- (a) in subsection (3) by substituting the following for paragraphs (c) and (d):

“(c) the provision of policy support and other assistance to its constituent authorities as regards any matter relating to or that may relate to local government,

(d) the assessment of public policy as regards any matter relating to or that may relate to local government, and

(e) the provision of advice and the making of submissions to the Minister or other public authorities as regards such matters.”,

and

[SECTION 53]

(b) by inserting the following after subsection (3):

“(3A) (a) Where an association of local authorities or, in the event that there is a single association, such association requests a meeting with the Minister in relation to activities under subsection (3), the Minister shall meet a delegation from the association, or hold a meeting to which paragraph (b) applies, at least once in every year.

(b) Where there is more than one association of local authorities in being at the time of a request or requests for a meeting with the Minister under this subsection is or are received, the Minister may require the meeting for the purposes of paragraph (a) to be a meeting with a joint delegation from those associations.”.”.

[Acceptance of this amendment involves the deletion of section 53 of the Bill.]

SECTION 54

*101. In page 80, line 34, after “further” to insert “by at least two-thirds of those present and voting”.

SECTION 55

*102. In page 83, lines 11 and 12, to delete “may make amendments to the draft budgetary plan” and substitute “shall by resolution adopt the draft budgetary plan with or without amendment”.

*103. In page 83, line 15, to delete “the budgetary plan” and substitute “any budgetary plan”.

104. In page 83, between lines 17 and 18, to insert the following:

“(f) A county council or a city and county council is required to ensure that income redistributed to a municipal district will be on a fair and equitable basis, and reasonably proportional to the income directly generated within that municipal district.”.”.

—Senators David Cullinane, Trevor Ó Clochartaigh.

SECTION 57

105. In page 86, between lines 2 and 3, to insert the following:

“57. The position of a local government regulator shall be established and he or she shall be responsible for maintaining a system that would constantly review the local government system by—

- (a) providing independent metric comparisons,
- (b) providing comparisons of service between local authorities based on nationally agreed metrics,
- (c) ensuring best practice is exchanged between other local authorities, and
- (d) reporting to national government on the impact of the changes to local government as a result of the enactment of this Act and making recommendations on said changes.”.

—Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.

[SECTION 60]

SECTION 60

- *106. In page 103, line 19, to delete “Regional spatial and economic strategy” and substitute “A regional spatial and economic strategy”.
- *107. In page 104, line 37, after “purpose” to insert “of”.
- *108. In page 105, line 10, to delete “such”.
- *109. In page 106, line 6, to delete “Minister for the Government” and substitute “Minister of the Government”.
- *110. In page 106, between lines 9 and 10, to insert the following:
 - “(i) enabling the conditions for creating and sustaining jobs,”.
- *111. In page 106, line 10, to delete “(i) enhancing overall” and substitute “(ii) enhancing overall”.
- *112. In page 106, line 14, to delete “(ii) proposals for” and substitute “(iii) proposals for”.
- *113. In page 106, line 19, to delete “(iii) enhancing regional” and substitute “(iv) enhancing regional”.
- *114. In page 106, line 23, to delete “(iv) identifying the” and substitute “(v) identifying the”.
- *115. In page 106, line 26, to delete “cities and towns” and substitute “cities, towns and rural areas”.
- *116. In page 106, line 30, to delete “(v) proposals to maintain” and substitute “(vi) proposals to maintain”.
- *117. In page 106, line 31, to delete “subparagraph (iv)” and substitute “subparagraph (v)”.

SECTION 61

- 118. In page 118, between lines 10 and 11, to insert the following:

- “61. (1) There shall be a directly elected Lord Mayor in each city in the State and he or she shall hold the role of Chief Executive of the relevant Local Authority.
- (2) The election of Lord Mayor shall take place every 5 years and shall be on the same day as the Local and European Elections.
- (3) The first election of the Lord Mayor shall be on the date of the Local and European Elections due to take place in 2019.”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

- 119. In page 118, between lines 10 and 11, to insert the following:

- “62. The Lord Mayor as elected shall be the executive leader of a Council cabinet as set out in *section 63#* and he or she shall—
 - (a) be accountable to the Council for all matters agreed at cabinet,
 - (b) be chief ambassador for his or her city at a home and abroad, and
 - (c) head the relevant Transport Authority in his or her city.”.

[SECTION 61]

—*Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Brian Ó Domhnaill, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.*

[#This is a reference to the section proposed to be inserted by amendment 120.]

120. In page 118, between lines 10 and 11, to insert the following:

- “**63.** (1) There shall be an executive made up of local ministers, such ministers shall be appointed by the Council and shall be drawn, on a pro rata basis, from each party grouping in accordance with party strength.
- (2) Each minister shall have as his or her area of responsibility, those existing areas covered by the Strategic Policy Committee system as established under section 48 of the Principal Act.
- (3) Each minister shall be accountable to the relevant city council and any decisions passed shall be by way of resolution of the council.”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

Section opposed.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

SECTION 62

Section opposed.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

SECTION 63

121. In page 119, between lines 6 and 7, to insert the following:

- “**63.** (1) The position of each existing City Manager shall, on the date of the election of the first directly elected Lord Mayor, be transferred to an equivalent position to that of Secretary General to a Government Department and shall be remunerated accordingly.
- (2) Each such secretary general shall be accountable to the Lord Mayor and the council.”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

Section opposed.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

[SECTION 64]

SECTION 64

Section opposed.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

SECTION 65

Section opposed.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

SECTION 66

Section opposed.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

SECTION 67

Section opposed.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

SECTION 68

Section opposed.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

SECTION 69

*122. In page 122, after line 37, to insert the following:

“PART 12#

NON-PRINCIPAL PRIVATE RESIDENCE CHARGE AND HOUSEHOLD CHARGE

Interpretation (*Part 12*)

69. In this Part—

“Act of 2009” means the Local Government (Charges) Act 2009;

“household charge” has the meaning assigned to it by section 3(1) of the Act of 2011;

“non-principal private residence charge” means the charge provided for in section 3 of the Act of 2009.”.

[#The proposed new Part comprehends the inclusion of amendments 122-128.]

*123. In page 122, after line 37, to insert the following:

“Repeals relevant to *Part 12*

70. (1) The provisions of the Local Government (Charges) Act 2009 are repealed as follows:
- (a) upon the passing of this Act in respect of sections 3, 4, 5, 9, and 14;
 - (b) on 2 March 2014 in respect of section 6;
 - (c) subject to *subsection (2)*, on 1 January 2015 in respect of section 15;
 - (d) subject to *subsection (2)*, on 31 March 2025 in respect of the whole Act in so far as it is not already repealed.
- (2) In respect of any provision to which *paragraph (c)* or *(d)* of *subsection (1)* relates that does not stand repealed by virtue of the paragraph concerned or by order under this subsection, the Minister may by order or subsequent order, as the case may be—
- (a) where there is no subsisting order under this subsection in respect of that provision providing for its repeal, provide for the repeal of that provision on a date other than the date provided for by the paragraph concerned, or
 - (b) where there is a subsisting order under this subsection in respect of the provision concerned, revoke or amend that order and provide for a different date upon which that provision shall stand repealed.
- (3) The provisions of the Local Government (Household Charge) Act 2011 are repealed as follows:
- (a) upon the passing of this Act in respect of section 10(4);
 - (b) other than in respect of section 10(4), on such day or days as the Minister may, by order or orders, appoint either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes and different provisions.”.

*124. In page 122, after line 37, to insert the following:

“Arrears of non-principal private residence charge and late payment fees

71. (1) All non-principal private residence charge and late payment fee liabilities relating to any such charge or any part thereof that remain undischarged on 1 March 2014 shall not be subject to additional late payment fees if collected on or before 31 August 2014.
- (2) Notwithstanding *subsection (1)*, where a non-principal private residence charge and late payment fee liability in respect of such charge or any part thereof remain undischarged on 1 September 2014, an additional late payment fee of €120 shall apply in respect of each liability date.
- (3) All non-principal private residence charge and late payment fee liabilities, in respect thereof, including that provided for by *subsection (2)*, which remain undischarged on 1 September 2014 shall be increased by 50 per cent on that date.

[SECTION 69]

- (4) Where in any case the period of 3 months referred to in subsection (6) of section 6 of the Act of 2009 applies but had not expired on or before 1 March 2014, then *subsection (1)* shall apply to such a case.”.

*125. In page 122, after line 37, to insert the following:

“Deceased sole owner and payment of non-principal private residence charge and late payment fees

72. (1) Where a person who is the sole owner of a residential property (within the meaning of section 2 of the Act of 2009) dies and, at the date of his or her death, a non-principal private residence charge, a late payment fee in respect of such a charge or any part of such charge or fee remains unpaid in relation to that property, then no further late payment fee shall be payable in relation to that property until a grant of representation to the estate of the deceased person issues to the personal representative of such deceased person.
- (2) The personal representative of such deceased person shall, as soon as a grant of representation to the estate of the deceased person issues to him or her, be liable to pay to the relevant local authority the full amount due and owing by the deceased, at the date of his or her death, in respect of a non-principal private residence charge and each related late payment fee in respect of such a charge, which said full amount is, in this section, referred to as the “full amount”.
- (3) If the said full amount is paid by the said personal representative within 3 months of the date of issue of the grant of representation to the estate of the deceased person, he or she shall have no further liability in respect of the non-principal private residence charge concerned and each related late payment fee in respect of such a charge due and owing by the deceased at the date of his or her death.
- (4) If the said full amount is not paid by the said personal representative within 3 months of the date of issue of the grant of representation to the estate of the deceased person, he or she shall be liable to pay to the relevant local authority, the said full amount.
- (5) If the grant of representation is issued on or after 1 June 2014 and if the said full amount is not paid by the said personal representative within 3 months of the date of issue of the grant of representation to the estate of the deceased person, notwithstanding *subsection (1)*, any late payment fees which would have applied under *subsections (2) and (3) of section 71#* had the person who is the sole owner of a residential property (within the meaning of section 2 of the Act of 2009) not died shall apply.
- (6) In this section a reference to “grant of representation” is, where 2 or more such grants are issued to the estate of a deceased person, a reference to the first of such grants to issue.
- (7) This section shall apply on and from 2 March 2014.”.

[#This is a reference to the section proposed to be inserted by amendment 124.]

[SECTION 70]

*126. In page 122, after line 37, to insert the following:

“Collection of undischarged liabilities relating to non-principal private residence liabilities

73. Subject to *section 74#*, a local authority may act as it sees fit to most efficiently collect undischarged non-principal private residence charge and late payment fee liabilities in respect of any such charge including, in the case of an individual being liable, reducing such late fee liabilities in circumstances in which the local authority considers that to do so would be most efficient for the collection of the undischarged charge and liabilities.”.

[#This is reference to the section proposed to be inserted by amendment 127.]

*127. In page 122, after line 37, to insert the following:

“Guidance by Minister

74. For the purposes of *sections 71# to 73##*, the Minister may issue written guidance to local authorities concerning any matter to which those sections relate and each local authority shall have regard to any such guidance.”.

[#This is reference to the section proposed to be inserted by amendment 124.]

[##This is reference to the section proposed to be inserted by amendment 126.]

*128. In page 122, after line 37, to insert the following:

“Validity of non-principal private residence charge and household charge collection activity

75. Any activity undertaken by the Local Government Management Agency to collect—
(a) the non-principal private residence charge, under the Act of 2009 or the household charge under the Local Government (Household Charge) Act 2011, or
(b) any late payment fees and late payment interest under either of those Acts,
shall not be impugned on the basis the Agency may have lacked the function to perform that activity.”.

SCHEDULE 1

*129. In page 125, to delete lines 41 to 43 and substitute the following:

“

9	Definition of “joint body”	Delete: “(a) a joint library committee,”. Delete: “(d) a joint burial board,”.
---	----------------------------	---

”.

*130. In page 126, between lines 15 and 16, to insert the following:

“

[SCHEDULE 1]

12	After definition of “local consultative committee”	Insert: “ ‘local economic and community plan’ means a plan to which sections 66A to 66H relate;”.
----	--	--

*131. In page 127, to delete lines 13 to 19.

*132. In page 134, between lines 17 and 18, to insert the following:

“

67	Subsection (6)	Substitute “14 days” for “21 days”.
----	----------------	-------------------------------------

”

*133. In page 134, to delete lines 30 to 38.

*134. In page 139, between lines 15 and 16, to insert the following:

“

163	Section 216(1)	Substitute in paragraph (c) “14 days” for “21 days”.
-----	----------------	--

”

*135. In page 139, line 29, column 3, after “66,” to insert “66G,”.

*136. In page 140, to delete lines 25 to 42 and substitute the following:

“

176	Section 230	Delete.
-----	-------------	---------

”

*137. In page 141, between lines 37 and 38, to insert the following:

“

No. 12 of 1955	City and County Management (Amendment) Act 1955	Section 10A	In subsection (2) substitute “14 days” for “twenty-one days”.
----------------	---	-------------	---

”

SCHEDULE 2

*138. In page 163, line 19, column 3, to delete “in” where it secondly occurs.

*139. In page 164, line 23, column 3, before “spatial” to insert “regional”.

*140. In page 166, line 34, column 3, after “respects” to insert “a”.

*141. In page 177, line 16, column 4, after “within” to insert “the”.

*142. In page 180, between lines 16 and 17, to insert the following:

“

1 & 2 Vict., c. 56	Poor Relief (Ireland) Act 1838	Section 71	Delete “, and on his default then by the person subsequently in the occupation of the rateable property from whom such rate shall be demanded”.
12 & 13	Poor Relief	Section 19	Delete.

”

[SCHEDULE 2]

Vict., c. 104	(Ireland) Act 1849		
---------------	--------------------	--	--

”

***143.** In page 182, to delete lines 42 to 48 and substitute the following:

“

No. 13 of 2001	Valuation Act 2001	Section 3 Definition of “rating authority”	Substitute: “ ‘rating authority’ means— (a) a county council, (b) a city council, or (c) a city and county council;”.
		Section 15	Delete subsections (3) and (5).
		Schedule 3	Delete paragraph 1(o).
		Schedule 4	Insert after paragraph 12: “12A. Property, being a building or part of a building, land or a waterway or a harbour directly occupied by— (a) any Department or Office of State, (b) the Defence Forces, or (c) the Garda Síochána, or used as a prison or place of detention, wherever situate.”.

”

SCHEDULE 3

***144.** In page 184, between lines 22 and 23, to insert the following:

“

6	Adoption of statements regarding the economic elements of the local economic and community plan for the consideration of the elected council of the local authority.	Section 66C (inserted by <i>section 43# of the Local Government Reform Act 2013</i>).
7	Adoption of statements regarding the community elements of the local economic and community plan for the consideration of the	Section 66C (inserted by <i>section 43# of the Local Government Reform Act 2013</i>).

[SCHEDULE 3]

	elected council of the local authority.	
--	---	--

[#This is a reference to the section proposed to be inserted by amendment 89.]

*145. In page 189, to delete lines 18 to 25.

*146. In page 194, between lines 11 and 12, to insert the following:

“

9	Making the integrated local economic and community plan.	Section 66C(4) (inserted by <i>section 43#</i> of the <i>Local Government Reform Act 2013</i>).
10	Preparing, reviewing and updating the implementation strategy for the economic elements of the local economic and community plan.	Section 66E (inserted by <i>section 43#</i> of the <i>Local Government Reform Act 2013</i>).

”

[#This is a reference to the section proposed to be inserted by amendment 89.]

*147. In page 194, between lines 24 and 25, to insert the following:

“

12	Specifying a local electoral area or local electoral areas within the administrative area of the local authority where owners of vacant premises shall be entitled to claim and receive a refund of differing proportion of such rate to that that would otherwise apply to the rest of the administrative area and deciding what proportion of refund shall apply in respect of each of those specified electoral districts.	Section 14 (as amended by <i>section 31</i> of the <i>Local Government Reform Act 2013</i>) of the <i>Local Government Act 1941</i> , section 20 (as so amended) of the <i>Cork City Management Act 1941</i> and section 71 (as so amended) of the <i>Local Government Dublin Act 1930</i> .
----	---	---

”

*148. In page 197, between lines 20 and 21, to insert the following:

“

37	Applying to the Minister to make an order under <i>subsection (8)#</i> of section 29 of the <i>Local Government Reform Act 2013</i> that the adjustment period, referred to in that	<i>Section 29(8)#</i> of the <i>Local Government Reform Act 2013</i> .
----	---	--

”

[SCHEDULE 3]

	<p>section and applicable to a specified area within the administrative area of the local authority, may be extended by a period not greater than 10 years and stating the length of extension being sought.</p>	
--	--	--

”

[#This is a reference to the subsection proposed to be inserted by amendment 24.]

*149. In page 206, to delete lines 26 and 27.

*150. In page 206, between lines 44 and 45, to insert the following:

“

<p>109</p>	<p>The adoption of a Framework for Public Participation in Local Government.</p>	<p>Section 127 (inserted by section 44# of the <i>Local Government Reform Act 2013</i>).</p>
------------	--	--

”

[#This is a reference to the section proposed to be inserted by amendment 90.]