

An Roinn Tithíochta,  
Rialtais Áitiúil agus Oidhreacht  
Department of Housing,  
Local Government and Heritage



13th July, 2022

Mr. Pat Fannin  
Committees' Secretariat  
Houses of the Oireachtas Service  
Leinster House, Kildare Street,  
Dublin 2, D02 XR20  
**E-mail:** [Patrick.Fannin@oireachtas.ie](mailto:Patrick.Fannin@oireachtas.ie)

**Re: An Bord Pleanála**

Dear Mr. Fannin,

I refer to your request for information to be provided for Committee Members in advance of the meeting of the Public Accounts Committee on 14 July 2022 to discuss the An Bord Pleanála 2020 Financial Statements. The information requested “An information note providing details of arrangements for the appointment of a Chairperson and other members of the Board” is set out below.

The appointment of the Chairperson, Deputy Chairperson and Board members to An Bord Pleanála is governed by sections 105 to 107 of the Planning and Development Act 2000, as amended (the Act), and Part 7 of the Planning and Development Regulations 2001, as amended.

**Ordinary Board Members**

The statutory provisions governing the appointment of Ordinary Board Members are set out in section 106 of the 2000 Act and Articles 64 and 65 of the Planning and Development Regulations.



Organisations prescribed under Article 64 of the Regulations, in various groupings referred to as Panels A-D, are invited to make nominations to the Minister as Board vacancies periodically arise in each Panel. The Minister, having regard to the suitability of the candidates nominated by the prescribed organisations and the need to establish an appropriate balance in terms of expertise and experience in the overall membership to meet the needs of the Board, selects a candidate for appointment to the role of ordinary Board Member for an initial term of up to 5 years.

Since 2021, the Department has moved to a practice of interviews with nominated candidates to inform the process. The purpose of these interviews is to confirm candidates understanding of the role of a Board member and to explore their relevant experience. Candidates are not ranked, but a summary of the engagement is presented to the Minister along with candidates' submitted documentation.

### **Chairperson**

The statutory provisions governing the appointment of a new Chairperson are set out in section 105 of the 2000 Act and Articles 57 to 63 of the Planning and Development Regulations 2001. While the appointment is made by Government, it must choose from candidates selected by an independent statutory Selection Committee. The composition of this Committee is specified in the aforementioned legislation.

The Regulations provide that the role must be advertised for a period of not less than 3 weeks and applications shall include a curriculum vitae and particulars of the special knowledge and experience and other qualifications and personal qualities which the applicant considers relevant to the application. Where the Committee considers it necessary for the purposes of selecting candidates it may, invite applicants to attend for interview on a day and at a time and place specified by the Committee. The Committee may, at its absolute discretion, invite to attend for interview only those applicants who appear to it to be likely to be suitable to be considered for selection as candidates for appointment as Chairperson.



The Committee is required to select a maximum of three suitable candidates from among those who compete in the open competition, and shall inform the Minister of the names of the candidates, or, as may be appropriate, the name of the candidate, selected and of the reasons why, in the opinion of the Committee, they are or he or she is suitable for the appointment. A Memorandum for Government containing this information is then brought to Cabinet for a decision to appoint a Chairperson for a 7 year term.

### **Deputy Chairperson**

The statutory provisions governing the appointment of a Deputy Chairperson are set out in section 107 of the 2000 Act. This provides that the Minister shall appoint from among the ordinary members a person to be the Deputy Chairperson and the appointment shall be for such period as shall be specified in the appointment.

I trust this information is of assistance.

Yours sincerely,

A handwritten signature in black ink, which appears to read 'Frank Gallagher'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Frank Gallagher  
Principal Officer  
Planning Division