

Issues and context – government reform of planning legislation

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This *Spotlight* has been commissioned by the L&RS to assist Members in their preparation for future debates on planning legislation. It may, for example prove useful in contributing to the debate at second stage or in committee, should the Minister refer a general scheme for pre-legislative scrutiny.

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Editorial

The Planning and Development Act, 2000 (as amended) [PDA] is the framework for Ireland's planning system and guides Planning Authorities, An Bord Pleanála [ABP], and the Courts of Ireland in determining planning and development matters.

Since the introduction of Ireland's planning system in October 1964, planning legislation has grown and changed considerably over this fifty-year period. In addition, the Mahon Tribunal's key findings and recommendations

in respect of planning matters require implementation. The Department of the Environment, Community and Local Government [DECLG] recently announced the preparation of the Government's proposed Planning Bill (currently listed on the C List of the Government's 2014 Spring/Summer Legislative Programme). The purpose of the Planning Bill is to "provide for the implementation of planning recommendations in the report of the Mahon Tribunal and other matters". The expected publication date of the Bill has yet to be confirmed.

This research paper explores issues identified in relation to planning policy, whilst also providing a summary of the recommendations of the Mahon Tribunal. It distils the vast literature, ongoing discussions and topical debates on this subject. Given developments and changes to the context of this Bill's introduction, this paper explores insofar as possible the key changes to Ireland's planning system anticipated within the forthcoming Planning Bill. The author would like to acknowledge the assistance of the DECLG in the drafting of this paper.

Acronyms

ABP	An Bord Pleanála
CPO	Compulsory Purchase Order
DEHLG	Department of Environment, Heritage and Local Government
DECLG	Department of the Environment, Community and Local Government
DEHLG	Department of the Environment, Heritage and Local Government
IPI	Irish Planning Institute
NAMA	National Asset Management Agency
OMV	Open Market Value
PDA	Planning and Development Act, 2000 (as amended)
Regulations	Planning and Development Regulations, 2001-2013
RTPI	Royal Town Planning Institute
UK	United Kingdom

Introduction

The first planning legislation in Ireland was introduced by way of *The Local Government (Planning and Development) Act 1963*. The Act placed for the first time restrictions on the ability of property owners to develop their own land. In the late 1990s, Irish planning law was the subject of a comprehensive process of review and revision, which culminated in the enactment of the *Planning and Development Act, 2000*. This Act is the framework for Ireland's planning system and guides Planning Authorities, ABP and the Courts of Ireland in determining planning and development matters.

Since 2000, the *PDA* itself has been modified significantly having been amended by subsequent Acts that have implemented changes and additional planning regulations. These amendments are not contained within the core body of the *PDA*. The key planning provisions are dispersed over a range of Instruments and the law has been rendered opaque. Thus, reform and consolidation of all these provisions into one official Act is required, according to DECLG. The *PDA* has been significantly amended as a result of the following legislation:

- Planning and Development Amendment Act, 2002;
- Housing (Miscellaneous Provisions) Act, 2004;
- Planning and Development (Strategic Infrastructure) Act, 2006;
- Water Services Act, 2007;
- Planning and Development (Amendment) Act 2009;
- Harbours (Amendment) Act, 2009;
- Planning and Development (Amendment) Act 2010; and,
- Environment (Miscellaneous Provisions) Act, 2011.

The planning code is made up of the *PDA* and the Planning and Development Regulations 2001 – 2013. The Regulations provide details of the various processes and procedures that are contained within the Act. Similarly, the

Regulations have also experienced significant changes.

Given the number of amendments and additions to both the *PDA* and the Regulations in recent years, it can often be difficult for those working in the sector to be certain they have interpreted the legislation correctly or indeed if one is looking at the relevant section/article. Thus, the implementation and usability of the legislation is problematic, and as such it is felt that an official consolidation of all planning legislation from 2000 to 2014 into one self-contained piece of legislation is of the utmost importance.

In addition, the Mahon Tribunal, which spanned a total of fifteen years, investigated certain planning matters. This Tribunal set out recommendations, some of which the forthcoming Planning Bill will seek to implement.

The Mahon Tribunal

The Mahon Tribunal, established in 1994, was one of the most high profile, longest running public inquiries within the State. The Tribunal investigated planning matters including planning permissions and land rezoning. The Final Report of the Tribunal of Inquiry into Certain Planning Matters and Payments contained a total of 64 recommendations for further consideration in relation to a range of policy areas, as follows:

1. **Planning;**
2. Conflicts of Interest;
3. Political Finance;
4. Lobbying;
5. Bribery, Corruption in Office, Money Laundering and the Misuse of Confidential Information;
6. Asset Recovery; and,
7. Miscellaneous Matters.

The Tribunal made a total of 10 planning recommendations, all of which are provided in the table below:

Table 1: The Mahon Tribunal Planning Recommendations

PLANNING RECOMMENDATIONS	
1.	Place the National Development Plan and the National Spatial Strategy on a statutory footing
2.	Directly elect members of the Regional Authorities
3.	Facilitate documentation of Regional Authority considerations in making draft Regional Planning Guidelines
4.	Independent Appointment Board to appoint members of National Transport Authority
5.	Increase transparency in the planning process
6.	Provide for advanced notice of material contravention of Development Plans
7.	Restrict procedure set out in Section 140 of the Local Government Act 2001
8.	Provide for documentation of submissions/interventions made by elected members on applications for planning permission
9.	Introduce requirement to identify relevant political donation when making a planning application for planning permission
10.	Transfer Minister's enforcement powers to Independent Planning Regulator

From the aforementioned recommendations, recommendations 1, 3, and 5 have been partly implemented. It is not proposed to implement the Independent Appointment Board to appoint members of National Transport Authority (i.e. recommendation 4), and it is considered that recommendation 2 would be incorporated as part of a broader local government reform programme in the future.

As such, the outstanding recommendations are 6 through 10. Provision for advanced notice of material contravention of Development Plans and restriction of procedure set out in Section 140 of the Local Government Act 2001 (recommendations 6 & 7) would result in additional responsibilities for ABP and could be achieved by way of legislative amendments, according to DECLG.

The Tribunal also recommended that interventions made by elected members in respect to specific planning applications should be noted on the file and that file should be made available for inspection on

the relevant planning authority's website. This is currently practiced by some planning authorities. However, the DECLG in their analysis of the Tribunal recommendations have stated that a circular or amendment to regulations could make this process more transparent in that it would clarify that any form of contact by an elected representative, be it by phone, email etc., should be recorded on the planning file of all planning authorities.

DECLG's analysis also stated that recommendation 9, whilst logical, is difficult to implement in that reliance on accurate declarations would be required and would be difficult to verify.

The final recommendation, the establishment of an Independent Planning Regulator, would require the amendment of planning legislation. The Tribunal recommended that the Minister for the Environment's enforcement powers should be transferred to an Independent Planning Regulator who should also be charged with carrying out investigations into systemic problems in the planning system as well as being conferred with educational and research functions.

The Tribunal's assessment is that Ireland needs to introduce an element of independent review of forward planning and planning administration practice in the manner that ABP delivers in overseeing our independent planning appeals system¹. It is considered that the Planning Regulator will improve the quality of planning in Ireland, increase transparency and increase accountability.

It is anticipated that an independent Planning Regulator will review and assess all forward planning functions by local authorities— such as the drafting of City and County Development Plans. The Regulator may also advise the Minister to reject or overturn part or all of a plan where it is not deemed acceptable. This advice will be published. The final decision to act will rest with the Minister

¹ Statement by Ms. Jan O'Sullivan T.D. Minister for Housing and Planning – 29th January 2013

of the day, and the Minister will be accountable to the Oireachtas for his or her decision. However, the Planning Regulator will not examine specific planning decisions and this role will remain solely with ABP.

Potential issues arising in respect of the introduction of an Independent Planning Regulator and the overall implementation measures which have to be considered can be summarised as follows:

- a. Independent Planning Regulator must be governed and regulated by the introduction of provisions in the *PDA*;
- b. The role must be fully transparent with regular publications regarding planning matters and decision making;
- c. Whilst the Mahon Tribunal recommended the transfer of Ministerial duties to the Planning Regulator, it is considered that an advisory role working in tandem with the Minister on planning matters and decision making may be the preferred option proposed within the forthcoming Planning Bill;
- d. The selection/appointment process must be regulated;
- e. The duration of the selected Planning Regulator's term in office must be determined.

Planning and Development Act, 2000 (as amended)

In conjunction with the recommendations of the Mahon Tribunal, it is anticipated that the provisions of the PDA will also play an integral role in the contents of the forthcoming Planning Bill, and as such key sections of the PDA are discussed below:

Part II of the Planning and Development Act, 2000 (as amended) – Core Strategies of Development Plans

A key element of *the Planning and Development (Amendment) Act, 2010* was the requirement for an "evidence based" Core

Strategy in Development Plans. The Core Strategy provides information as to how the Development Plan and Housing Strategy are consistent with the National Spatial Strategy and Regional Planning Guidelines.

The Core Strategy sets out the location, quantum and phasing of development. Noting the recent establishment of Irish Water, Core Strategies will now be heavily influenced by Irish Water's vision for water and wastewater infrastructure at a national, regional and local level. Development will now be reliant on the location and phasing of infrastructural development, decisions which will be made by Irish Water. This will have implications on the making and implementation of Core Strategies by local authorities and ultimately on future development. This is an aspect of the planning system which requires further consideration and may be addressed within the forthcoming Planning Bill.

Part III of the Planning and Development Act, 2000 (as amended) – Development Contributions; Planning Applications

Development contributions are set out within Section 48 and Section 49 of Part III of the *PDA*. The following points provide information into development contributions, whilst also highlighting recent changes in their implementation:

- a. Development contributions in Ireland provide for Infrastructural works and special public infrastructural projects².
- b. They are set out in Development Contribution Schemes by each Planning Authority.
- c. Development Contribution Schemes can be amended by a Planning Authority, which can cause confusion for the public, developers and professionals.
- d. The establishment of Irish Water has resulted in the removal of water and wastewater contributions from Development Contribution Schemes

² Section 48, 48(2)(C) & 49 of the Planning and Development Act 2000 (as amended)

and as such all future developments will be subject to both Planning Authority levies and Irish Water levies.

- e. Extant planning permissions may have higher development contributions when compared to recently granted planning permissions (noting reviews of contribution schemes and associated reductions to levies as a result of the economic climate). Following industry feedback from both the IPI and RTPI, it has been found that this has caused a delay in development of extant planning permissions given the financial incentives to re-lodge applications to achieve a reduction in contribution levies.
- f. UK counterparts have similar development contributions schemes which take the form of Community Infrastructure Levies³.

Planning Applications - Online Planning Services

Under Section 7 of the *PDA*, each planning authority must keep a register in respect of all planning applications within its functional area, and shall make all such entries and corrections to the register. The register is to be kept at the offices of the planning authority and shall be available for inspection to members of the public during office hours. However, there is currently no requirement for a planning authority to make this register available online. While many planning authorities currently make planning applications available online, items such as enforcement notices and Section 57 Declarations are not generally available. The online provision of the full planning register would make the planning system more transparent and accessible to members of the public.

³ 'Community Infrastructure Levy an overview' (2011), Communities and Local Government, May 2011.

Similarly, consideration could be given to allowing online planning submissions under the *PDA* and the Regulations, such as planning applications, objections to planning applications, Section 57 Declarations, and submissions to Development Plans. These digital versions could also be made available to be viewed online by the public.

A similar service is provided in England and Wales, where the 'Planning Portal' is operational and allows members of the public, statutory bodies, developers and professionals, to lodge and view planning applications, objections and appeals. The Planning Portal is also an informative tool regarding the planning system and Building Regulations⁴. The recent success of the DECLG's myplan.ie⁵ website demonstrates how such an online planning service could be provided.

PART XVII of the Planning and Development Act, 2000 (as amended)

There is a significant difference in the planning fee structure for Ireland when compared to that of the UK. The average cost of a planning application fee in the UK is between 128% and 720% more expensive compared to a similar application in Ireland. For example, Ireland's fee for the provision of a house is €65. This is in contrast to Northern Ireland's €765; Scotland's €404; Wales' €334; and England's fee of €369. It is anticipated that the forthcoming Planning Bill may include revisions to the current planning application fee structure within the *PDA*.

Housing Market

Whilst the housing market stagnated during the recent economic downturn, analysts have stated that the bottom of the housing market has now been reached and that the market is

⁴ <http://www.planningportal.gov.uk>

⁵ Myplan.ie is an online public information system about the Development Plan or Local Area Plan in your area.

beginning to see a demand for new houses⁶. According to the recent report by the Housing Agency⁷, a total of 79,660 housing units will be required across all urban areas in the State up to 2018, 47% (37,581 units) of which is required across the Dublin region's urban settlements in order to cater for the growing demand for housing. As such, this will result in an increased number of planning applications and in turn will influence the fluidity and efficiency of the planning system in terms of reaching planning decisions and ultimately commencement of development to meet this demand.

Table 2: Summary of Total Housing Supply Requirement by location 2014-2018 (Source: Housing Agency, 2014)

Location	Total Housing Supply Requirements (2014-2018)
Dublin	37,581
Cork City & Suburbs	4,400
Limerick City & Suburbs	2,600
Galway City & Suburbs	2,300
Drogheda	1,284
Dundalk	1,088
Kilkenny	780
Waterford	740

In addition, Daft's House Price Report, has stated that while there were 9,200 houses listed on the Dublin market for sale in March 2014, the Dublin housing market needs as many as 30,000 properties listed annually in order to meet the various sources of demand. There is also a fall in stock outside of Dublin and house prices have seen their first quarterly increase since 2007⁸. According to the Daft Report, the supply of housing should be as much a concern to policy makers as the supply of credit.

⁶ *The Daft.ie House Price Report. An analysis of recent trends in the Irish residential sales market*, Q1 2014, Lyons, R., 2014.

⁷ *Housing Supply Requirements in Ireland's Urban Settlements 2014-2018*, Housing Agency & Future Analytics, April 2014.

⁸ *House Price Tipped To Rise By A National Average of 6pc*, Weston, C., Irish Independent, 12th April 2014

Another factor which has influenced the construction and housing market in recent times is ABP's reduced staffing resource levels. This has reduced the capacity with which they can process planning appeals. In order to cope with a growing backlog of cases, the Board in recent years made the decision to focus on Strategic Infrastructure cases i.e. applications of national and/or regional significance, and then sought to make decisions on regular planning cases (in chronological order)⁹. This has contributed to the delay of new developments, including residential units, being delivered to the market.

Other factors affecting housing supply include the lack of planning compliance regulation. There is a legal obligation on the applicant to ensure that their permitted development complies with their conditions. However, there is no statutory timeframe for the planning authority to make a decision on compliance submissions. This can lead to a delay in the progression of developments, lack of clarity for developers, and in some cases non-compliant developments. This has been noted as a key issue following feedback from the RTPI. The provision of a statutory timeline in the Planning Regulations regarding compliance would help to prevent delays in the commencement of developments¹⁰.

In conjunction with this, the taking in charge of housing estates can be a slow, complicated process, often leaving property owners and residents powerless to developers and local authorities. The timeframe for this process currently stands at 12 years, with many individuals of late, including Deputy Catherine Murphy, now calling for a reduction of this period to 7 years to expedite the process. This time reduction would alleviate the obstacles local authorities face when taking in charge

⁹ 'Annual Report and Accounts 2012', An Bord Pleanála, 2012.

¹⁰ 'RTPI Ireland: Submission on Planning Application Process and Procedures and the Development Management Guidelines 2007 – Preliminary Public Consultation', RTPI Ireland, March 2014.

unfinished estates, something, which is a noticeable issue of late. Furthermore, it would ensure that developments are compliant with planning permissions and are developed to meet the requirements necessary for estates to be taken in charge by local authorities.

Thus in light of this housing issue, the Government has recently launched Construction 2020 – a strategy for a renewed construction sector. The strategy commits to a time-bound set of actions to support the return of the sector to sustainable levels. The central aim of the strategy is to provide homes by tripling housing output by 2020 and adding 60,000 jobs to the construction sector over the same period. The strategy proposes a number of planning actions which warrant implementation. These include:

- National policy framework development and planning policy statement;
- Publication of the Planning Bill;
- Reduction of development contributions on extant planning permissions;
- Irish Water Connections policy;
- New Regional Assemblies;
- Flexibility on density to support economic development;
- Enhanced, streamlined planning and appeal processes;
- Activation of planning permissions for housing projects;
- E-Planning and planning engagement;
- Focus on and development of vacant sites/properties;
- Review of Strategic Development Zones; and,
- Land registry options to ensure market transparency.

Implementation of these actions, in conjunction with the overall strategy will assist in the provision of a sustainable level of housing stock to meet long-term demand.

The planning system also plays a pivotal role in the provision of social and affordable units to the housing market. However, it is the local authorities, pursuant to Part V of the *PDA*,

who are ultimately the decision makers in the provision of such units. This will now be discussed in further detail.

Social and Affordable Housing - Part V of the Planning and Development Act, 2000 (as amended)

The *PDA* introduced for the first time the mandatory requirements for each local authority to prepare a “Housing Strategy”¹¹ within the Development Plan. This was to ensure the proper planning and sustainable development of the area in that the Development Plan would determine quantum of housing for future populations as per a formulated strategy, with up to 20% of units to cater for the social and affordable housing market.

This was a landmark change in planning for two reasons. Firstly, it was in essence the first “evidence based” approach in spatial planning and secondly, it introduced a *planning betterment or social dividend* out of the planning and development system.

The *Planning & Development Act 2002 (No 32 of 2002)* then provided for the ability to satisfy this requirement. To summarise, Part V agreements were a condition of a grant of planning permission and could be complied with in a number of ways, as follows:

1. Transfer of the development site of up to a maximum of 20% to the local authority (or a housing association);
2. The construction of residential units (social or affordable) and their transfer of these units to the local authority (or a housing association);
3. The transfer of a number of full or partially serviced sites to the planning authority;
4. The transfer from the developer of other lands in their ownership within the administrative area of the planning application to the local authority;
5. The construction and associated transfer of units (social and

¹¹ Section 94(1)(a)

- affordable) on other lands within the planning authority area;
6. The transfer of services or partially serviced sites or other lands within the planning authority’s administrative area;
7. Payment of a financial contribution in lieu; and
8. A combination of any of the above.¹²

The primary aim of Part V was therefore fourfold, *inter alia*,

- a. Provision of housing to those who simply could not afford a house but had the ability to repay a private mortgage e.g. shared ownership;
- b. Ensuring that housing supply was available to all sectors of the market;
- c. Improved social integration via mixed communities in new development areas; and
- d. Capturing a social dividend from development (i.e. planning gain).

In analysing the impact to date of Part V, its effectiveness has been limited as is evident from the following:

- It delivered 15,114 units or 3.5% of the total dwellings built between 2002-2011 (220 units in 2012)¹³. When excluding one off houses, it equates to 2.6% of all houses of the 567,886 units built between 2002 and 2011¹⁴.
- Of these 15,334 units, the breakdown was 62% affordable and 38% social.
- A total of only 967 units based on the transfer of sites were provided between 2003-2012.

¹² Section 96(3)(b)

¹³

<http://www.environ.ie/en/Publications/StatisticsandRegularPublications/HousingStatistics/socialandaffordablehousing>

¹⁴

<http://www.environ.ie/en/Publications/StatisticsandRegularPublications/HousingStatistics/housebuildingandprivaterented>

- A total of only €138.18m in financial contributions were received during 2003 -2012.
- When considering all the above, Part V in full delivered c.19,245 units (4.8% of all housing units delivered over the period 2002-2011 excluding one off houses).
- This 4.8% is below par of the planning gain originally set out in the PDA at 15% which would imply an output of c.60,000 units.
- Analysis has however shown that there was a net benefit to the Exchequer of €614 million (or €761 million in discounted terms) over the period 2002-2011, therefore indicating that Part V provided value for money notwithstanding the limited number of units it delivered over this period.

The results achieved were therefore mixed mainly due to confusion in interpretation of the specifics of Part V of the *PDA* itself. Guidance on Part V was issued several times over the period 2000 until 2007 via planning guidance documents from both the Department and the Affordable Homes Partnership and via DEHLG Circulars.¹⁵ Application of the provisions of Part V differed considerably between local authorities. In some cases, no Part V conditions were attached to planning permissions.

In 2010, the Department in association with the Housing Agency requested a review of Part V to assess the implications and next steps. The outcome was a detailed review some of which is detailed above but the following were the main recommendations of

¹⁵ Part V of the Planning and Development Act 2000 – Housing Supply: Guidelines for Planning Authorities, DEHLG, 2000. Implementation Issues, DEHLG, 2002. Further Guidance of Implementation Issue, DEHLG, 2003. Part V Resource Pack-Concluding Part V Agreements, DEHLG and Affordable Homes Partnership, 2006 and updated in 2007. DEHLG Circular AHS/ 4/06, 2006. Part V of the Planning and Development Acts 2000-2006 – Implementation Issues, DEHLG, 2006).

the report¹⁶ when considering the recasting of Part V:

1. Abolish or suspend Part V;
2. Streamline the current process with the requirement of affordable housing to 0 %;
3. Widen the scope of development;
4. A development contribution basis i.e. planning levies;
5. Negotiated solution;
6. Inclusionary zoning i.e. incentives to developers to provide social and affordable housing within schemes.

The above recommendations assume that the Land Rezoning Tax remains in place and that any recasting would be coordinated with other procedures such as the aforementioned tax and any other tax, charges and costs to ensure that housing can be economically delivered. These would include development contribution levies (detailed within the Housing Agency report).

The main items therefore to be considered regarding Part V can be summarised as follows:

- a. Part V delivered only 3.5% of all units (excluding one off houses) built over the period of 2002-2012 which is well below the target of 15% thus indicating that Part V may not be fit for purpose.
- b. Its application is convoluted and confusing which has led to the need for regular issues of guidance documents.
- c. There are a lot of outstanding issues associated with extant planning permissions that currently exist and the provision of Part V which is affecting the commencement of development.
- d. Social integration is key to the proper planning and sustainable development of areas but the Housing

¹⁶ Review of Part V of the Planning and Development Act, 2000 prepared by Brady Shipman Martin on behalf of the Housing Agency (November 2012).

Agency's Review of Part V has stated that the application of financial contributions will not achieve this.

- e. It needs to be more transparent and easily calculable so that its cost and provision is not incumbent to the delivery of future developments.
- f. The Housing Agency's Review of Part V has noted that the process of Part V agreements needs to be streamlined and made more efficient with perhaps elements of the UK's model of Section 106 agreements (up front all inclusive development levies), being a model to consider.

Recent emerging industry views on the anticipated changes to Part V have indicated that 10% of all residential development will be designated for social and affordable housing with the potential of having no alternative options available to satisfy Part V requirements.

Part V therefore is a key element of the *PDA* and as such, it is anticipated that this will be a component of the forthcoming *Planning Bill* in light of Part V's performance to date.

Irish Water

Irish Water, which is a subsidiary of Bord Gáis Éireann Group, was incorporated in July 2013, as a semi-state company under *the Water Services Act 2013*. It will bring both the water and wastewater services of all the Irish Local Authorities together under the control of one service provider. It began to take over the responsibilities from the local authorities on a phased basis from January 2014 and it will take approximately five years before it is fully established. It is currently accountable to both the Commission for Energy Regulation and the Environmental Protection Agency. Irish Water will also be making capital and investment decisions regarding the country's water infrastructure at a national level¹⁷.

¹⁷ <http://www.water.ie/about-us/company/about-irish-water/>

Irish Water is of significant spatial importance as it will have the ability to both facilitate and potentially delay or prevent development from taking place given that it is now in charge of the provision and maintenance of water and wastewater infrastructure. Irish Water's Investment Programme will spatially determine where infrastructure is provided and ultimately where population growth will occur.

Therefore, it is important that it is adequately regulated and incorporated into the Irish planning system. In this regard, the *PDA* needs to legislate for the provision of Irish Water whilst the National Spatial Strategy and each of the Regional Planning Guidelines shall have regard to it. It is anticipated that Irish Water and its associated responsibilities, and noting the magnitude of its functions, will have implications on and heavily influence the content of the imminent Planning Bill.

Key Anticipated Changes

In light of the foregoing, the following table provides a simplistic overview of the key changes to Ireland's planning system anticipated to be contained within the forthcoming Planning Bill:

KEY ANTICIPATED CHANGES TO IRELAND'S PLANNING SYSTEM
1. Introduction of Independent Planning Regulator.
2. Further transparency within all aspects of the planning system.
3. Irish Water's incorporation within legislation.
4. Changes to the current Part V provisions.
5. Efficiency of planning application process – online methods, decision timelines, etc.
6. Additional ABP responsibilities as per the Mahon Tribunal recommendations.
7. Amendments to current planning application fee structure.

In addition noting recent controversies regarding outdoor event licensing, Downey Planning are of the considered opinion that the Government may also seek to review Ireland's concert licensing system, under Part XVI of the *PDA*.

It is anticipated that the proposed Planning Bill will bring meaningful reforms to the Irish planning system and will address the current discrepancies of the *PDA*. It will also seek to implement the Mahon Tribunal's recommendations particularly the planning advisory role, whilst also providing further changes and measures to ensure the integrity of the planning code. Ultimately, the objectives of such reforms should be to ensure that planning is in a position to contribute fully to economic recovery and the long-term sustainable development of Ireland.