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5th October 2011

RE: Metro West – Supplementary Development Contribution Scheme

Dear Frank,

We refer to the recent decision to withdraw the Metro West railway order application from An Bord Pléanala. Following that withdrawal from the application process, we understand that the issue of the operation of the associated Section 49 Supplementary Development Contribution Scheme has been raised.

It is understood that the commencement of the Metro West Supplementary Development Contribution Scheme was adopted by South Dublin County Council in 2009 based on an anticipated imminent submission of the Metro West railway order application to An Bord Pléanala. That railway order was submitted to An Bord Pléanala on 22nd October 2010.

Given the current economic circumstances, it is likely that there will be limited funding for major capital projects for some years and the likely timing of the possible delivery of Metro West is unknown at present. For that reason, along with others, we advised the withdrawal of the Metro West scheme from the then current approval process with the intention of its resubmission at an appropriate time closer to its construction commencement date.

This withdrawal of the planning application does not mean that Metro West has been cancelled. Instead, the project remains part of the overall strategy for an enhanced public transport network for Dublin and it is anticipated that the project will proceed to implementation at a future date when circumstances permit. In the interim, it is requested that the route remains protected and available for the subsequent development of the scheme.

While the deferral of the scheme application process would not in itself trigger any change to the current levy scheme position, it is, nevertheless, appropriate to reconsider at this stage the operation of the Metro West Supplementary Development Contribution Scheme. The general practice of Supplementary Development Contribution Schemes under section 49 of the Planning & Development Acts 2000 – 2007 has been to put those schemes in place when the planning stage of the relevant project is substantially advanced and it is intended to seek statutory approval for the project from An Bord Pléanala. This was also the case in respect of the Metro West Supplementary Development Contribution Scheme.

Since a likely resubmission date for this project to An Bord Pleanála is not yet known, the general practice to date would suggest that it may be appropriate to suspend the operation of the Metro West Supplementary Development Contribution Scheme until the timing of such resubmission is determined. When a likely date for a re-application is available, the supplementary contribution scheme can then be reactivated at that stage. Should this suspension be put in place, it would also be recommended that the levies collected and retained to date under this scheme be reimbursed to the relevant planning applicants.

While it is recognised that a decision on the temporary suspension of the Metro West Supplementary Development Contribution Scheme is a matter for the elected members, we confirm that the National Transport Authority would have no objections to such a suspension on the basis set out above.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Hugh Creegan', is written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Hugh Creegan,
Director of Transport Planning and Investment.