

## **PLANNING AND DEVELOPMENT (PLANNING ENFORCEMENT) GENERAL POLICY DIRECTIVE 2013**

I, Jan O'Sullivan, Minister of State in exercise of the powers conferred on the Minister for the Environment, Community and Local Government, by section 29 of the Planning and Development Acts 2000 (No. 40 of 2000) (as adapted by the Environment, Heritage and Local Government (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 193 of 2011), which powers are delegated to me by the Environment, Community and Local Government (Delegation of Ministerial Functions) Order 2012 (S.I. No. 148 of 2012), at the Department of the Environment, Community and Local Government, hereby make the following general directive:

1. (a) This Directive may be cited as the Planning and Development (Planning Enforcement) General Policy Directive 2013.  
  
(b) This Directive shall come into operation on the 9<sup>th</sup> day of May 2013.  
  
(c) This Directive should be read in conjunction with Chapter 10 of the statutory *Guidelines for Planning Authorities on Development Management* (June, 2007).
2. Planning authorities are reminded of their statutory obligations under Part VIII of the Planning and Development Acts 2000-2012. To ensure the effective discharge of these functions, planning authorities shall ensure that:
  - (a) sufficient and appropriate human resources are made available for planning enforcement;
  - (b) overall responsibility for planning enforcement is assigned to a senior officer of at least Senior Executive Officer grade; and,
  - (c) this senior officer provides regular updates on enforcement activity and outcomes to the Director of Planning and the Manager of the planning authority.

3. Planning authorities shall ensure appropriate monitoring of planning enforcement is undertaken to:

(a) support the collation of statistics and information in regard to outcomes concerning planning enforcement, particularly with regard to planning enforcement investigations carried out;

(b) provide annual reports on enforcement activities to elected members and to the Minister;

(c) assist the Department in raising public awareness about the importance of enforcement of the planning code, including through notices on websites, in offices, and in council communications with the public.

4. In discharging their functions under Part VIII of the Planning and Development Act 2000 – 2012 planning authorities shall prioritise large-scale unauthorised development and enforcement cases where:

(a) The development or works subject to enforcement proceedings would have required;

- i. environmental impact assessment (EIA);
- ii. a determination as to whether EIA was required (i.e. screening for EIA); or
- iii. an appropriate assessment under the Habitats Directive;

or

(b) The works subject to enforcement proceedings are works to which section 261 or 261A of the Planning and Development Acts 2000 – 2012 apply.



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**Jan O'Sullivan, T.D.,**  
**Minister of State at the Department of the Environment, Community and**  
**Local Government**  
**8<sup>th</sup> May 2013**