**Review of Development Contributions Scheme 2021-2025**

**Background:**

The aim of a Development Contribution Scheme is to ensure that developments benefiting from public infrastructural investment pay a contribution towards the provision of infrastructure that is essential to enabling that development in the first place.

The scheme assists in the part funding of public infrastructure projects, in conjunction with investment from central exchequer and the Council’s own resource.

The statutory basis for the making and operation of the Development Contribution Scheme is set out in the [Planning & Development Acts 2000, as](file:///U%3A%5CPlanning_Admin%5CDEVELOPMENT%20CONTRIBUTION%20SCHEME%5C2025-2028%5CReports%20to%20Council%20%26%20SPC%5CNovember%202023%20SPC%5CDCS%20Report%20to%20Nov%202023%20%20SPC%20-%20Outline%20of%20Process%20and%20Timelines.odt) amended. Under the Acts, the making of a scheme is a reserved function of the Elected Members of the Council.

The current Development Scheme 2021 – 2025 was made by the Council at the October 2020 Council Meeting, and the following is an outline of the rates applicable as of 1st January 2023 (following indexation based on Construction Tender Price Index).

|  |  |  |
| --- | --- | --- |
| **Class of Public Infrastructural** **Development** | **€ per square metre of****Residential Development** | **€ per square metre      of****Industrial/Commercial class of Development** |
| Class 1: Roads infrastructure & facilities  | 31.38 | 29.97 |
| Class 2: Surface Water & Environment infrastructure & facilities | 13.18 | 12.57 |
| Class 3: Community facilities & amenities     | 26.19 | 25.02 |
| Class 4: Parks and open spaces facilities & amenities | 26.01 | 23.66 |
| Class 5: Economic, Enterprise and Tourism Development including Libraries | 22.34 | 21.34 |
| **Total of Contributions Payable** | **119.10** | **112.56** |

**Review of Scheme**

The scheme is now under review, to take account of objectives of the recently adopted County Development Plan 2022/2028 including but not limited to contributions in lieu of open space and provision of infrastructure.

This review is being undertaken in accordance with the guidance issued by central government (Minister for the Environment, Community and Local Government) under Section 28 of the Planning & Development Act 2000 (as amended).

It is envisaged that a new scheme will be made by this Council in late 2024, to be effective from 1/1/2025.

There are 2 key phases to the preparation of a new scheme including:

* Phase 1 covering the preparation of the draft scheme.
* Phase 2 covering the public display of the draft scheme, consultation with the public on its provisions and finalisation of the scheme by the members, taking account of any submissions made.

The guidelines set out the following 7 steps in the process as follows:

1. Review of the current Development Contribution Schemes: What are the key learnings from operating the scheme.
2. Estimating the nature and scope of future development (both residential and non-residential) envisaged over the life of the next scheme:

Consideration of population and housing targets / commercial floorspace for retail, office and industrial, and a review of historical development patterns.

1. Determining future infrastructure costs:

Identify public infrastructure projects from across the various classifications of public infrastructure and facilities (referred to in the table above) and their costs.

1. Allocation of costs to anticipated development:
	* Establish the level and type of infrastructure (from 3 above) likely to be required to serve both residential and non-residential development.
	* Establish Existing User Benefit.
	* Decide on how costs are to be attributed to residential and non-residential development.
2. Identification of appropriate adjustments:

Establish any waivers/ reductions / exemptions which should be applied to the emerging scheme which might promote delivery of the objectives of the Development Plan and LAPs .

1. Testing and finalisation of the draft scheme:

Test the implications of adjustments referred to at 5 above on the emerging scheme.

1. Public Consultation on Draft new Scheme and Finalisation of the Scheme:

Section 48 of the Planning and Development Act 2000, as amended, sets out the various steps that are to be followed in the publication of the draft scheme, the collection and analysis of submissions, and the decision-making process of the Council.

The following sets out the proposed timelines for the review process, commencing in July 2024 when the draft scheme will be considered by the Council for approval to publish for public consultation, and most likely concluding with the resolution of the Council in October 2024 to the making of a new scheme.

**Timelines**

|  |  |
| --- | --- |
| **STAGE OF PROCESS** |  |
|  |  |
| **Prepublication Draft Scheme to Council**  | 8th July 2024 |
|  |  |
| **Draft Scheme Published - Public Consultation Commences** | 16th July 2024 |
|  |  |
|  |  |
| **Draft Scheme to Minister** | 16th July 2024 |
|  |  |
| **Minister may make comment** |  |
| *Within 6 weeks of draft having been sent*  | 27th August 2024 |
|  |  |
| **Public Consultation Closes** |  |
| ***NOT less than*** *6 weeks after publication* | 5th September 2024 |
|  |  |
|  |  |
| **Draft CE report to SPC** | 26th September 2024 |
|  |  |
| **CE Report to members** | 2nd October 2024 |
| ***NOT later than*** *4 weeks after consultation closes* |  |
|  |  |
| **Resolution of Council**  | 14th October 2024 |
| **NOT later than** *6 weeks after receipt of CE report* |  |
|  |  |