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

**Draft Development Contribution Scheme 2026**

**Background & Statutory Basis:**

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

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

The statutory basis for the making and operation of the Development Contribution Scheme is set out in S 48 (S 49) of 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. This will change to Sections 584 & 585 of the new [Planning & Development Act 2024](https://www.irishstatutebook.ie/eli/2024/act/34/section/584/enacted/en/html#sec584) when the relevant sections are commenced.

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 2025 (incl indexation applied periodically since 2022 based on Construction Tender Price Index).

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| **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  | 33.32 | 31.82 |
| Class 2: Surface Water & Environment infrastructure & facilities | 13.99 | 13.35 |
| Class 3: Community facilities & amenities     | 27.81 | 26.57 |
| Class 4: Parks and open spaces facilities & amenities | 27.62 | 25.12 |
| Class 5: Economic, Enterprise and Tourism Development including Libraries | 23.72 | 22.66 |
| **Total of Contributions Payable** | **126.46** | **119.52** |

**Public Infrastructure & Facilities**

Section 48 Planning & Development Act 2000, as amended, defines public infrastructure as follows:

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| (*a*) the acquisition of land, |
| (*b*) the provision of open spaces, recreational and community facilities and amenities and landscaping works, |
| (*c*) the provision of roads, car parks, car parking places, sewers, waste water and water treatment facilities, drains and watermains, |
| (*d*) the provision of bus corridors and lanes, bus interchange facilities (including car parks for those facilities), infrastructure to facilitate public transport, cycle and pedestrian facilities, and traffic calming measures, |
| (*e*) the refurbishment, upgrading, enlargement or replacement of roads, car parks, car parking places, sewers, waste water and water treatment facilities, drains or watermains, and |
| (*f*) any matters ancillary to *paragraphs (a)* to (*e*);**Section 49 Planning & Development Act 2000, as amended:**

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| 1. the provision of particular rail, light rail or other public transport infrastructure, including car parks and other ancillary development,
2. (b) the provision of particular new roads,
3. (c) the provision of particular new sewers, waste, water and water treatment facilities, drains or watermains and ancillary infrastructure.

(Sections 584 & 585 of the new [Planning & Development Act 2024](https://www.irishstatutebook.ie/eli/2024/act/34/section/584/enacted/en/html#sec584), signed into law in October 2024 but yet to be commenced, provide for a more wide-ranging definition of public infrastructure) Funds collected under this scheme can only be applied as Capital Funding for public infrastructure and facilities as set out above.  |

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**Review of Scheme**

The scheme is now under review for the following reasons:

1. To take account of objectives of the County Development Plan 2022/2028 including but not limited to contributions in lieu of open space and provision of infrastructure.
2. The current scheme will expire on 31st December 2025

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 2025, to be effective from 1/1/2026.

**Statutory Process**

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.
3. **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.

**Programme Timelines**

The following sets out the proposed timelines for the review process, commencing in July 2024 when the draft scheme will be circulated to Elected Members and considered by the Council for approval to publish for public consultation, and most likely concluding with the resolution of the Council in October 2025 to the making of a new scheme.

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| **Prepublication Draft Scheme circulated to Council**  | 14th July 2025 |
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| **Draft Scheme Published - Public Consultation Commences** | 15th July 2025 |
| **Draft Scheme to Minister** | 15th July 2025 |
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| **Minister may make comment** |  |
| *Within 6 weeks of draft having been sent*  | 27th August 2025 |
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| **Public Consultation Closes** |  |
| ***NOT less than*** *6 weeks after publication* | 9th September 2025 |
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| **Draft CE report / Todate to SPC** | 25th September 2025 |
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| **CE Report to Elected Members** | 7th October 2025 |
| ***NOT later than*** *4 weeks after consultation closes* |  |
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| **Resolution of Council**  | 13th October 2025 |
| **NOT later than** *6 weeks after receipt of CE report* |  |
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**Post Making Scheme**

**Duration of Scheme:** The scheme will be effective from 1st January 2026 and remain in effect until a subsequent scheme is made. It will become the basis for attaching financial contribution conditions to relevant planning permissions ***granted*** by both SDCC & ABP after 1st January 2026 on a Per sqm for Residential / Per sqm for Industrial / Commercial.

**Indexation:** The Council currently applies indexation to development contributions included in any permission. This is a percentage increase applied to reflect the increased cost of construction of the physical works which it proposes to be carried out.

The scheme will be subject to an annual review of construction costs of physical works which will be, at least for the present, based on Chartered Surveyors of Ireland Construction Tender Price Index. Therefore, it may be considered appropriate / not appropriate to apply indexation for any year(s) of the scheme.

appropriate to apply / not to apply this indexation for any year (s).

 If applicable, relates to developments based on year of commencement