



Oifig an  
Rialaitheora Pleanála  
Office of the  
Planning Regulator

# Office of the Planning Regulator Reviews Programme

Section 31AV Information Request under section 31AV of the  
Planning and Development Act 2000, as amended

## Guidance on submission of information

This information request is issued as part of the OPR's review of your authority under section 31AS of the Planning and Development Act 2000, as amended ('the Act').

Three areas of information are critical in enabling the OPR to build a clear picture of your authority's delivery of its statutory planning functions:

**Part A Organisational and Management context;**

**Part B Statutory planning functions; and,**

**Part C The wider strategic context.**

The information request is formatted by these three areas, divided into various sections. A report is required to be submitted under each section to provide a contextual overview of the organisation and delivery of each of the areas of work. Additional detail, data, documents, etc. required are outlined throughout the document.

For consistency of communication, the OPR would request that the local authority appoint one point of contact within the planning department through which the submission of written information in response to this information request will be channelled.

The OPR also requests that the information submitted in response to each section of this request is signed off by the Director of Planning Services. A template sign-off sheet is provided at Appendix 1.

# Part A

## Organisational and Management Context

(max. 10-page report)

Under Part A, your authority is asked to set out relevant material that contextualises the overall organisational structure, management responsibilities and strategic business objectives having regard to the systems and procedures used in relation to performance of functions.

Provide a short report on the broad organisational structure and management of the planning department. This should include:

		Submitted Y/N - Date	Owner
<b>a)</b>	An up-to-date organisational table (attached at Appendix 2) for the department, including titles / grades, numbers of staff at each grade, team subdivisions, specific responsibilities and reporting arrangements.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>b)</b>	Details of formal departmental and team meetings, including regularity of scheduling. Include sample minutes of any recent department / team meetings where available.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>c)</b>	Details regarding implementation of the Performance Management and Development System (PMDS) including percentage of end-of-year reviews completed for the previous two years and percentage of staff where current year role profiles are complete.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>d)</b>	Details of any strategic workforce plan in place/prepared in the last three years.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>e)</b>	Arrangements for staff training and development plan, including induction for new staff members. Please format this information by (i) administrative, (ii) professional and (iii) technical staff and (iv) a list of the accredited and non-accredited courses attended in the last two years.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>f)</b>	<p>Outline how your authority implements national policy guidance, including statutory planning guidelines, circulars and section 29 Directives, at a local level.</p> <p>Please highlight how both elected members and all planning staff are kept apprised of national policy developments, updated statutory guidance, etc., and how your authority ensures that policy and decision-making practice and procedure are updated to reflect evolving policy.</p>	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>g)</b>	<p>Provide copies of the following corporate documents, where applicable:</p> <ol style="list-style-type: none"> <li>The planning department's current business plan</li> <li>Copies of the most recent internal or external audit</li> <li>Details of implementation of ethical frameworks (i.e. declarations of interest<sup>1</sup>, codes of conduct and attach copies).</li> </ol>	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	

<sup>1</sup> In accordance with ethics legislation and section 147 of the Planning and Development Act 2000, as amended ('the Act')

# Part B

## Statutory Planning Functions

Part B focuses on the systems and procedures used in the delivery of statutory planning functions. Please provide a report for each of the following five operational areas. The reports should be supplemented with any relevant written procedural manuals, relevant data/statistics, as listed below.

The reports should also set out how operational decisions are made, where management responsibility rests, the availability of written procedures or standard operating procedures (SOPs) and updating of such where necessary, monitoring and reporting, etc.

### 1 Forward Planning (max. 15-page report)

The report under this heading may address all procedural aspects considered relevant, however a particular focus on the following should be included:

		Submitted Y/N - Date	Owner
<b>1.1</b>	<b>Public Engagement</b>		
<b>a)</b>	Measures used to encourage public participation in the making of the most recent development plan and local area plans, including: <ul style="list-style-type: none"> <li>i. Public meetings, online events, leaflets and the types of social media platforms used for engaging external participation.</li> <li>ii. Any special measures taken to facilitate public participation during the Covid-19 pandemic.</li> </ul>	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>1.2</b>	<b>Development Plan</b>		
<b>a)</b>	Internal reporting structure and procedure to deal with variation requests by elected members <sup>2</sup> .	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>b)</b>	Details of the internal procedure for ensuring the mandatory objectives for development plans <sup>3</sup> , set out, are appropriately incorporated into plans.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>c)</b>	Procedures for monitoring and evaluating the progress of development plan objectives and how this informs the chief executive's report under section 15 of the Act. Provide a copy of the most recent chief executive's report.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	

<sup>2</sup> Section 13(1A)(a) of the Act

<sup>3</sup> Section 10(2) of the Act

		Submitted Y/N - Date	Owner
<b>d)</b>	<p>Details of systems in place to protect amenities, including areas of outstanding natural beauty or special recreational value, landscape conservation areas and public rights of way, including:</p> <p>i. Any system/plan/framework in place to evaluate and progress development plan policy objectives relating specifically to amenity and landscape protection.</p> <p>ii. Details with regard to the coordination of natural heritage and landscape development plan objectives with neighbouring local authorities.</p>	<input type="checkbox"/> Y/N DATE DD/MM/YYYY	
<b>1.3</b>	<b>Local Area Plans (LAPs)</b>		
<b>a)</b>	<p>Details of local area plans prepared (draft or adopted) for the CSO census towns in your authority's area with a population of &gt;5,000<sup>4</sup>.</p>	<input type="checkbox"/> Y/N DATE DD/MM/YYYY	
<b>b)</b>	<p>Provide a list of LAPs requiring review/preparation in the next three years and confirm whether a schedule and/or work programme is in place for this work. Provide a copy of the schedule/work programme if one is in existence.</p>	<input type="checkbox"/> Y/N DATE DD/MM/YYYY	
<b>c)</b>	<p>Indicate the following:</p> <p>i. Whether any LAPs have been prepared where two or more authorities may cooperate in preparing an LAP<sup>5</sup>.</p> <p>ii. Whether any LAP zonings objectives have been incorporated to the development plan process<sup>6</sup>.</p> <p>If the answer to (i) and (ii) is yes, please provide details.</p>	<input type="checkbox"/> Y/N DATE DD/MM/YYYY	
<b>1.4</b>	<b>Environmental Assessment</b>		
<b>a)</b>	<p>Outline your authority's procedures along with internal capability/expertise in relation to conducting environmental assessment for forward planning, including:</p> <p>i. Appropriate Assessment (AA) of plans and projects (provide samples of recent AA Screening Determinations and AA Conclusion Statements);</p> <p>ii. Strategic Environmental Assessment (SEA), including monitoring of effects on the environment as a result of not achieving objectives of the development plan as<sup>7</sup>; and</p> <p>iii. Strategic Flood Risk Assessment.</p>	<input type="checkbox"/> Y/N DATE DD/MM/YYYY	
<b>1.5</b>	<b>Strategic Development Zones</b>		
<b>a)</b>	<p>In accordance with Part IX Strategic Development Zones of the Act describe the local authority's process for the making of a planning scheme for designated strategic development zones, where relevant.</p>	<input type="checkbox"/> Y/N DATE DD/MM/YYYY	

4 In accordance with section 19(1)(b) of the Act

5 Section 18(2) of the Act

6 For settlements with populations between 1,500 and 5,000 in the most recent census, consistent with section 19(1)(bb)(i)

7 Under Articles 13C and 13E of the Planning and Development Regulations 2001, as amended ('the Regulations')

## 2 Land Activation (max. 5-page report)

The report under this heading should indicate measures in place to actively promote the development of sites, including areas identified for specific urban regeneration and renewal objectives in the development plan, in particular that support regeneration and brownfield development as provided for under the NPF, and implementation/promotion of the Town Centre First initiative.

		Submitted Y/N - Date	Owner
<b>a)</b>	A copy of the completed progress report on the implementation of the Vacant Site Levy (Circular PL03/2022), as issued to the Department of Housing, Planning and Local Government (April 2022).	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>b)</b>	Information on the compilation and follow-through on both the Vacant Sites and Derelict Sites registers, including copies of current registers.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>c)</b>	Procedures for evaluating sites for inclusion on both registers.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>d)</b>	Procedures for collection of levies under each register and data on levies collected to date.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>e)</b>	How submissions from the public or other parties proposing sites for inclusion are processed.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>f)</b>	If applicable, any illustrative material demonstrating how use of the registers has resulted in the activation of sites (which may include details of specific cases).	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>g)</b>	Any other wider measures taken for activating land, e.g. compulsory purchase orders <sup>8</sup> , applications under Urban/Rural Regeneration and Development Funds, reduced or waived development contributions, infrastructure investment vehicles, proactive engagement with infrastructure providers and active tracking of approved but not commenced permissions for housing, etc.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	

<sup>8</sup> Under section 86 of the Housing Act 1966

### 3 Development Management (max. 15-page report)

The report under this heading should indicate the procedures in place to guide the delivery of the development management function; including copies of any internal procedures manuals, report templates, SOPs etc. The report should also include a specific focus on the following aspects:

		Submitted Y/N - Date	Owner
<b>3.1</b>	<b>Development Management Output and Procedures</b>		
<b>a)</b>	Over the last six years, details of any applications for permission refused for past failures to comply <sup>9</sup> .	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>b)</b>	Over the last two years, details of any planning decisions made that were not made available online within the required timeframe <sup>10</sup> .	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>c)</b>	Over the last three years, the average time (in days) for planning applications to be made available online and at the planning counter from the date of lodgement.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>d)</b>	Procedures/systems in place with respect to with decision making for Large-scale Residential Development (LRD) type applications.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>e)</b>	Operational procedures/systems in place with respect to the planning application validation process.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>f)</b>	Operational procedures/systems in place with respect to Section 5 Declaration applications, including timeline/procedure for ensuring the information is placed on the authority's website and the procedure for managing the Section 5 declaration process including if the declaration is referred to An Bord Pleanála for review.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>g)</b>	<p>Procedures for the provision of pre-planning consultations<sup>11</sup>, including how details of consultations are recorded appropriately, and how those details can be publicly accessed (including, if relevant, details of mapping or geographic information systems used to spatially record such pre-planning consultations).</p> <p>Include detail on how the seven guiding principles set out in OPR CSP04<sup>12</sup> are addressed.</p>	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>h)</b>	Details of the most recent updates that have been made to development contribution schemes to ensure consistency with Ministerial guidelines on such schemes.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	

9 Section 35 of the Act

10 Under Article [31] of the Regulations

11 Section 247 of the Act

12 OPR Case Study Paper CSP04 - Pre-Application (S247) Consultation Services: <https://publications.opr.ie/view-pp-file/NDQ=>

		Submitted Y/N - Date	Owner
<b>3.2</b>	<b>Environmental Assessment</b>		
	Procedures for the processing of Environmental Impact Assessment (EIA) and Appropriate Assessment (AA) in development management decision making including recent samples of recent EIA/AA preliminary examinations, EIA/AA screening determinations and EIA/AA decisions, including the recording of the reasoned conclusions on the planning file.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>3.3</b>	<b>Local authority own-development (including 'Part 8' development)</b>		
<b>a)</b>	The system for progressing such proposals within the authority, including procedures for the development of proposals prior to presentation to the elected members.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>b)</b>	Details of internal approval pathways, procedure for coordinating between the various departments (including copies of any internal reporting and assessment arrangements).	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>c)</b>	Managing post-consent applications, including measures to ensure that local authority own-developments are completed in accordance with the drawings.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>d)</b>	The process required by the Council, where part 8 projects are required to be submitted to An Bord Pleanála, as prescribed by section 177AE of the Act, including a post-completion checking process of local authority projects approved by An Bord Pleanála.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>3.4</b>	<b>Taking-in-charge</b>		
<b>a)</b>	Confirm if your authority has a register of all multi-unit housing developments or housing estates across your functional area and whether it classifies them and maps them accordingly by status, i.e.: i. Completed and taken in charge. ii. Completed and not taken in charge, or under construction/part. iii. Completed and not yet taken in charge.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>b)</b>	The number of residential estates in your authority's area. The number of estates taken in charge since the 2015 National Taking in Charge Initiative (NTICI), and the number awaiting taking in charge.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>c)</b>	Since 2015, the average length of time (in months), from receipt of the request, to conduct the taking in charge process.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>d)</b>	Procedures for considering requests for taking in charge of estates, including site inspections, coordination between internal local authority sections and external stakeholders (such as Irish Water).	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>e)</b>	The total value of live securities for the satisfactory completion of residential developments held by your authority, including your processes to keep these up to date and the value of any securities 'called in' over the past three years.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	

## 4 Enforcement (max. 5 page report)

The report under this heading should provide an overview of all procedural aspects considered relevant, however a particular focus on the following should be included:

		Submitted Y/N - Date	Owner
<b>4.1</b>	<b>Enforcement output and procedures</b>		
a)	Any internal procedures manual. If there is no formal procedures manual, the process employed should be documented in the report.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
b)	The procedure in place for identifying unauthorised development, having particular regard to the Minister's section 29 Policy Directive on enforcement (prioritising large-scale unauthorised development).	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
c)	Enforcement activity over the last three years (per year): <ol style="list-style-type: none"> <li>i. Cases investigated;</li> <li>ii. Site inspections undertaken;</li> <li>iii. Warning letters issued;</li> <li>iv. Enforcement notices issued; and,</li> <li>v. Legal proceedings initiated.</li> </ol>	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
d)	Specific details of the number of Warning Letters issued under section 152 over the past two years, including a breakdown of those instigated without any external complaint being received.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>4.2</b>	<b>Quarries and Extractive Industries, where applicable</b>		
a)	Provide information on the systems in place for the control of quarries and extractive industries, including details of the numbers of unauthorised development that was stopped as a result of enforcement action and the operation of Section 261 of the Act.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
<b>4.3</b>	<b>Short-term letting, where applicable</b>		
a)	Provide information on the systems in place in relation to short term lettings in the administrative area of the planning authority.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	



## 5 Architectural Heritage (max. 5-page report)

The report under this heading should indicate the systems and procedures in place with regard to the protection of architectural heritage in your local authority, including the following:

		Submitted Y/N - Date	Owner
a)	Available staffing/in-house expertise to assess and deal with planning applications and aspects (i.e. section 5, queries etc.) with respect to architectural heritage.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
b)	Systems in place to maintain and revise the Record of Protected Structures, including the identification of any new structures to be considered for inclusion or structures that can be removed.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
c)	Procedures in place for identifying protected structures that may be endangered or that are in need of restoration <sup>13</sup> . Details of cases, during the past six years, where statutory provisions were used to compel owners of protected structures to take measures in such cases.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	

## 6 Other Planning-Related Functions (max. 5-page report)

		Submitted Y/N - Date	Owner
6.1	Events and Funfairs: including the procedures with respect to event licencing applications including pre-application meetings, the number of applications received and granted over the past three years.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
6.2	Outline any specific systems that may be in place to facilitate 'e-planning' with a particular focus on the extent to which planning services such as making a planning application, commenting on applications and making complaints about enforcement are possible online.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	
6.3	Provide the local authority's process for considering and granting licences in accordance with section 254 of the Act.	<input type="checkbox"/> Y/N DATE <input type="text"/> DD/MM/YYYY	

<sup>13</sup> In accordance with sections 59 and 60 of the Act

# Part C

## Wider Strategic Context

Part C is not a mandatory request, but provides your authority with an opportunity to highlight local good practice and achievements and also to provide commentary on extraneous factors that may be positively or negatively affecting the delivery of statutory planning functions.

In responding under this heading, your authority is encouraged to reflect on any particular factors that may be at play which make the delivery of planning objectives particularly challenging and that may be relevant to the review, within complex social, political, environmental and economic contexts.

### 1 | Case Studies

	Submitted Y/N - Date	Owner
<p>Under this heading please submit any case study examples that could be considered as good practice or innovation in terms of the following:</p> <ul style="list-style-type: none"> <li>i. Systems and procedures for the delivery of planning functions;</li> <li>ii. Implementation of projects;</li> <li>iii. Development of training initiatives; etc. that demonstrate innovation and good practice which may be shared as peer learning across authorities.</li> </ul>	<p style="text-align: right;">Y/N <input type="checkbox"/></p> <p>DATE <input type="text" value="DD/MM/YYYY"/></p>	

### 2 | Challenges and Opportunities

	Submitted Y/N - Date	Owner
<p>Under this heading please outline the challenges and opportunities, and any other issues your authority might wish to highlight, that arise in the delivery of statutory planning functions.</p> <p>In particular, you may wish to address issues with regard to resources, customer satisfaction, political inputs, coordination with other areas within the Council or other authorities, engagement with other statutory bodies, etc.</p>	<p style="text-align: right;">Y/N <input type="checkbox"/></p> <p>DATE <input type="text" value="DD/MM/YYYY"/></p>	



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## Office of the Planning Regulator Reviews Programme

### Appendix 1 - Approval of information submitted in response to 31AV Information Request

I confirm that I approve the submission of the following documentation/material required as part of the OPR's review of Waterford City and County Council, in accordance with section 31AV of the Planning and Development Act 2000, as amended.

The following sections of the OPR's information request have been addressed as part of this submission (please highlight/circle the relevant sections<sup>1</sup>):

- Part:       A / B / C
- Where **Part B** material is submitted, the material relates to section(s): 1 / 2 / 3 / 4 / 5 / 6
- Where **Part C** material is submitted, the material relates to section(s): 1 / 2

Comments:

Signed<sup>2</sup>:

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**Director of Planning Services**

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**Date**

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<sup>1</sup> Where information is submitted in stages, please use a separate sign-off sheet for each submission

<sup>2</sup> E-signature can be used



## Office of the Planning Regulator Reviews Programme

### Appendix 2 - Staffing Structure:

Table 1: Overall Planning Department Staffing

Grade	No. of staff	FTE <sup>1</sup>	Additional comments
Senior Planner			
Senior Executive Planner			
Executive Planner			
Assistant Planner			
Heritage Officer			
Conservation Officer			
Other Technical Staff <sup>2</sup>			
Senior Executive Technician			
Executive Technician			
Technician Grade I			
Clerk of Works			
Senior Executive Officer			
Administrative Officer			
Senior Staff Officer			
Staff Officer			
Assistant Staff officer			
Clerical Officer			
Current vacancies within the planning department			
<b>Total (including vacancies)</b>			

<sup>1</sup> Full time equivalent

<sup>2</sup> Include Architects, Engineers, etc., where applicable



**Table 2: Planning Team(s) Breakdown<sup>3</sup>**

Name of team:

Grade	No. of staff	FTE	Additional comments
Senior Planner			
Senior Executive Planner			
Executive Planner			
Assistant Planner			
Other Technical Staff <sup>4</sup>			
Senior Executive Technician			
Executive Technician			
Technician Grade I			
Clerk of Works			
Senior Executive Officer			
Administrative Officer			
Senior Staff Officer			
Staff Officer			
Assistant Staff officer			
Clerical Officer			
Current vacancies within the team			
<b>Total (including vacancies)</b>			

<sup>3</sup> Use one table per team within the planning department; add more tables as required

<sup>4</sup> Include Architects, Engineers, Conservation Officer, Heritage Officer, etc., where applicable