

# Implementation & Monitoring

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### 9.1 INTRODUCTION

The primary function of the County Development Plan is promoting, facilitating and guiding the development and use of land in the County. The County Development Plan will be used as a basis for guiding investment decisions for both the public and private sector. Meath County Council has a key role in implementing the policies and objectives contained within this Development Plan as the lead Development Agency for the County and also as in the pivotal role of 'enabler'. It is however constrained in its efforts by limited resources. This factor underlies the need to maximise both financial and human resources, amongst other organisations and individuals. The realisation of specific objectives contained in the Development Plan is dependent on resources and a number of possible financial sources, including various EU programmes and grants, the National Government, the Local Authority itself and the Private Sector. The Local Authority will require developers to incorporate the objectives of this plan, including those relating to the provision of physical and social infrastructure, into their individual development proposals. The detailed local policy framework by which individual development proposals will be assessed in urban centres will be within the various Local Area Plans and the Navan, Kells & Trim Development Plans which will be prepared separately. These lower level plans will be informed by the Development Strategy contained in this County Development Plan. Other objectives, particularly key physical infrastructural elements will require Government funding and support.

The implementation of a Development Plan may be constrained by a number of elements, namely the economic climate, political support, allocated Local Authority funding, and the availability of funding from other sources. The nature of the statutory Development Plan is such that no budget is agreed in advance and therefore no funding of projects or implementation of objectives contained within the plan is guaranteed. However, the Local Authority intends to exercise all of their legal powers to ensure that objectives are implemented. This includes using compulsory acquisition powers where necessary to facilitate and secure the realisation of objectives contained in this Development Plan.

There are many proposals set out in this Plan over which the Council would have no direct responsibility or control. The expansion of educational facilities, at national, second level or third level for example, is essentially the responsibility of the Department of Education and Science while the provision of a more frequent bus service with better passenger facilities falls under the auspices of Bus Eireann. While the Council will make every effort in facilitating the provision of social, community and transport infrastructure and facilities, it is not in all instances the direct provider of such services.

### 9.2 PHASING

It is an objective of the Planning Authority to promote the implementation of the Development Plan in a rational and sequential approach that is in keeping with the proposed development strategy, and to ensure that essential facilities (such as road infrastructure, water, sewerage, social and community infrastructure, etc.) are secured and in place concurrent with proposed development projects. This is qualified in many instances by the requirement to prepare Local Area Plans or Framework Plans as a prerequisite to development. Furthermore, all zoned areas are or will be, subject to wastewater drainage and water supply schemes. Some of these are at the early

stages of planning while others are at an advanced stage. The sequence with which these schemes are or will be advanced, determines the sequence and phasing of development.

Within large-scale developments, or where key infrastructure is proposed (i.e. road proposals identified on the Development Objectives Map), development may be phased to tie in with these schemes or projects. The Local Authority reserves the right to refuse development on the grounds of incomplete infrastructure provision.

### 9.3 PUBLIC PRIVATE PARTNERSHIPS

A Public Private Partnership (PPP) involves a partnership agreement between the public and private sector for the delivery of specific projects relating to public services and infrastructure. Such an approach can ensure a commitment to funding due to interlinked public and private assistance, and aims at ensuring the most economically efficient manner of development. Education, local services, health, housing, public transport, roads, solid waste, water/waste water and other public services can benefit from the approach of a PPP.

Other partnership approaches will be pursued with other state and public organisations, such as the Irish Sports Council (under their recent initiative to create a new national network of sports partnerships to meet the needs of sport at local level), Bord Fáilte and the Arts Council.

### 9.4 ADDITIONAL FUNDING SOURCES

Additional national and EU level programmes include Urban Renewal Schemes, the RAPID programme, the NeighbourWood Scheme, National Lottery Facility Funding, Community Support Framework, as well as other funding mechanisms available from the various Government Departments. Such bodies have varying criteria regarding the type of developments they fund and may be useful to consider in the achievement of development objectives.

#### Urban and Village Renewal Grants

This grant scheme is administered by the Department of the Environment, Heritage and Local Government under the Urban and Village Renewal measure of the Regional Operational Programme 2002-2006 (current programme at time of plan preparation). It is a grant scheme for Local Authorities to carry out environmental improvements.

#### RAPID Programme (Revitalising Areas by Planning, Investment and Development)

Investment for this programme comes under the remit of the National Development Plan (NDP). Specific towns (and areas within larger towns) are targeted for renewal / revitalisation. The focus is on communities that are run-down / deprived and have not fully shared in Ireland's recent prosperity. A special co-ordinator appointed for each town will work with an Area Implementation Team, which will include local residents and estate agencies, to draw up an Action Area Plan for the towns in order to identify their needs. The targeted areas will then be prioritised for investment and development in a number of key areas, including health, education, housing, childcare and community facilities. When considering the regeneration of these areas, specific objectives within the Development Plan will also be considered. The RAPID Programme as applicable to Navan is discussed in Section 7.4.12.

**NeighbourWood Scheme**

This scheme is funded under the NDP through the Department of Agriculture and Fisheries & Food and aims to develop woodlands within the urban environment to serve the local population. The scale of the proposed woodland areas can vary from local parks within residential areas, to larger woodland areas situated along the urban fringe or in greenbelts, as well as existing woodlands located outside towns and villages and used by local communities for amenity and recreation. This scheme can be used to develop new woodland on parts of sites identified for future housing, thereby establishing amenity facilities for future residents. The NeighbourWood Scheme provides funding for three areas, namely for the establishment of new neighbourwoods, improvement of existing neighbourwoods, and the installation of recreational facilities into new or existing neighbourwoods.

**The Department of Arts, Sport and Tourism**

Through the availability of National Lottery Facility Funding, the Department of Arts, Sports and Tourism administer the Sports Capital Programme. This programme provides funding to voluntary sporting and community organisations at local, regional and national level towards the provision of sport and recreational programmes. The Recreational Facilities Scheme enables voluntary community organisations to further improve and equip recreational, leisure and community facilities. This body in its support of community organisations and the development of sporting / recreational facilities, acts as a valuable source of funding for the implementation of recreational and community facility objectives. This Department also supports Local Drugs Task Forces and community-based responses to the drugs issue.

**The Combat Poverty Agency**

This Agency, which comes under the aegis of the Department of Social and Family Affairs, provides funding for voluntary and community groups engaged in anti-poverty work.

**EU Structural Funds**

This programme identifies a number of areas for funding, two of which are the European Regional Development Fund and the European Social Fund. There also exists a separate programme, which is co-financed by the structural funds called Community Initiatives. Such EU programmes can be a valuable source of investment, through which specific policies and objectives, as identified in this plan can be implemented.

Many other programmes, alongside those listed above, may be of value with regard to the implementation and finance of this Development Plan. It is intended that various agencies, including voluntary groups, professional institutions, public and private bodies, and other organisations will be encouraged to participate whenever possible, in the implementation of the policies and objectives of this plan.

**9.5 DEVELOPMENT CONTRIBUTIONS**

It is considered reasonable that contributions be paid towards Local Authority investment in the provision of infrastructure and services, by developers who benefit from such provision. Section 48 of the Planning & Development Act 2000 allows Planning Authorities to prepare and adopt a General Development Contributions Scheme in respect of public infrastructure and facilities provided by, or on behalf of the Local Authority that benefit development in their area.

The following is defined as 'public infrastructure and facilities' in Section 48:

- The acquisition of land;
- The provision of open spaces, recreational and community facilities and amenities and landscaping works;
- The provision of roads, car parks, car parking places, sewers, waste water and water treatment facilities, drains and watermains;
- The provision of bus corridors and lanes, bus interchanges facilities (including car parks for those facilities), infrastructure to facilitate public transport, cycle and pedestrian facilities, and traffic calming measures;
- The refurbishment, upgrading, enlargement or replacement of roads, car parks, car parking places, sewers, waste water and water treatment facilities, drains or watermains, and;
- Any matters ancillary to the above.

Meath County Council is entitled, pursuant to Section 48, when granting planning permission to include conditions requiring the payment of a contribution in respect of public infrastructure and facilities benefiting development in their administrative area and that is provided, or is intended to be provided, by or on their behalf (regardless of other sources of funding for the infrastructure and facilities).

Meath County Council adopted the 'County Meath Development Contributions Scheme' on 1st March 2004. Whilst this Scheme can remain in effect for a period of 6 years, it is likely that this Scheme will be reviewed following the adoption of this Development Plan in accordance with the review procedures incorporated into the Scheme. The 'County Meath Development Contributions Scheme' is available for inspection in the Planning Department of Meath County Council and on the Council website ([www.meath.ie](http://www.meath.ie)). The level of contributions are updated in March of each year in accordance with the Wholesale Price Indices for Building & Construction published by the Central Statistics Office. The classes of public infrastructure and facilities for which contributions are payable in County Meath under the current scheme at the time of writing are set out in Table 28.

Table 28: Level of Development Contributions (2007)

Category of Development	Floor Area	Contribution
Residential Property (Zoned Land) per unit		
	≤ 95 sq. m.	€11,551.42
	96 – 110 sq. m.	€12,651.55
	111 – 140 sq. m.	€13,751.68
	141 – 199 sq. m.	€14,851.81
	≥ 200 sq. m.	€16,502.02
Rural Areas - Individual Houses		
Unserviced Site		
	≤ 150 sq. m.	€4,180.52
	151 – 199 sq. m.	€8,361.02
	≥ 200 sq. m.	€10,011.24
Piped Water Supply Only		
	≤ 150 sq. m.	€6,292.78
	151 – 199 sq. m.	€10,473.28
	≥ 200 sq. m.	€12,123.50
Fully Serviced Site - Water Supply & Sewerage		
	≤ 150 sq. m.	€10,671.31
	151 – 199 sq. m.	€14,851.81
	≥ 200 sq. m.	€16,502.03
Graigs - Individual Houses		
Unserviced Site		
	≤ 150 sq. m.	€3,630.45
	151 – 199 sq. m.	€7,260.89
	≥ 200 sq. m.	€10,011.24
Piped Water Supply Only		
	≤ 150 sq. m.	€5,742.71
	151 – 199 sq. m.	€9,373.15
	≥ 200 sq. m.	€12,123.50
Fully Serviced Site - Water Supply & Sewerage		
	≤ 150 sq. m.	€10,121.24
	151 – 199 sq. m.	€13,751.68
	≥ 200 sq. m.	€16,502.03
Non Residential Development		
Retail / Retail Warehousing / Commercial Property 1 per sq.m.		€77.00
Hotel Development		€55.01
Industrial Manufacturing / Warehousing / Port Warehousing Property per sq.m.		€27.51
Open Storage / Hard Surfaced Commercial / Open Port Storage Space 2 per sq.m.		€22.01

Agricultural Development including stables / kennels per sq.m.		€22.01
Golf / Pitch & Putt Club per ha		€550.07
Extraction / Landfill / Land Reclamation 3		Determined by Special Contributions

- 1 Commercial property relates to the provision of a business premises including :
  - Any structure or other land which is normally used for the carrying on of any professional or commercial undertaking, including office,
  - A hotel, restaurant or public house,
  - Any structure or other land used for the purpose of, or in connection with, the functions of a state authority,
  - Facilities for child minding,
  - A day care centre,
  - Guest house or other premises providing overnight guest accommodation, club, boarding house or hostel,
  - Night Club / Dance Hall,
  - Shop or supermarket,
  - School or College, and,
  - Nursing home, hospital or health centre.
  
- 2 Includes the use of land for the parking of motor vehicles, the open storage of motor vehicles or other objects and the keeping or placing of any tents, campervans, caravans or other structures. This category does not apply to hard storage space and car parking facilities provided ancillary to a particular development.
  
- 3 The use of land for the winning and working of minerals, including quarries or the deposit of refuse, waste or land reclamation are not considered suitable for inclusion in the General Development Contribution Scheme. Each planning application will be considered on its individual merits and the level of contribution will be determined on the basis of a Special Development Contribution attached to a planning permission. The level of this contribution will be determined having regard to the direct impact of the proposed development on publicly provided infrastructure, improvements to road infrastructure to facilitate development, the estimated tonnage per annum, likely haulage route of materials to and from a site, etc. It is not proposed to assess buildings or plant associated with the relevant extractive or landfill development under the terms of this Scheme.

#### Car Parking

In addition to the above, where car parking cannot be provided in accordance with the relevant Development Plan or Local Area Plan, the following contribution shall be payable for the shortfall: €7,000 per space where paid parking is not in place / proposed and €5,000 per space where paid parking is in place / proposed. This shall apply to all towns / villages, where considered appropriate.

The charging of car parking contributions where car parking cannot be provided on site in accordance with the relevant Development Plan standard shall only apply where there are definite proposals by the relevant Local Authority to provide off street car parking.

The calculation of contributions in relation to deficiencies in car parking standards shall relate to the gross floor area of the building(s) and does not include basement car parking areas.

#### **Exemptions**

Section 48 (3)(C) of the Planning & Development Act 2000 allows for a reduction in contributions or no contributions in certain circumstances under the terms of the scheme. Please refer to the County Meath Development Contributions Scheme for details of the exemptions which currently apply.

In addition to attaching financial contribution conditions in accordance with Section 48 of the Planning and Development Act, 2000 as outlined above, the Planning Authority may prepare supplementary development contributions schemes (Section 49). Such schemes may be prepared for particular public infrastructural services or projects.

Since the adoption of the County Development Contribution Scheme in 2004, commitment and approval in respect of the Clonsilla – Dunboyne (Pace) rail line has been given. The project is as set out in the 'Feasibility Study Clonsilla – M3 Interchange Railway Line (Iarnród Éireann January 2005). In essence it comprises a twin track rail line (7.5 km) from Clonsilla Station to Pace, new stations at Pace and Hansfield, upgrade of existing and former stations at Clonsilla and Dunboyne, acquisition of diesel railcars and construction of a 1,200 space park and ride facility at Pace.

The provision of quality public transport is also central to Government policy on sustainable development as expressed in the Government document 'Sustainable Development – a Strategy for Ireland' and in the Dublin Transportation Office Strategy -'Platform for Change'.

A Section 49 scheme was prepared by consultants jointly for Meath County Council and Fingal County Council and was adopted by Meath County Council in 2006. Only those lands within a 1km radius of the proposed rail line, as outlined on the accompanying map to the scheme, shall be subject to the Section 49 scheme.

The amount of the contribution to be paid under this proposed scheme (January 2006 prices) was as follows: -

- Residential – €144,700 per gross hectare
- Commercial – €329,900 per gross hectare

The amounts in this paragraph will increase on 1 January each year at the compound interest rate of 5% per year. The contributions must be paid at the rate in effect at the time of payment.

Adopted contributions under this scheme must be paid on commencement of the development, or on a phased basis agreed with Meath County Council. If payment is phased the outstanding balance will increase at the rate in paragraph 7 above. If payment is not made when due, interest will accrue on the unpaid balance at the rate specified in the European Communities (Late Payment in Commercial Transactions) Regulations 2002, or any law that replaces them.



The following developments are exempt from contributions under this scheme:

- Domestic extensions;
- Family flats that as a condition must be used as a family unit;
- Public buildings such as schools and youth / community centres;
- Developments by organisations having exemption from income tax and corporation tax under Section 20 of the Taxes Consolidation Act 1997 and currently holding an exemption certificate from the Revenue Commissioners, and;
- Large scale outdoor recreational developments such as golf courses, sports pitches and tennis complexes, but excluding buildings and ancillary facilities.

Meath County Council will receive the contributions to be made under this scheme, and pay them to Iarnród Éireann in accordance with the agreement referred to above. Pending completion of that agreement, Meath County Council will retain the contributions collected and place them on investment with an investment company selected with the objective of maximising return and minimising risk. These contributions and interest will be paid to Iarnród Éireann when the agreement is concluded. The agreement with the Iarnród Éireann will provide that the money received by Meath County Council under this scheme can only be used for the Project.

If Meath County Council enters a contract for a development to be carried out on behalf of, or jointly or in partnership with Meath County Council, and as a result the development is an exempted development under Section 4(1)(f) of the Planning Act, the contract must require the developer to make the same contributions as would be required under this scheme if the development had planning permission.

## 9.6 PLANNING ENFORCEMENT

Planning enforcement deals with developments / uses where the development / use is in breach of planning laws and is, therefore unauthorised development. It will continue to be the policy of Meath County Council to use all powers conferred by law to ensure that development only takes place with the benefit of a valid planning permission and that all conditions attached to planning permissions are complied with in the development. The Planning Authority has powers under the Planning & Development Acts 2000 – 2006, to take enforcement action where development (either works or uses) is in breach of the planning laws and therefore, considered to be unauthorised. The enforcement provisions contained in the Planning & Development Act 2000 incorporate the 'polluter pays' principle. If a person has carried out unauthorised development, they will have to pay the Planning Authority's costs in investigating and for enforcing the breach.

The Planning & Development Act 2000 provides a more stream lined enforcement regime with four enforcement mechanisms provided for:

- Criminal Prosecution;
- Enforcement Notice procedure followed by a prosecution, or;
- Enforcement Action in default of compliance with an Enforcement Notice, and;
- Planning Injunction.

### 9.6.1 Compliance with Permissions Granted

Development must be carried out and completed in accordance with the planning permissions granted. In cases where development, has commenced or is being carried out in breach of a planning permission or a condition of that permission, enforcement proceedings will be taken. The Planning Authority will require removal, modification or completion of the development to conform with the proper planning and sustainable development of the area.

### 9.6.2 Unauthorised Development

A development is unauthorised when:

- Planning permission is required and has not been obtained.
- Planning permission was granted but the development is not being carried out in accordance with the plans lodged or conditions of the planning permission granted, and ;
- It does not comply with all the conditions and limitations to qualify a development as exempt.

### 9.6.3 Exempted Development

Exempted development is development for which planning permission is not required. Generally, it includes developments of a minor nature such as:

- Building of an extension, shed, garage, boundary walls etc. within the curtilage of a dwelling house subject to conditions and limitations (see below) and not restricted by a condition of a planning permission,
- Works that affect only the interior of a structure.
- Works that do not affect the external appearance of a structure, and;
- Some changes of use.

Full details of exempted development provisions including conditions and limitations is contained in Schedule 2, Part 1-3 of the Planning and Development Regulations 2001-2007 which are available on [www.irishstatutebook.ie](http://www.irishstatutebook.ie).

#### 9.6.3.1 How do I check if planning permission has been granted for a development?

You can inspect the Planning Register in the Planning Department Planning Lists. Drawings can be viewed at the Planning Public Counter.

#### 9.6.3.2 Details on Making a Complaint

Note: This guide does not purport to a legal interpretation of the provisions of the Planning and Development Acts 2000 - 2006 and the Planning and Development Regulations 2001 - 2007.

Under the Planning and Development Act 2000 a complaint must be made in writing and can be sent to the following address:-

Enforcement Section, Planning Department,  
Meath County Council, County Hall,  
Railway Street, Navan,  
Co. Meath.  
Fax: 046-9097001  
E-mail: [planning@meathcoco.ie](mailto:planning@meathcoco.ie)

- 9.6.3.3 **What information do I need to provide when making a complaint?**  
The location of the site, details of the suspected breach, any details you have regarding the owner or occupier of the property, the date the development began, your name and address and daytime contact telephone number.
- 9.6.3.4 **Is my complaint confidential?**  
Your name and address will be treated in strictest confidence by Meath County Council. You should note that under the Freedom of Information Acts a copy of a complaint can be sought. Meath County Council's policy is to withhold the name and address of complainants. However, decisions in this regard can be appealed to the Information Commissioner.
- 9.6.3.5 **What actions will be taken when my complaint is received?**  
An acknowledgement will be issued. The complaint will be referred to the Planning Inspector and a site inspection will take place. Further actions will be authorised following receipt of the Planning Inspector's report.
- 9.6.3.6 **How long will it take to investigate my complaint?**  
Written complaints must be investigated within 6 weeks.
- 9.6.3.7 **Time Limits for the Issuing of Proceedings**  
The Planning & Development Act 2000 provides that no Warning Letter or Enforcement Notice shall issue and no proceedings for an offence shall commence:
1. In respect of a development where no permission has been granted, after 7 years from the date of the commencement of the development, and;
  2. In respect of a development for which permission has been granted, no proceedings shall be commenced 7 years after the expiration of the life of that permission.
- 9.6.3.8 **Publishing the Names of Persons Prosecuted**  
The Planning Department will periodically publish the names of those prosecuted for breaches of planning legislation in the local print media.

**Note:** This guide does not purport to be a legal interpretation of the provisions of the Planning and Development Acts, 2000 - 2006 and the Planning and Development Regulations 2001 - 2007.

**Important : Anonymous / verbal complaints cannot be investigated.**

## 9.7 MONITORING & REVIEW

The Planning & Development Act 2000 provides under:

Section 15 (1) that it shall be the duty of a Planning Authority to take such steps within its powers as may be necessary for securing the objectives of the Development Plan, and;

Section 15 (2) that the Manager of the Planning Authority shall, not more than 2 years after the making of a Development Plan, give a report to the members of the Planning Authority on the progress achieved in securing the objectives referred to in subsection (1).

The Planning Authority is committed to securing the Development Strategy presented for County Meath in this Development Plan. In addition to the mandatory requirements for reviewing the success of implementation of the Development Plan as contained in the Planning & Development Act 2000, it is proposed that the Planning & Economic Department in the preparation of their annual Operational Plans (as part of the roll out of the Corporate Plan) include a timeframe for the realisation of objectives in the Development Plan as applies to their Department. A similar approach will be required the Infrastructure, Housing & Environment Departments in the preparation of their annual Operational Plans.

It has also been agreed to establish an implementation body within the Local Authority consisting of senior officials and elected members whose remit is to ensure that all necessary measures are taken to secure the realisation of the County Development Plan. It would be the function of this body to report to the Full Council on the implementation of the County Development Plan. The Corporate Policy Group have been agreed as the appropriate body, with a revised remit, to accommodate this task. The purpose of the Implementation Group is to re-evaluate the Development Strategy presented for County Meath and the specific objectives contained in the Development Plan to achieve same in light of changing economic conditions which will affect public and private investment and the changing needs of the population of County Meath. The Implementation Group will seek to identify and target funding mechanisms and also certify that developments on the ground comply with the objectives of the Development Plan.

It is also proposed to produce a series of monitoring reports in addition to other planning related data as required by the Government. These monitoring reports relate to the key areas of:

- Housing – the monitoring of residential land availability, the supply of housing land, the implementation of the Housing Strategy with regard to the delivery of social and affordable housing;
- Employment – the monitoring of employment land availability and the supply of strategic employment land, and;
- Planning application statistics – the monitoring of the Rural Area Types and the operation of the Rural Housing Policy.



