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**An Comhchoiste um Thithíocht,
Rialtas Áitiúil agus Oidhreacht**

Athbheochan Uirbeach
Bealtaine 2022

**Joint Committee on Housing, Local
Government and Heritage**

Urban Regeneration
May 2022

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1. CATHAOIRLEACH'S PREFACE



The current housing situation in Ireland presents many challenges, both for Government and citizens, with much of the focus on the shortage of suitable housing for those who need it and the pressing need for more supply. At the same time it is widely accepted that across Ireland there are many urban centres in cities, towns, and villages that comprise significant numbers of vacant residential and commercial premises, with many such centres suffering from increasing levels of dereliction, depopulation, and economic decline. Though the causes and solutions of the current housing crisis are complex and nuanced, regenerating our urban centres can go some way towards alleviating the negative aspects mentioned above, whilst also contributing to improved regional and sustainable development, safer and healthier communities, and more efficient and effective transportation links.

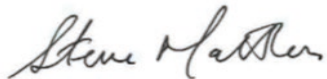
In addition to the above, urban regeneration, refurbishment, the re-use of existing buildings and refocussing on our town centres will boost local business, bring life and living back to our towns and villages and will also contribute towards reducing carbon emissions from transport and new build construction. It is in this context that the Committee chose to hold a number of meetings to discuss the topic of Urban Regeneration.

The Joint Committee held several meetings with invited stakeholders and experts from a range of perspectives and on behalf of the Committee I would like to thank the organisations and individuals that attended before the Committee. The Committee gained valuable insights from all those who had an input into the preparation of the report.

The Joint Committee have made a number of recommendations and are fully committed to monitoring the progress being made on the on-going implementation of the recommendations contained in this report as well as other related policy initiatives.

I also wish to acknowledge the dedication and professionalism shown by all the Members of the Committee in their engagement with witnesses and I want to thank the staff of the Secretariat for all their assistance in preparing this report.

The Joint Committee also request that the issues raised in this report be the subject of a debate in both Houses of the Oireachtas.



Steven Matthews TD.,
Cathaoirleach,
Joint Committee on Housing, Local Government and Heritage
24 May 2022

2. INTRODUCTION

In exploring the topic of Urban Regeneration the Committee held four sessions, with each session focusing on different areas that contribute to our understanding of urban regeneration. The Committee examined current schemes such as repair and lease and buy and renew, areas including dereliction and vacancy, data, planning and spatial analysis, active travel and transport-oriented development, as well as current policy and funding measures.

The Committee heard from a wide variety of stakeholders including architects, economists, academics, community groups, and local authority and central government officials. The schedule of meetings on the topic is detailed below.

The list of witnesses who attended before the Committee can be found at [Appendix 3](#), with links to the meeting transcripts accessible at [Appendix 4](#), and with the Opening Statements available at [Appendix 5](#).

Tuesday 14 December 2021

Buy and Renew, Repair and Lease, CPO, Vacancy and Dereliction

Dublin City Council

- Mr Richard Shakespeare, Deputy Chief Executive
- Mr Paul Clegg, Executive Manager, Planning and Property Development
- Mr Dave Dinnigan, Assistant Chief Executive, Housing and Community
- Mr John O'Hara, City Planner

Waterford City and County Council

- Mr Ivan Grimes, Director of Services, Housing, Community and Emergency Services
- Mr Paul Johnson, Senior Resident Engineer

UCD School of Architecture

- Ms Orla Murphy, Assistant Professor UCD School of Architecture

Anois

- Dr Frank O'Connor, Co-Director
- Ms Jude Sherry, Co-Director

Tuesday 18 January 2022

Transport-Orientated Development, Town Centres First, Active Travel

The Heritage Council

- Ms Virginia Teehan, Chief Executive Officer
- Ms Alison Harvey, Planning Officer

Technological University Dublin - School of Transport Engineering, Environment and Planning

- Mr David O'Connor, Head of Environment & Planning
- Dr Sarah Rock, Lecturer and Programme Director
- Dr Lorraine D'Arcy, Senior Lecturer

Cork Cycling Campaign

- Mr Conn Donovan, Chairperson

National Economic and Social Council

- Dr Cathal Fitzgerald, Senior Analyst
- Mr Noel Cahill, Economist

Tuesday 25 January 2022

Croí Cónaithe, Housing For All, Urban Renewal and Design

Technological University Dublin - School of Environment and Planning

- Mr Odran Reid, Chair of the MSc Spatial Planning Programme
- Ms Helen Murray O'Connor, Senior Lecturer & Programme Chair

Cork County Council

- Ms Giulia Vallone, Senior Architect

Architect

- Mr Mel Reynolds

Department of Housing, Local Government and Heritage

- Ms Maria Graham, Assistant Secretary, Planning Division
- Mr Patrick O'Sullivan, Principal Officer
- Mr Paul Hogan, Principal Planning Adviser

Tuesday 8 March 2022

Funding, Our Rural Future, Housing For All

The Department of Housing, Local Government and Heritage

- Ms Maria Graham, Assistant Secretary, Planning Division
- Mr Stewart Logan, Senior Planning Adviser
- Ms Lisa Clifford, Principal Officer, Urban Regeneration And Development Fund Section

Department of Rural and Community Development

- Mr Fintan O'Brien, Assistant Secretary
- Mr Eddie Forsyth, Principal Officer, Rural Fund And Corporate Support Unit
- Mr J.P. Mulherin, Principal Officer, Rural Programmes And Policies Unit

3. DATA AND MEASUREMENT

The Committee acknowledges that in order to address the issues of dereliction and vacancy it is first necessary to have in place appropriate and effective data-gathering measures relating to vacancy and dereliction and to have a common data set for use by all relevant actors.

In this regard the Committee discussed the varying methods of data collection and resulting statistics currently in practice, ranging from data collected by GeoDirectory and the Central Statistics Office, to that collected by Local Authorities through both the vacant and derelict sites registers, as well as initiatives like vacanthomes.ie and pilot surveys.

Variations in the data on the number of vacant dwellings and buildings range from approximately 90,000 as given by the GeoDirectory Residential Buildings Report Q4 2021¹ to approximately 183,00 given by the CSO from the 2016 Census², with figures from Local Authorities' derelict and vacant site registers and other initiatives

¹ [GeoDirectory Residential Buildings Report Q4 2021](#)

² [2016 Census Vacant Dwellings](#)

such as vacanthomes.ie and the Collaborative Town Centre Health Check also adding to the statistical environment. However, such an abundance of data coming from multiple sources and extracted from varying methodologies can pose problems when attempting to provide an accurate picture of vacancy and dereliction in Ireland, as noted by Orla Murphy below -

“Yet, despite all of this data, the reports, and hundreds of pages of policy, there is still no single department or agency responsible for comprehensively coordinating a programme of mapping, documenting and understanding vacancy and land use patterns at the national, regional and local scale. The result is unfortunately a haphazard approach that leaves us, still, without a clear understanding of the scale of vacancy, its underlying causes and necessary actions to ameliorate it.” – Orla Murphy, Assistant Professor, UCD School of Architecture.

Helen Murray O'Connor, senior lecturer and programme chair of the spatial planning program in TU Dublin, also raised issues surrounding incomplete data and noted that a review of recent policies reveals the significance of the underlying datasets, spreadsheets, registers, and statistics etc and advised that identifying these sources of data, whether from public, private or third-sector bodies, reveals the level of fragmentation on land governance in Ireland.

Ms Murray noted that as a result of such fragmentation *“it is evident that many facets of this challenge relate to policy makers and decision-makers not having ready access to appropriate, fit-for-purpose data to allow the level of analysis, spatial analysis and the locational intelligence required for the urgent steps to happen”*.

To help tackle this fragmentation of data and governance, Ms Murray O'Connor advised that tools such as Geographic Information Systems, GIS, and associated technologies bring data life through spatially enabling it and making it easy to interpret and understand. In this regard Ms Murray O'Connor advised that both the lack of recognition of the value of spatial data in achieving policy objectives and the scarcity of skills and resources combine to have a significant impact on the quality and accessibility of planning and housing data.

Ms Murray O'Connor also notes that the State has role to play in contributing to a well-maintained data environment, and noted that statutory bodies are obliged under the *Registration of Title Act 1964*³ to register all property acquired. Ms Murray O'Connor also notes that there is a dedicated State Property Unit within the Property Registration Authority and its role is pivotal in processing the majority of Public Sector registrations and ensuring priority is given to social housing related applications and high priority applications such as infrastructural projects and strategic development zones. Related to this is the role of the Land Development Agency's mandate to activate state lands so it is imperative that public sector assets are registered. In this regard Ms Murray O'Connor advised that further triggers should be considered to target the registration of state-owned properties, including possible sanctions against public bodies that are failing to register valuable state property assets within an appropriate timeframe.

Ms Murray O'Connor also notes the Committee's recommendations contained in its *Report on Pre-Legislative Scrutiny of the General Scheme of the Tailte Éireann Bill 2020*⁴, and welcomed the recommendations that the Property Services Regulatory Authority be brought into the merger along with its associated data sets, together with the recommendation that Tailte Éireann maintain a register of land values.

In discussing issues of vacancy and dereliction with representatives from Dublin City Council, DCC, the Committee heard that although vacancy and dereliction statistics provided by the agencies mentioned above suggest an abundance of vacant units within Dublin City, DCC advised that vacancy is much more nuanced than statistics show. In this respect, having carried out a pilot survey in four electoral divisions, DCC identified 213 potentially vacant homes, of which just 49 were confirmed as being vacant, with just 16 of those being confirmed as being vacant long-term. DCC advised that this dispels the assumption that there are over 30,000 vacant units in the city as per CSO data. DCC advised for many properties identified as vacant or

³ [Registration of Title Act 1964](#)

⁴ [Joint Committee on Housing, Local Government and Heritage. \(2021\) Report on Pre-legislative Scrutiny of the General Scheme of the Tailte Éireann Bill 2020](#)

derelict there are often title difficulties, legal and probate issues, and owners with financial or other difficulties preventing them from making use of properties or sites. DCC noted that their approach is to actively engage with owners with a view to facilitating them to put such properties and sites into use.

In this respect, though the Committee were disappointed with the results of the pilot project, it was acknowledged that vacancy and dereliction is nuanced and requires a more holistic perspective. In the reports⁵ highlighted to the Committee by Ms Murphy, it is recognised that vacancy emerges through a variety of processes, takes many different forms and can be responded to in a host of manners, and it should be noted that vacancy interacts not solely within the policy domain of housing and regeneration policies, but also with those of heritage and conservation, urban development and ecosystems.

Ms Orla Murphy further remarked on such nuance and highlighted to the Committee those recent reports that have examined vacancy and emphasised the recommendations contained therein. Such measures include establishing clearer, more granular definitions of vacancy to be incorporated into a detailed typology of vacancy based on analysis of existing measures. Such a typology would provide clearer specifications which distinguish between different types of vacancy, e.g., vacancy types (sites, dwellings, buildings), conditions (habitable, minor/substantial repairs needed, derelict/rebuild required), owner (individual, commercial, government agency) and land use/zoning category. This typology could also benefit local and national actors by incorporating an audit of existing measures, as well as acting as a starting point for identifying and distinguishing different types of vacancy and the appropriate methods of tackling each.

In discussing data issues with representatives from the Department, the Department acknowledged that the available vacancy data are dynamic and are often

⁵ [Dr Kathleen Stokes & Dr Cian O'Callaghan, Trinity College Dublin \(2021\) *Taking Stock of Dublin's Vacant Sites and Properties: A Review of Existing Policies and Measures*](#)

[Dr Philip Crowe, Space Engagers \(2019\) *How Data on Vacancy is Created and Used: Case Studies from Scotland, Denmark and Philadelphia*](#)

[Space Engagers \(2020\) *The Town Centre Living Initiative - Six Pilot Towns: Synthesis Report*](#)

incomplete. They also noted that there is a need for a national perspective and a real on-the-ground perspective, and advised that this is part of the role that full-time vacant homes officers will be doing.

With regard to the steps being taken by the Department to address issues relating to vacancy data, they advised that they are working with the Department of Finance on vacancy data that are being collected from the local property tax which would be available later in the year. They also advised that they are continuing to work with the three Regional Assemblies to develop out the GeoDirectory information in a manner that is useful to feed into Town Centre First, Housing For All, and other national policies. They informed that Committee that the Assemblies will carry out 'stress testing' of GeoDirectory data to tease out issues around methodology and definitions, to see where GeoDirectory data differs from CSO classifications, and in relation to any requirements of the *Planning and Development Act 2000*⁶, *Urban Regeneration and Housing Act 2015*⁷, and related legislation.

In light of the testimony from the witnesses who attended before the Committee, and in addition to information contained in a number of reports highlighted by such witnesses, the Committee has made a number of recommendations with regards the data environment surrounding vacancy and dereliction. These recommendations are made in recognition of the need for a cost-effective and resource efficient system for creating and maintaining a comprehensive and reliable digital database for vacancy in Ireland that can support evidence-based fiscal and planning policy and decision making.

⁶ [Planning and Development Act 2000](#)

⁷ [Regeneration and Housing Act 2015](#)

RECOMMENDATIONS

1. A single national platform be created to integrate, compile and effectively organise existing and future data on vacancy and dereliction into a national data set, to be made to be made publicly accessible through the use of GIS and other spatial visualisation technologies.
2. The Department conduct an audit of all local authorities and other related agencies, including the GeoDirectory, to capture what datasets they do hold/gather with respect to land management, and to vacancy/dereliction and housing more specifically.
3. Local Authorities should be adequately resourced with the necessary GIS experience and programming and data science skills through the recruitment, upskilling and the retention of staff.
4. That the Department introduce sanctions for public bodies that fail to register property assets within an appropriate timeframe.
5. As noted in the Committee's (2021) report on the Pre-Legislative Scrutiny of the Táihte Éireann Bill 2020, the Property Services Regulatory Authority should be incorporated within the newly formed Táihte Éireann.

4. CURRENT MEASURES

Throughout their engagement with various stakeholders the Committee discussed current schemes and incentives aimed at addressing issues surrounding urban regeneration, and explored the aspects of these schemes that have proven beneficial as well as unsatisfactory, and in doing so suggested how alterations to such schemes might be of benefit.

4.1. REPAIR AND LEASE

The Repair and Leasing Scheme (RLS) is targeted at owners of vacant properties who cannot afford or who do not have access to the funding required to bring those properties up to the standard for rental property. The Local Authority (or Approved Housing Body) pays for the repairs upfront, and the home is taken into social

housing stock by way of lease for at least 5 years. The cost of the repairs carried out is offset against future rent

In a submission received from the Department of Housing, Local Government and Heritage, the Dept advised that from 2017 to the end of Q2 2021, 267 units have been brought back into use under the repair and leasing scheme, and further advised the Committee that a €12 million allocation in 2022 for the Repair and Lease Scheme will support bringing over 120 properties back into use this year.

The Committee notes that the Repair and Leasing Scheme has been employed by different Local Authorities to varying degrees of success. In this regard representatives from Dublin City Council informed the Committee that despite encouraging public interest in the scheme initially, interest declined once details of the scheme were published and just eleven applications were received, with only two being completed. DCC noted that the scheme was well advertised and promoted at the time but told the Committee that it felt the low-interest loan was not attractive and people preferred grants, whilst the then minimum lease length of 10 years was seen as too onerous for some individuals.

On the other hand, representatives from Waterford City and County Council advised the Committee that the Repair and Lease Scheme has been particularly effective in Waterford, with approximately 320 units in the pipeline, including 140 that have already been returned to productive use since the scheme commenced. Exploring the relative success of their Repair and Lease Scheme, Waterford CCC informed the Committee that they established a vacant homes team in the housing section of the council, and implemented an action plan with the key objectives of reusing vacant homes through increasing public awareness of the issue and promoting the availability of schemes, funding and initiatives designed to tackle such vacancy. WCCC also advised the Committee that the scheme appears to be more suitable for multi-unit properties or owners, and in this respect they engaged with local estate agents and auctioneers on the scheme as they are a good source of information regarding vacant property owners seeking to utilise such properties.

From the above it is evident that success in the scheme is not shared evenly across local authorities, and the Committee were disappointed to note that 23 Local Authorities have delivered five units or less through the scheme, and eight Local Authorities have not delivered a single unit. This, in the context of the vast numbers of vacant units available across the country, cannot be said to be national success and as such the Committee were interested in hearing potential benefits of amendments to the scheme.

In this regard, the Committee note that although there are annual targets for the repair and lease scheme on the Departments website⁸, Dublin City Council advised that they have not as yet set targets for the scheme, whereas Waterford CCC advised the Committee they are targeting 50 units per annum. Given that the Housing for All targets range from 120 units in 2022 to 140 units in 2026, the Committee feel local authorities should be more ambitious with regards the scheme and should set annual targets such as seen in Waterford CCC.

The Committee also discussed whether the Repair and Lease Scheme could be expanded to target units for cost-rental for middle-income earners. Responding to this Waterford CCC noted that considering the model is based on a discounted rent of up to 20% already, the basis of cost or affordable rental exists already and expanding the scheme to allow for this would have the additional benefit providing mixed-tenure refurbishment in towns, villages, and city centres.

The Committee is aware that the financial costs of repairing a vacant property to bring it up to private rental standards, particularly an old property, can be significant. Notwithstanding the 2020 increase in the available loan amount under the scheme from €40,000 to €60,000, in light of the recent increases in construction costs and inflation more generally the Committee believes consideration should be given to reviewing the maximum amount available.

⁸ <https://www.gov.ie/en/publication/d32c4-repair-and-leasing-scheme-rls-further-information/#how-many-properties-are-expected-to-become-available-for-social-housing-under-the-scheme>

RECOMMENDATIONS

1. That the Department provide all Local Authorities with ambitious targets based on the performance of Waterford City and County Council and Louth County Council for the Repair and Lease Scheme and Buy and Renew Scheme for social and affordable rental and purchase.
2. That the Department and Local Authorities launch a public awareness campaign regarding the availability of the Repair and Lease Scheme.
3. That the Department agree with Local Authorities that a percentage of new social and affordable housing output should come from vacant and derelict properties.
4. That the Department formulate “best practice” repair and lease guidelines based on the most successful local authorities’ experiences and that these be disseminated to all local authorities.
5. That the Department consider expanding the Repair and Lease Scheme to incorporate the cost/rental model aimed at those on middle-incomes.
6. That the Department consider reviewing the maximum loan amount available under the Repair and Lease Scheme in light of recent increases in construction costs and inflation.

4.2. UPPER FLOOR AND COMMERCIAL VACANCY

As noted above the most recent census states there are approximately 183,000 vacant homes. Mr Mel Reynolds noted that this was a reduction of approximately 46,000 from the previous census, and assuming there was a similar reduction between 2016 and 2022 he would estimate there are currently 137,000 such homes at present. Mr Reynolds noted that this suggests there are around 40,000 existing dwellings over and above the normal rate of vacancy that could be brought into stock relatively quickly. Mr Reynolds further noted that the CSO figures do not include ‘over the shop’ space or existing vacant commercial space in towns and cities.

In this regard Mr Reynolds also noted that a number of desktop studies, one of which undertaken by University College Cork⁹ suggested that a targeted approach to building on vacant infill sites and addressing upper floor vacancy could increase inner urban populations by 280%. He further noted that a desktop study by Dublin City Planners in 2018 also suggested that between the canals in Dublin City there was enough space in vacant upper floors to accommodate 4,000 apartments.

The Committee notes that the prevalence of vacant units mentioned above can have a significant impact in addressing the housing crisis, as existing buildings can be re-purposed with less resources than new builds in urban locations, they are already serviced and are an environmentally appropriate re-use of existing resources from an embodied carbon perspective. Adding to this, Mr Odran Reid from TUD also noted that the value of ‘living over the shop’ is not necessarily the quantum of development it would bring forward; but it is also about the effect it has on town centres, particularly in rural Ireland , and in creating a sense of vibrancy in city and town centres.

“Equally, the concept of heritage buildings lying vacant, unused or underused, because it is too difficult or too expensive to bring them back into use is difficult to excuse. An unused building that is rotting but protected is an oxymoron.” – Odran Reid, Chair of the MSc Spatial Planning Programme, TU Dublin

Mr Reynolds however, noted that there are a number of barriers to the refurbishment of such smaller-scale existing premises. One such barrier is the uncertainty, cost, and delays associated with the multiple, separate statutory permissions needed to bring a premises back into use, which has contributed to dereliction in city and town centres. Expanding on this, Mr Reynolds advised that there are three distinct statutory processes involved in a change of use application pre-commencement – planning, fire certificate, and disabled access certificate, and then BCAR SI9, or so ‘reinforced self-certification’ which activates in the commencement to completion

⁹ [University College Cork Planning Department \(2016\) North Main Street Study](#)

stages. Mr Reynolds informed the Committee that these are extensive, not only in terms of costs, but can take up to five to six months for even a simple change-of-use application to get to the point where you can commence on-site work. The difficulty here is that because these are three different and separate strands, if you do not get one of those permissions, you cannot proceed. Mr Reynolds also noted that the cost of undergoing these statutory processes in Ireland can be up to ten times that of a similar process in the United Kingdom and Northern Ireland.

Despite the above barriers to refurbishment, it was noted by Mr Reynolds that under the exemptions introduced under the *Planning and Development (Amendment) (No 2) Regulations 2018 (SI No 30 of 2018)*¹⁰, 723 dwellings across 355 projects were notified to Local Authorities from 2018 – 2020 under that initiative, which provided an exemption for the change of use and related works of vacant commercial premises for residential purposes. Although modest overall, Mr Reynolds noted that a figure of 307 dwellings delivered in 2020 is almost half the number of Part V Units delivered nationally, so there is scope in that process. Mr Reynolds also noted that units have been delivered across various locations which suggests the initiative has been broadly adopted. In this regard the Committee is pleased to note that this exemption has been extended until 2025.

When speaking further on the aforementioned barriers to the refurbishment of vacant properties, Mr Reynolds suggested that a simplified ‘streamlined’ approval process for small scale mixed-use building refurbishments targeting town centre vacant upper floors could have time savings of up to five months and could reduce costs by up to 85%. Mr Reynolds advised that such a process would involve an ‘over the counter’ system whereby inspections under the various headings would be in the Local Authority office by relevant officers, with permits issued at the end on payment of relevant fee. Independent inspections on site would be via a panel of approved private panel of building control inspectors, managed by the building control section for a modest fee. Mr Reynolds advised that this proposal would ensure all residential

¹⁰ [Planning and Development \(Amendment\) \(No 2\) Regulations 2018 \(SI No 30 of 2018\)](#)

projects completed under the streamlined process are built appropriately to existing standards, and that quality is assured by independent local authority completion inspection. He further advised that to accompany this simplified process, a specific simplified technical guidance document would be required to distil the 600 pages of current technical guidance documents into a more user-friendly format, and that issues such as universal access, lift requirements, energy performance and private open space should be looked at in a pragmatic way.

In discussing the above issue with representatives from the Department of Housing, Planning and Local Government, the Committee were informed that there is a review underway of Part B under the fire regulations that will specifically look at the smaller types of development such as those discussed above, and whether that is a significant barrier and if changes can be made to that code. The Department also noted that it is possible that there is room for more co-ordination in local authorities that could achieve more results around such vacant properties in bringing them into residential use.

RECOMMENDATIONS

1. That the Department provide for and resource a one-stop “regulatory approvals process” in local authorities where a building owner and their agents can present a set of plans and other proposals to the building control authority, for a short turn around approval or rejection.
2. That the Department provide a robust system of independent inspection of the design and construction work undertaken to ensure that work is compliant, and developers cannot sign off on their own work.
3. That the Department provide simplified but strong technical guidance on design and construction suitable for smaller over shop refurbishment or change of use.

4.3. MEANWHILE USE

Although the above section notes the interaction of vacancy with residential use, the Committee also discussed how addressing vacancy in town and city centres can help to promote local economies, revitalise communities, regenerate town and city centres, and prevent vacant properties from becoming derelict. In this regard the Committee discussed one such method that can help in achieving the above, that of Meanwhile Use.

Representatives from Anois outlined to the Committee that Meanwhile Use involves the temporary use of vacant/derelict buildings or sites which typically have no immediate plans to be permanently used, and this acts as a positive disruption for the regeneration of town centres. Though the Committee discussed the Meanwhile Use policy in their engagement with Anois, they would also like to highlight the report *Leaba Te – Hotbed of Meanwhile Use*, published by Anois in conjunction with the Heritage Council under the Collaborative Town Centre Health Check Programme¹¹.

Anois outlined to the Committee that Meanwhile Use is a quick and cost-effective method that can kickstart a revolution in Irish towns that will prevent further decay and dereliction, whilst offering owners a cost-effective custodianship of their buildings, maintaining awareness of wear and tear and ensuring maintenance is carried out before faults in properties escalate. Meanwhile Use can take a problem such as vacancy and turn it into an opportunity to help the local community, local creatives (e.g., performance, art, music, exhibitions, etc) and can positively impact on wellbeing, quality of life and much more. In the *Leaba Te* report submitted to the Committee by Anois, it outlines that there are no definite rules or models of what a feasible example of Meanwhile Use might be, but some examples might be outdoor gyms, art galleries, restaurants, art studios, libraries, community gardens, temporary parks, shops, and art installations, etc.

¹¹ [Anois, The Heritage Council \(2021\) *Leaba Te, Meanwhile Use of Vacant Buildings as a Positive Disruption for Regeneration of Irish Town Centres*](#)

“Meanwhile Use can provide an essential stepping-stone to kickstart the next revolution of town centre living in Ireland. Instead of waiting to raise millions in funding and years to put large development plans in place, Meanwhile Use is a flexible, low cost and low commitment tool that has the potential to unleash a culture of innovation, experimentation and entrepreneurship.” – Anois/The Heritage Council

In this regard, Anois outlined that Meanwhile Use can offer the opportunity to experiment, be creative and innovate, which is urgently needed to tackle long-term vacancy in Irish town centres.

Anois also advised the Committee that Meanwhile use is not new to Ireland, and has been seen in the past in the formation of what we now know as Temple Bar, and also in short term pop-up shops, though European norms for Meanwhile Use typically operate for a minimum of three years.

The Committee notes that recent Government policy documents advise that Meanwhile Use will be explored, with Policy Measure 54 of ‘*Our Rural Future: Rural Development Policy 2021-2025*¹²’ stated as - ‘Examine the feasibility of introducing ‘meanwhile use’ legislation so that empty buildings and shopfronts on main streets can be brought back into compatible use on a short-term, temporary basis as pop-up shops, street markets, exhibitions spaces and other purposes in accordance with Town Centre First policies’. It is also mentioned in the *Programme for Government – Our Shared Future*¹³, under ‘Mission: Build Stronger and Safer Communities’ – We will: Examine ‘meanwhile use’ legislation for vacant buildings, with a view to its potential application in Ireland.’

It should be noted, however, that Meanwhile Use is most effectively implemented in countries where there are strict building controls and costs associated with vacancies. In this regard Anois, in their *Leaba Te* report note that typically vacant

¹² [Government of Ireland \(2021\) *Our Rural Future: Rural Development Policy 2021 - 2025*](#)

¹³ [Government of Ireland \(2020\) *Programme for Government: Our Shared Future*](#)

properties are a financial burden to owners, and in those countries where there are strict visual and structural building controls and penalties for vacancy owners will be motivated to proactively engage with Meanwhile Use as a means of reducing these costs. Anois advised the Committee that it is this lack of vacancy costs in Ireland that are inhibiting the regeneration of our urban centres and exacerbating the dereliction we see today. Anois notes that vacancy in Ireland is often only removed at the whim of the owner, however, due to challenges in selling property, skills shortages for renovating heritage buildings, and high returns in speculation, it is often easier for owners to do nothing. To counter this problematic vacancy and dereliction should be penalised, with current measures properly enforced.

Anois also noted to the Committee that owners of vacant commercial premises currently have a right to get a discount on their business rates. In doing so, local authorities forego approximately €100 million per year and this also encourages owners to keep their premises vacant until they are able to obtain high rents, while disincentivising active use, lower rents and Meanwhile Use.

RECOMMENDATIONS

1. That the Department prioritise the introduction of Meanwhile Use policy and resource pilot studies and initiatives such as the creation of community gardens and urban growing spaces to encourage Meanwhile Use while identifying any legislative barriers in relation to insurance and planning that may need to be addressed.
2. In tandem with the introduction of Meanwhile Use legislation That the Department instruct Local Authorities to remove the vacant discount from business rates for vacant commercial properties.

5. ENFORCEMENT

5.1 DERELICT SITE LEVY

In discussing the enforcement of the current measures used to tackle dereliction and vacancy, Dr Frank O'Connor of Anois suggested that the most destructive myth in Ireland is that the Constitution protects private property rights above all else, when it clearly states that private property rights ought to be regulated by principles of social justice and the common good. Dr O'Connor suggested that the State is not upholding its side of the foundational social contract by allowing extreme levels of vacancy and dereliction to persist.

“The State is not upholding its side of this foundational social contract by allowing extreme levels of vacancy and dereliction to persist. This is a dereliction of duty.” – Dr Frank O'Connor, Anois.

Elaborating on the enforcement measures Ms Jude Sherry of Anois advised that another myth surrounding dereliction is that we need new legislation to tackle it. Ms Sherry suggested that although it is not perfect, it is a simple fact that the *Derelict Sites Act 1990*¹⁴ is not fully enforced. In this regard the Committee notes that there have been media reports¹⁵ that state that local authorities collected just €378,763 in derelict site levies from a total of €5.45 million in levies imposed in 2020. It is also noted that 13 local authorities didn't impose a levy at all. The Committee also notes that there are almost €12.5 million in cumulative unpaid charges outstanding. With regards the above, it is difficult to suggest that the Derelict Site levy is being implemented successfully and thus there should be a renewed effort to address this.

In discussing how the collection of the Derelict Site levy might be improved representatives from Anois suggested that local authorities be mandated to register all derelict properties, that the vacant discount be removed from business rates, and

¹⁴ [Derelict Sites Act 1990](#)

¹⁵ [Cormac McQuinn, “Councils collected just €378,000 in derelict site levies in 2020” Irish Times, November 12, 2021.](#)

that revenue be given responsibility for collecting the levy. Anois also suggested that upon collection the levy be ringfenced for legal support for local authorities and for the establishment of one-stop-shops for refurbishment of derelict and vacant premises.

On the topic of dereliction more generally, several witnesses mentioned the definition of dereliction and it is noted that under the *Derelict Sites Act 1990* a derelict site is defined as –

“any land which detracts, or is likely to detract, to a material degree from the amenity, character or appearance of land in the neighbourhood of the land in question because of—

- (a) the existence on the land in question of structures which are in a ruinous, derelict or dangerous condition, or*
- (b) the neglected, unsightly or objectionable condition of the land or any structures on the land in question, or*
- (c) the presence, deposit or collection on the land in question of any litter, rubbish, debris or waste, except where the presence, deposit or collection of such litter, rubbish, debris or waste results from the exercise of a right conferred by statute or by common law”.*

In discussing this definition DCC noted that the public’s view of what constitutes a derelict site can be varied and is not always in accordance with the legislative definition above. Anois noted that the definition is very broad and advised that there has been suggested that such a broad definition results in councils to use their own interpretation of what constitutes dereliction. Anois noted that at the time they began exploring the prevalence of derelict properties in Cork City there were 95 properties on the Cork City Council derelict register, but based on their studies they observed a figure of 450, highlighting the discrepancy in terms of derelict figures. Mr Mel Reynolds, in discussing the definition of derelict properties, suggested it might be properties that are no longer connected to the electrical grid, has been unoccupied for two years or more, and is uninhabitable. In this context Anois suggested that clarity should be provided on the definition as to what constitutes a derelict site, and

this should be applied consistently across all local authorities. It is also noted that the Department advised that they are engaging with local authorities to see if improvements can be made to the *Derelict Sites Act 1990*, which is welcomed.

RECOMMENDATIONS

1. That the Department provide clarity on, or review the definition of a derelict site, with guidelines to be issued to local authorities to ensure consistency of approach.
2. That the Department instruct Local Authorities to implement and accelerate targets to end dereliction by 2030.
3. That Revenue be assigned responsibility for collecting a Derelict Site Tax, with that income to be ringfenced and used towards local authorities' legal costs and the establishment of one-stop shops for refurbishment.
4. That an online, publicly accessible Derelict Sites Register be created for every Local Authority and that this be used to create a National Derelicts Sites Register. The register may include details such as outstanding levies due on the site, planning history and current zoning objectives.
5. That a condition score be carried out on each derelict site or building, and this detail be added to the National Derelicts Site Register.
6. That communications and notification methods for Local Authorities be modernised to inform building owners of the proposed addition to the Derelict Sites Register, particularly in cases where owners are absentee and cannot be easily identified or notified. (e.g., Site notice for a prescribed period, newspaper notice, social media).
7. That Local Authorities be adequately resourced and encouraged to commence acquisition of appropriate sites, or engage in other land activation measures for sites on the Derelict Sites Register.
8. That the Derelict Sites Levy be changed to a Derelict Sites Tax which is to be collected by Revenue based on registers created by Local Authorities. Monies collected to be returned to Local Authorities for site acquisitions and refurbishment of those sites to provide affordable housing and support Town Centres First.

9. That the definition of derelict be expanded to include buildings that are damaged, neglected, boarded up and/or are uninhabitable, in addition to the visual element currently provided for in the definition.
10. That the Department consider adding buildings which have been disconnected from utility services for a period of two years to the Derelict Sites Register to prevent unused and vacant buildings falling into dereliction.

5.2. VACANT SITE LEVY

The Committee also discussed the implementation of the vacant site tax, and notes that the implementation and collection of this too has been largely unsatisfactory. In this regard the Committee notes that of €21.5 million owed to local authorities in 2020, only €21,000 was collected, representing less than 1% of that owed. In discussing the vacant site levy with representatives from Dublin City Council, DCC advised that under the *Urban Regeneration and Housing Act 2015*¹⁶ appeals are provided for at every stage, which has the effect of slowing down entry into the register and applying the levy. DCC also advised that the vacant site levy has been resource-intensive, with the involvement of planners, surveyors, persons with mapping skills, and administrative staff.

In speaking with representatives from the Department, the Committee notes that the Government has published the *General Scheme of the Land Value Sharing and Urban Development Zones Bill 2021*¹⁷, and notes also that provision for a Residential Zoned Land Tax was introduced in the *Finance Act 2021*¹⁸, both of which may interact with and/or replace the vacant site levy. In this context it should be noted that the proposed Residential Zoned Land Tax consists of a 3% tax on lands that are

¹⁶ [Urban Regeneration and Housing Act 2015](#)

¹⁷ [Government of Ireland \(2021\) General Scheme of the Land Value Sharing and Urban Development Zones Bill 2021](#)

¹⁸ [Finance Act 2021](#)

zoned for residential use, are serviced, and have been idle or vacant for over 12 months. In the current economic climate of inflation running at approximately 6%, it has been argued that a zoned land tax of 3% will not go far enough to disincentivise land hoarding. However, the Committee also note that there are no minimum site size to which the new tax will apply and as such will apply to a greater number of sites and may serve to activate smaller sites in urban centres. It should also be noted that Revenue will have responsibility for the collection of the Residential Zoned Land Tax, in conjunction with local authorities, and it is hoped that this will strengthen its application.

The Committee notes with reference to the Residential Zoned Land Tax that there is a two-year lead-in time for land zoned before January 2022, and a three-year lead in time for land zoned after January 2022, and in the interim period would like to emphasise the need for local authorities to effectively administer and collect the current vacant site levy.

RECOMMENDATIONS

1. That the Department consider increasing the proposed Residential Zoned Land Tax in excess of 3%, particularly given the current inflationary environment.
2. That Revenue be assigned responsibility for collection of vacant site penalties in co-operation with local authorities.
3. That the Department consider reviewing the appeals process with regard the Vacant Site Levy with a view to streamlining.
4. That the Department consider the introduction of a Vacant Homes Tax with reasonable exemptions.

6. RESOURCING

In discussing the resources available to the Department to address the issues surrounding vacancy and dereliction, the Committee were informed by the Department that there are approximately 37 local authority staff members working on addressing vacancy but only three of these were acting in full-time positions. The Department further advised that local authorities have been advised to transition these staff to full-time or full-time equivalent.

When queried how many staff in the Department itself were solely dedicated to vacancy and dereliction, the Committee were informed that it wasn't possible to identify exactly as staff work across many issues. In the context of an estimated 90,000 to 180,000 vacant properties the Committee suggest that the Department might benefit from having a dedicated team to ensure that local authorities are working efficiently in tackling vacancy and dereliction. The Department also advised that the current €3 billion commitment across the Town Centre First Policy, the Rural Development Fund, and the Urban Regeneration Fund is the largest regeneration scheme in the history of the State, and in this context it was suggested that there should be full-time staff administering and monitoring it. The Committee welcomed information from the Department that they have advertised a role of assistant principal to work specifically on vacancy and that a team will be built around that person.

As well as discussions centred on the need to provide adequate resources to tackle vacancy and dereliction, throughout the Committee's engagement with stakeholders across all four meetings it was evident that a collaborative and partnership approach is needed to effectively regenerate our urban areas. In this regard, Giulia Vallone, senior architect in Cork County Council, noted that in well-known successful examples of town regeneration such as Westport 2000 and Clonakilty 400, civil architects played a leading role as they are perfectly placed to co-ordinate the most disparate developments such as roads, flood relief into aesthetically pleasing outcomes. Ms Vallone noted that during the era of town councils, town architect planning clinics were provided, and these were a unique example of public

engagement processes where civil servant architects assisted the private sector design process through informal architectural and planning advice. Ms Vallone advised that this coordination process between the private and public sectors delivered sustainable outcomes in urban development, and suggested that consideration should be given to making a civic architect available to all local authorities.

Dr Sarah Rock expanded on the above need for a collaborative approach and suggested that that when it came to resourcing requirements, though one can advertise for an engineer, a planner, or an architect, these people may not necessarily have the skills in public engagement. Dr Rock suggested that people skilled in public engagement would be of great benefit at local authority level.

The Committee was pleased to be informed by the Department that they are working with the County and City Management Association, CCMA, to discuss wider resourcing issues with regards planning and town generation and advised that they want to ensure local authorities are set up for the future. The Committee also welcomed the establishment of a staffed national office within the Local Government Management Agency that will drive the Town Centre First Programme¹⁹ and the network of town regeneration officers.

RECOMMENDATIONS

1. That the Department establish a section dedicated to tackling vacancy and dereliction.
2. That the Department prioritise the allocation of an appropriate number of full-time vacant homes officers in each local authority.
3. That the Department provide for the allocation of county architects in each local authority, or to be made available to each local authority when requested.

¹⁹ [Government of Ireland \(2022\) Government launches first ever Town Centre First policy](#)

4. That the Department and local authorities take into consideration public engagement skillsets and experience when recruiting for positions across urban regeneration projects.

7. TRANSPORT-ORIENTED DEVELOPMENT

The Committee acknowledges that tackling vacancy and dereliction alone will not serve to completely regenerate our urban centres, and that these centres must also be regenerated to form quality public spaces, and mobility and transport planning should benefit how we use, enjoy and experience our urban centres.

In discussing the importance of good urban design and transport and mobility in regeneration our urban centres, Dr Sarah Rock of TUD advised that a common mistake we began to make a few decades ago was to begin thinking that people's mobility around an area should be seen as distinct from their use and enjoyment of that area. This led to more space being given over to facilitate private cars, leading to our centres transitioning from community and social spaces to transport corridors. Dr Rock noted that an urban centre has much more to offer than a place to shop, but it is first and foremost a social space, a community space, where people live, work, go to school, and where innovation is fostered. Dr Rock advised that trying to separate out these function simply does not work, and understanding transport's multi-functional role within a multi-functional urban centre can help in unlocking many aspect of urban regeneration. Dr Rock noted that case of Blackrock Village as an example and noted the success of this project was due to a number of factors such as accessible and speedy funding, local authority leadership with an interdisciplinary team, an open and collaborative approach with stakeholders, and the use of online working models to facilitate greater co-sharing of knowledge and access to expertise.

In discussing what might benefit similar future projects, Dr Rock advised that integrated funding would be of great benefit as many funding streams can be quite narrow in their focus whereas good urban regeneration is always multifaceted. Dr

Rock also stressed the importance of recruiting interdisciplinary appointments including urban designers and public engagement, health and community specialists. Dr Rock also advised that the recently published Five Cities Report²⁰, on Transport Demand Management, would greatly enhance the mobility and liveability of our urban centres if implemented.

Mr Conn Donovan from Cork Cycling Campaign also noted that when urban areas are dominated by cars communities suffer, and advised that less social interaction, increased risk of disease, sleep disturbance and developmental delays in children have all been associated with living near busy roads. Mr Donovan echoed the sentiment of Dr Rock and also noted that high streets that have been designed to be enjoyable places to walk and cycle are also more economically viable and vibrant, with higher retail spends, lower retail vacancy and increases in people stopping, sitting, and socialising.

“If a drug was developed that lowered the risk of developing heart disease and cancer by 40%, governments across the world would rush to ensure their citizens had access to it. This drug already exists, albeit not in pharmaceutical form. It is called cycling to work.” – Mr Conn Donovan, Cork Cycling Campaign.

However, Mr Donovan noted that December 2021 funding was provided to 26 towns to deliver ‘Town Centres First’ Plans, yet in 12 of these 26 towns, not one single girl aged between 13 and 18 cycled to school according to CSO Census data. To counter this, Mr Donovan advised that Government could use a carrot and stick approach, with carrots including the provision of safe cycling routes, high quality bike parking and compact neighbourhoods, and with sticks including transport plans that limit unfettered vehicular access in urban areas, increased parking charges, and reallocated road space. Mr Donovan further advised that transport-oriented development, TOD, helps to create vibrant, liveable and sustainable communities,

²⁰ [Government of Ireland \(2021\) Five Cities Demand Management Study](#)

and suggested Government prioritise TOD ahead of low-density greenfield development insofar as possible in the coming years.

The Committee notes that the National Economic and Social Council has carried out a great deal of work on Transport Oriented Delivery and in discussing how to implement it successfully here representatives from NESC advised there were four elements which are key to driving successful TOD development. The first of these is the *vision*, without which NESC notes that a business-as-usual car-orientated design can be expected. The second is the *decision*, in which State or local-level authorities take a formal decision to deliver TOD at an identified suitable location. The third element is the *institutional set-up*, with TOD aided by a publicly-led body at the helm which undertakes the land use and transport planning for the site and prepares the site for development with the masterplan. Fourth, the TOD model requires an *appropriate funding model*, with TOD requiring significant investment in large transport and other infrastructure ahead of demand.

With regard to the above, NESC notes that there is no successful modern example of TOD in Ireland. They note in their 2019 assessment of the policy context²¹ that while one of required four elements mentioned above were in place, that of the *National Planning Framework's*²² *vision* for compact growth and sustainable mobility, the other three elements, a decision, a publicly led institution, and an appropriate funding model were not.

In order to make TOD happen in Ireland, NESC in their report suggest that any guidelines prepared by government for local authorities should ensure that new or revised local plans are consistent with the NPF should contain strong guidance in support of transport-oriented development. NESC also advise that the Government and relevant departments, the LDA, OPR and local government must actively engage and appropriately shape their development plans to ensure that their

²¹ [National Economic and Social Council \(2019\) *Transport-Orientated Development: Assessing the Opportunity for Ireland*](#)

²² [Government of Ireland \(2019\) *Project Ireland 2040 - National Planning Framework*](#)

contents install the elements to deliver TOD, recognise the link between housing affordability and sprawl, set out an effective approach to affordable housing provision, and preclude undesirable, unsustainable business-as-usual, car-orientated development. This would ensure that the TOD vision stated in the NPF will be sustained down through the planning hierarchy, from the NPF to the 3 Regional Spatial and Economic Strategies, through 31 local authority development plans and into local area plans.

NESC also advised the Committee that an additional element of TOD requires the active discouragement of car usage and ownership by reducing parking availability and situating parking away from homes at garages on the outskirts of developments.

Representatives from TUD also spoke of the need to discourage car usage and suggested that advertising standards in the motor car sector need to be subject to regulation. Expanding on this, the representatives from TUD noted that in spite of all the evidence of the need for shift away from car dependency, our print and broadcast media are a large source of advertising for private motor cars. They note that the French government have legislated for preventative warnings in car advertising, with adverts advising to walk shorter journeys or take public transport etc, and suggest that such regulation would take into account the influence the industry has on our ability to meet our climate change targets.

RECOMMENDATIONS

1. That the Department actively engage with the Department of Transport and local authorities to implement the Delivery Roadmap contained in the Five Cities Demand Management Study Report.
2. That the Department prioritise and mandate the inclusion of transport-oriented development into any future area development guidelines for local authorities.
3. That the Department engage with the Department of Transport to examine the feasibility of regulating advertisements in the private motor industry.

4. That guidelines be prepared by government for local authorities to ensure that new or revised local plans in relation to transport and planning are consistent with the NPF, and should contain strong guidance in support of transport-oriented development.
5. That the Department report annually to the committee on regional development patterns and how that development corresponds with the NPF objectives on regional balance and compact growth.

8. RECOMMENDATIONS

RECOMMENDATIONS

1. A single national platform be created to integrate, compile and effectively organise existing and future data on vacancy and dereliction into a national data set, to be made to be made publicly accessible through the use of GIS and other spatial visualisation technologies.
2. The Department conduct an audit of all local authorities and other related agencies, including the GeoDirectory, to capture what datasets they do hold/gather with respect to land management, and to vacancy/dereliction and housing more specifically.
3. That Local Authorities should be adequately resourced with the necessary GIS experience and programming and data science skills through the recruitment, upskilling and the retention of staff.
4. That the Department introduce sanctions for public bodies that fail to register property assets within an appropriate timeframe.
5. As noted in the Committee's (2021) report on the Pre-Legislative Scrutiny of the Táilte Éireann Bill 2020, the Property Services Regulatory Authority should be incorporated within the newly formed Táilte Éireann.
6. That the Department provide all Local Authorities with ambitious targets based on the performance of Waterford City and County Council and Louth County Council for the Repair and Lease Scheme and Buy and Renew Scheme for social and affordable rental and purchase.
7. That the Department and Local Authorities launch a public awareness campaign regarding the availability of the Repair and Lease Scheme.
8. That the Department agree with Local Authorities that a percentage of new social and affordable housing output should come from vacant and derelict properties.
9. That the Department formulate "best practice" repair and lease guidelines based on the most successful local authorities' experiences and that these be disseminated to all local authorities.

10. That the Department consider expanding the Repair and Lease Scheme to incorporate the cost/rental model aimed at those on middle-incomes.
11. That the Department consider reviewing the maximum loan amount available under the Repair and Lease Scheme in light of recent increases in construction costs and inflation.
12. That the Department provide for and resource a one-stop “regulatory approvals process” in local authorities where a building owner and their agents can present a set of plans and other proposals to the building control authority, for a short turn around approval or rejection.
13. That the Department provide a robust system of independent inspection of the design and construction work undertaken to ensure that work is compliant, and developers cannot sign off on their own work.
14. That the Department provide simplified but strong technical guidance on design and construction suitable for smaller over shop refurbishment or change of use.
15. That the Department prioritise the introduction of Meanwhile Use policy and resource pilot studies and initiatives such as the creation of community gardens and urban growing spaces to encourage Meanwhile Use while identifying any legislative barriers in relation to insurance and planning that may need to be addressed.
16. That the Department, in tandem with the introduction of Meanwhile Use legislation, instruct Local Authorities to remove the vacant discount from business rates for vacant commercial properties.
17. That the Department provide clarity on, or review the definition of a derelict site, with guidelines to be issued to local authorities to ensure consistency of approach.
18. That the Department instruct Local Authorities to implement and accelerate targets to end dereliction by 2030.
19. That Revenue be assigned responsibility for collecting a Derelict Site Tax, with that income to be ringfenced and used towards Local Authorities’ legal costs and the establishment of one-stop shops for refurbishment.

20. That an online, publicly accessible Derelict Sites Register be created for every Local Authority and that this be used to create a National Derelicts Sites Register. The register may include details such as outstanding levies due on the site, planning history and current zoning objectives.
21. That a condition score be carried out on each derelict site or building, and this detail be added to the National Derelicts Site Register.
22. That communications and notification methods for Local Authorities be modernised to inform building owners of the proposed addition to the Derelict Sites Register, particularly in cases where owners are absentee and cannot be easily identified or notified. (e.g., Site notice for a prescribed period, newspaper notice, social media).
23. That Local Authorities be adequately resourced and encouraged to commence acquisition of appropriate sites, or engage in other land activation measures for sites on the Derelict Sites Register.
24. That the Derelict Sites Levy be changed to a Derelict Sites Tax which is to be collected by Revenue based on registers created by Local Authorities. Monies collected to be returned to Local Authorities for site acquisitions and refurbishment of those sites to provide affordable housing and support Town Centres First.
25. That the definition of derelict be expanded to include buildings that are damaged, neglected, boarded up and/or are uninhabitable, in addition to the visual element currently provided for in the definition.
26. That the Department consider adding buildings which have been disconnected from utility services for a period of two years to the Derelict Sites Register to prevent unused and vacant buildings falling into dereliction.
27. That the Department consider increasing the proposed Residential Zoned Land Tax in excess of 3%, particularly given the current inflationary environment.
28. That Revenue be assigned responsibility for collection of vacant site penalties in co-operation with local authorities.
29. That the Department consider reviewing the appeals process with regard the Vacant Site Levy with a view to streamlining.

30. That the Department consider the introduction of a Vacant Homes Tax with reasonable exemptions.
31. That the Department establish a section dedicated to tackling vacancy and dereliction.
32. That the Department prioritise the allocation of an appropriate number of full-time vacant homes officers in each local authority.
33. That the Department provide for the allocation of county architects in each local authority, or to be made available to each local authority when requested.
34. That the Department and local authorities take into consideration public engagement skillsets and experience when recruiting for positions across urban regeneration projects.
35. That the Department actively engage with the Department of Transport and local authorities to implement the Delivery Roadmap contained in the Five Cities Demand Management Study Report.
36. That the Department prioritise and mandate the inclusion of transport-oriented development into any future area development guidelines for local authorities.
37. That the Department engage with the Department of Transport to examine the feasibility of regulating advertisements in the private motor industry.
38. That guidelines be prepared by government for local authorities to ensure that new or revised local plans in relation to transport and planning are consistent with the NPF, and should contain strong guidance in support of transport-oriented development.
39. That the Department report annually to the committee on regional development patterns and how that development corresponds with the NPF objectives on regional balance and compact growth.

9. APPENDIX 1: ORDERS OF REFERENCE

a. FUNCTIONS OF THE COMMITTEE – DERIVED FROM STANDING ORDERS [DSO 95; SSO 71]

1) The Dáil may appoint a Departmental Select Committee to consider and, unless otherwise provided for in these Standing Orders or by order, to report to the Dáil on any matter relating to—

- (a) legislation, policy, governance, expenditure and administration of—
 - (i) a Government Department, and
 - (ii) State bodies within the responsibility of such Department, and
- (b) the performance of a non-State body in relation to an agreement for the provision of services that it has entered into with any such Government Department or State body.

(2) A Select Committee appointed pursuant to this Standing Order shall also consider such other matters which—

- (a) stand referred to the Committee by virtue of these Standing Orders or statute law, or
- (b) shall be referred to the Committee by order of the Dáil.

(3) The principal purpose of Committee consideration of matters of policy, governance, expenditure and administration under paragraph (1) shall be—

- (a) for the accountability of the relevant Minister or Minister of State, and
- (b) to assess the performance of the relevant Government Department or of a State body within the responsibility of the relevant Department, in delivering public services while achieving intended outcomes, including value for money.

(4) A Select Committee appointed pursuant to this Standing Order shall not consider any matter relating to accounts audited by, or reports of, the Comptroller and Auditor General unless the Committee of Public Accounts—

- (a) consents to such consideration, or
- (b) has reported on such accounts or reports.

(5) A Select Committee appointed pursuant to this Standing Order may be joined with a Select Committee appointed by Seanad Éireann to be and act as a Joint Committee for the purposes of paragraph (1) and such other purposes as may be specified in these Standing Orders or by order of the Dáil: provided that the Joint Committee shall not consider—

- (a) the Committee Stage of a Bill,

- (b) Estimates for Public Services, or
- (c) a proposal contained in a motion for the approval of an international agreement involving a charge upon public funds referred to the Committee by order of the Dáil.

(6) Any report that the Joint Committee proposes to make shall, on adoption by the Joint Committee, be made to both Houses of the Oireachtas.

(7) The Chairman of the Select Committee appointed pursuant to this Standing Order shall also be Chairman of the Joint Committee.

(8) Where a Select Committee proposes to consider—

- (a) EU draft legislative acts standing referred to the Select Committee under Standing Order 133, including the compliance of such acts with the principle of subsidiarity,
- (b) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action,
- (c) non-legislative documents published by any EU institution in relation to EU policy matters, or
- (d) matters listed for consideration on the agenda for meetings of the relevant Council (of Ministers) of the European Union and the outcome of such meetings,

the following may be notified accordingly and shall have the right to attend and take part in such consideration without having a right to move motions or amendments or the right to vote:

- (i) members of the European Parliament elected from constituencies in Ireland,
- (ii) members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and
- (iii) at the invitation of the Committee, other members of the European Parliament.

(9) A Select Committee appointed pursuant to this Standing Order may, in respect of any Ombudsman charged with oversight of public services within the policy remit of the relevant Department consider—

- (a) such motions relating to the appointment of an Ombudsman as may be referred to the Committee, and
- (b) such Ombudsman reports laid before either or both Houses of the Oireachtas as the Committee may select: Provided that the provisions of Standing Order 130 apply where the Select Committee has not considered the Ombudsman report, or a portion or portions thereof,

within two months (excluding Christmas, Easter or summer recess periods) of the report being laid before either or both Houses of the Oireachtas.

b. SCOPE AND CONTEXT OF ACTIVITIES OF COMMITTEES (AS DERIVED FROM STANDING ORDERS) [DSO 94; SSO 70]

(1) The Joint Committee may only consider such matters, engage in such activities, exercise such powers and discharge such functions as are specifically authorised under its orders of reference and under Standing Orders;

(2) such matters, activities, powers and functions shall be relevant to, and shall arise only in the context of, the preparation of a report to the Dáil/Seanad;

(3) it shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Joint Committee on Public Petitions in the exercise of its functions under DSO 125(1) and SSO 108(1); and

(4) it shall refrain from inquiring into in public session or publishing confidential information regarding any matter if so requested, for stated reasons given in writing, by—

- (a) a member of the Government or a Minister of State, or
- (b) the principal office-holder of a State body within the responsibility of a Government Department or
- (c) the principal office-holder of a non-State body which is partly funded by the State,

Provided that the Committee may appeal any such request made to the Ceann Comhairle, whose decision shall be final.

(5) It shall be an instruction to all Select Committees to which Bills are referred that they shall ensure that not more than two Select Committees shall meet to consider a Bill on any given day, unless the Dáil, after due notice to the Business Committee by a Chairman of one of the Select Committees concerned, waives this instruction.

c. POWERS OF COMMITTEES (AS DERIVED FROM STANDING ORDERS) [DSO 96; SSO 72]

Unless the Dáil/Seanad shall otherwise order, a Committee appointed pursuant to these Standing Orders shall have the following powers:

(1) power to invite and receive oral and written evidence and to print and publish from time to time—

- (a) minutes of such evidence as was heard in public, and
 - (b) such evidence in writing as the Committee thinks fit;
- (2) power to appoint sub-Committees and to refer to such sub-Committees any matter comprehended by its orders of reference and to delegate any of its powers to such sub-Committees, including power to report directly to the Dáil/Seanad;
- (3) power to draft recommendations for legislative change and for new legislation;
- (4) in relation to any statutory instrument, including those laid or laid in draft before either or both Houses of the Oireachtas, power to—
- (a) require any Government Department or other instrument-making authority concerned to—
 - (i) submit a memorandum to the Joint Committee explaining the statutory instrument, or
 - (ii) attend a meeting of the Joint Committee to explain any such statutory instrument: Provided that the authority concerned may decline to attend for reasons given in writing to the Joint Committee, which may report thereon to the Dáil, and
 - (b) recommend, where it considers that such action is warranted, that the instrument should be annulled or amended;
- (5) power to require that a member of the Government or Minister of State shall attend before the Joint Committee to discuss—
- (a) policy, or
 - (b) proposed primary or secondary legislation (prior to such legislation being published),
- for which he or she is officially responsible: Provided that a member of the Government or Minister of State may decline to attend for stated reasons given in writing to the Joint Committee, which may report thereon to the Dáil: and provided further that a member of the Government or Minister of State may request to attend a meeting of the Joint Committee to enable him or her to discuss such policy or proposed legislation;
- (6) power to require that a member of the Government or Minister of State shall attend before the Joint Committee and provide, in private session if so requested by the attendee, oral briefings in advance of meetings of the relevant EC Council (of Ministers) of the European Union to enable the Joint Committee to make known its views: Provided that the Committee may also require such attendance following such meetings;
- (7) power to require that the Chairperson designate of a body or agency under the aegis of a Department shall, prior to his or her appointment, attend before the Select Committee to discuss his or her strategic priorities for the role;

(8) power to require that a member of the Government or Minister of State who is officially responsible for the implementation of an Act shall attend before a Joint Committee in relation to the consideration of a report under DSO 197/SSO 168;

(9) subject to any constraints otherwise prescribed by law, power to require that principal office-holders of a—

- (a) State body within the responsibility of a Government Department or
- (b) non-State body which is partly funded by the State,

shall attend meetings of the Joint Committee, as appropriate, to discuss issues for which they are officially responsible: Provided that such an office-holder may decline to attend for stated reasons given in writing to the Joint Committee, which may report thereon to the Dáil/Seanad; and

(10) power to—

- (a) engage the services of persons with specialist or technical knowledge, to assist it or any of its sub-Committees in considering particular matters; and
- (b) undertake travel;

Provided that the powers under this paragraph are subject to such recommendations as may be made by the Working Group of Committee Chairmen under DSO 120(4)(a)/SSO 107(4)(a).

10. APPENDIX 2: COMMITTEE MEMBERSHIP

DEPUTIES



Francis Noel Duffy
Green Party



Joe Flaherty
Fianna Fáil



Thomas Gould
Sinn Féin



Emer Higgins
Fine Gael



Steven Matthews
Cathaoirleach
Green Party



Paul McAuliffe
Leas-Cathaoirleach
Fianna Fáil



Cian O'Callaghan
Social Democrats



Richard O'Donoghue
Independent



Eoin Ó Broin
Sinn Féin

SENATORS



Victor Boyhan
Independent



John Cummins
Fine Gael



Mary Fitzpatrick
Fianna Fáil



Rebecca Moynihan
Labour



Mary Seery Kearney
Fine Gael

Notes:

1. Deputies nominated by the Dáil Committee of Selection and appointed by Order of the Dáil of 30 July 2020.
2. Senators nominated by the Seanad Committee of Selection and appointed by Order of the Seanad on 18 September 2020.
3. The Dáil Committee of Selection nominated Deputy Joe Flaherty to replace Deputy Jennifer Murnane O'Connor on 2 February 2021.

11. APPENDIX 3: LIST OF WITNESSES

Tuesday 14 December 2021

Dublin City Council

- Mr Richard Shakespeare, Deputy Chief Executive
- Mr Paul Clegg, Executive Manager, Planning and Property Development
- Mr Dave Dinnigan, Assistant Chief Executive, Housing and Community
- Mr John O'Hara, City Planner

Waterford City and County Council

- Mr Ivan Grimes, Director of Services, Housing, Community and Emergency Services
- Mr Paul Johnson, Senior Resident Engineer

UCD School of Architecture

- Ms Orla Murphy, Assistant Professor UCD School of Architecture

Anois

- Dr Frank O'Connor, Co-Director
- Ms Jude Sherry, Co-Director

Tuesday 18 January 2022

The Heritage Council

- Ms Virginia Teehan, Chief Executive Officer
- Ms Alison Harvey, Planning Officer

Technological University Dublin - School of Transport Engineering, Environment and Planning

- Mr David O'Connor, Head of Environment & Planning
- Dr Sarah Rock, Lecturer and Programme Director
- Dr Lorraine D'Arcy, Senior Lecturer

Cork Cycling Campaign

- Mr Conn Donovan, Chairperson

National Economic and Social Council

- Dr Cathal Fitzgerald, Senior Analyst

- Mr Noel Cahill, Economist

Tuesday 25 January 2022

Technological University Dublin - School of Environment and Planning

- Mr Odran Reid, Chair of the MSc Spatial Planning Programme
- Ms Helen Murray O'Connor, Senior Lecturer & Programme Chair

Cork County Council

- Ms Giulia Vallone, Senior Architect

Architect

- Mr Mel Reynolds

Department of Housing, Local Government and Heritage

- Ms Maria Graham, Assistant Secretary, Planning Division
- Mr Patrick O'Sullivan, Principal Officer
- Mr Paul Hogan, Principal Planning Adviser

Tuesday 8 March 2022

The Department of Housing, Local Government and Heritage

- Ms Maria Graham, Assistant Secretary, Planning Division
- Mr Stewart Logan, Senior Planning Adviser
- Ms Lisa Clifford, Principal Officer, Urban Regeneration And Development Fund Section

Department of Rural and Community Development

- Mr Fintan O'Brien, Assistant Secretary
- Mr Eddie Forsyth, Principal Officer, Rural Fund And Corporate Support Unit
- Mr J.P. Mulherin, Principal Officer, Rural Programmes And Policies Unit

12. APPENDIX 4: LINKS TO MEETING TRANSCRIPTS

- [Tuesday 14 December 2021](#)
- [Tuesday 18 January 2022](#)
- [Tuesday 25 January 2022](#)
- [Tuesday 8 March 2022](#)

13. APPENDIX 5: LINKS TO OPENING STATEMENTS

13.1. OPENING STATEMENTS

- [Ms Orla Murphy B. Arch M.RIAI, Assistant Professor, UCD School of Architecture, Planning and Environmental Policy, Co-Director of the UCD Centre for Irish Towns](#)
- [Dr Frank O'Connor, and Jude Sherry, Co-Directors, Anois](#)
- [Mr Ivan Grimes, Director of Services, Housing, Community and Emergency Services, Waterford City and County Council](#)
- [Mr Richard Shakespeare, Deputy Chief Executive, Planning and Property Development Department, Dublin City Council](#)
- [Ms Virginia Teehan at al, Chief Executive Officer, The Heritage Council](#)
- [Dr Cathal FitzGerald, Senior Analyst, National Economic & Social Council](#)
- [Dr Sarah Rock, Lecturer Spatial Planning & Transport, Technological University Dublin](#)
- [Mr Conn Donovan, Chair, Cork Cycling Campaign](#)
- [Mr Mel Reynolds, Architect](#)
- [Ms Helen Murray O'Connor et al., Senior Lecturer, Spatial Planning and Transport, Technological University Dublin](#)
- [Ms Giulia Vallone, Senior Architect, Cork County Council](#)
- [#1 - Maria Graham, Assistant Secretary, Planning Division, Department of Housing, Local Government and Heritage](#)
- [#2 - Maria Graham, Assistant Secretary General, Department of Housing, Local Government and Heritage](#)

- [Mr Fintan O'Brien, Assistant Secretary General, Department of Rural and Community Development](#)

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