



To: Directors of Planning Services, City and County Councils
CC: Chief Executives, City and County Councils
Senior Planners, City and County Councils
Directors of Regional Assemblies
An Bord Pleanála

Circular Letter: PL 08/2018

6 November 2018

Derelict Sites Act – Data Return and Prescription of Urban Areas

I am directed by Mr Eoghan Murphy T.D., Minister for Housing, Planning and Local Government, in exercise of his powers under the Derelict Sites Act to request:

1. that local authorities complete a data return in respect of 2017, and
2. that local authorities provide details of any new areas which are required to be prescribed under section 21 of the Derelict Sites Act 1990.

Local authorities will be aware, as indicated in Circular letter PL 04/2018, that section 59 of the Planning and Development (Amendment) Act 2018 provides that the derelict sites levy will increase from 3% to 7%, of the market valuation of relevant sites. The increase in the levy will take effect from January 2020 in respect of sites included on derelict sites registers in 2019. In this connection consideration is being given to the introduction of a specific fund in 2019 which authorities could access to assist in the acquisition of dilapidated and / or vacant sites in need of renewal, including sites on derelict sites registers. In light of the foregoing it is important that local authorities make the above returns to the Department by **Friday 30th November 2018**.

Data Return for 2017

Local authorities are requested to provide information regarding the implementation of the Derelict Sites Act in respect of their functional areas by completing, and returning, the attached template 'Derelict Sites Return 2017' (see Appendix 1). The information required will be readily available from the relevant derelict sites register, which each local authority is obliged to maintain under Section 8 of the Act.

Completed data return forms in respect of 2017 should be emailed to derelict.sites@housing.gov.ie by no later than close of business on **Friday 30th November 2018**.

Prescription of Urban Areas

The Derelict Sites Act provides for the payment of an annual levy in respect of sites in urban areas that have been included in an authority's derelict site register on the 1st January of that year, and where the site's market value has been determined. "Urban Area" is defined as:

"a county or other borough , an urban district, a town or an area prescribed by the Minister under section 21."

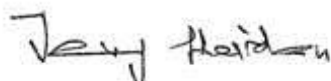
Consequently where authorities are considering the inclusion of a new site in their register, they must satisfy themselves that the new site is an urban area under the terms of the above definition and if it is not, then it is necessary to make the relevant return to the Department so that the Minister may formally prescribe the area as an "urban area" via statutory instrument for the purposes of the Derelict Sites Act. The authority may not impose a financial levy on a new site that is not already included in the section 21 definition or has not been prescribed by the Minister for the purpose of the Act. For your ease of reference, a list of all areas prescribed under the Act to date is enclosed, please see Appendix 2.

Requests to have new areas prescribed should be submitted to the Department by completing the enclosed 'Nomination of Urban Areas to be Prescribed 2018' form, please see Appendix 3. Areas must be identified at the townland level. The following information should accompany any requests:

- copy of the relevant Chief Executive Order;
- the name of the urban area, the name(s) of the townland(s) to be prescribed and the name of the District Electoral Division(s) (DED) in which it is situated;
- population details of the townland(s) concerned, in line with the most recent Census figures, as well as the number of derelict sites identified.

As with the data return, any requests to have new areas prescribed should be emailed to derelict.sites@housing.gov.ie by close of business **Friday 30th November 2018**. Please provide a nil return if no new areas are to be prescribed for your authority.

Any enquiries relating to this Circular should be emailed to derelict.sites@housing.gov.ie or by contacting Planning Policy Section on (01) 888 2873.



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