



**NOTIFICATION TO ATTEND MEETING OF THE PLANNING AND PROPERTY DEVELOPMENT
SPC**

TO BE HELD IN THE COUNCIL CHAMBER, CITY HALL, DAME STREET, DUBLIN 2.

ON TUESDAY 27 NOVEMBER 2018 AT 3.30 PM

AGENDA

TUESDAY 27 NOVEMBER 2018

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Motion in the name Of Cllr. Dermot Lacey:

This Committee request the Manager to report on what consideration is given

To previous An Bord Pleanála decisions in relation to specific sites when new

applications are being made for the same site and what legislative measures

the Manager believes may be desirable or necessary to help ensure that best

planning decisions can be arrived at in these circumstances consistent with

the precedent of An Bord Pleanála decisions and hence avoiding unnecessary and

repetitious appeals."

Motion in the name Of Cllr. Dermot Lacey:

"In light of the increased number of construction projects and to ensure disruption caused by such projects to residents are kept to a minimum, this Committee agrees to discuss and request a report from the Manager on a

strengthening of the Planning Enforcement regime to include some or all of the following:

1. The Planning Enforcement Office at Dublin City Council are required to publish a list of active construction sites in the catchment area of Dublin City Council with details of the owner of the site, the developer, the main contractor and all sub-contractors working on the site as may be the case from time to time.

2. It will be a requirement of the main contractor of a construction site to provide a contact number with a live person available 24 hours a day for the duration of their involvement on the site.

3. It will be a requirement within the planning conditions granted to all construction sites that seven days notice of an Out of Hours permit request is notified to local residents within a 500 meter distance of the boundary of the site so they may lodge objections and that the issuing officer in Dublin City Council must write their reasons for granting or denying a permit and that decision must be made available to anyone on an Freedom of Information request.

4. Out of Hours work permits will be restricted to a maximum of six hours past the normal working hours stipulated in the planning conditions. The normal working hours shall be set at 7am to 6pm Monday to Friday and 8am to 2pm on Saturday. Public holiday weekends from the 2pm finish time on that Saturday will not be considered for Out of Hours permit requests.

5. The Planning Enforcement Office at Dublin City Council must maintain and publish monthly reports on the Dublin City Council website with details of complaints made by the public against construction sites for breeches of planning conditions on the grounds of Out of Hours work where prior permission would be required. In addition, the Planning Enforcement office will be required to give a detailed report on the investigation they carried out on foot of the complaint.

6. The Planning Enforcement Office will be required to accept and consider any evidence supplied by a complainant in their investigation of the complaint.

7. The Planning Enforcement Office must complete their investigation of a complaint within six weeks of receipt of a complaint. Where a complaint requires additional time to complete the investigation a senior manager in the Planning Office may extend the period to no more than a second six week period.

8. Fines and penalties for breaches of Out of Hours work shall be set at 4% of the total budget of the construction project. This will apply to site owners, main contractors connected to the site. All sub-contractors working on the site will be subject to a fine of 4% on the total contract they have agreed with the commissioning party, i.e.: the site owner, the developer or

*the
main contractor.*

9. In the event of repeated breaches of the Out of Hours planning conditions, officers of Dublin City Council may clamp all vouches and heavy machinery related to the site to prevent the main contractor or sub-contractor from removing them until all fines are paid.

7 A.O.B.

Dates for SPC Meetings 2019

26th February

30th April