

# S.I. No. 175/2003 — Planning and Development (Regional Planning Guidelines) Regulations 2003

STATUTORY INSTRUMENTS.

S.I. No. 175 of 2003 .

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PLANNING AND DEVELOPMENT (REGIONAL PLANNING GUIDELINES)  
REGULATIONS 2003.

Dublin

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PLANNING AND DEVELOPMENT (REGIONAL PLANNING GUIDELINES)  
REGULATIONS 2003.

The Minister for the Environment and Local Government, in exercise of the powers conferred on him by sections 21 and 23 of the Planning and Development Act 2000 ( No. 30 of 2000 ), hereby makes the following Regulations:-

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|-----------------|----|--|
| Citation.       | 1. | (1) These Regulations may be cited as the Planning and Development (Regional Planning Guidelines) Regulations 2003.  |
|                 |    | (2) These Regulations and the (Planning and Development) Regulations 2001 to 2003 shall be construed as one and may be cited together as the Planning and Development Regulations, 2001 to 2003. |
| Commencement.   | 2. | These Regulations shall come into operation with immediate effect.   |
| Interpretation. | 3. | In these Regulations:  |

“the Act” means the Planning and Development Act

2000 :

“the Direction” means the Planning and Development (Regional Planning Guidelines) Direction 2003.

“the Director” means the Director of any Regional Authority.

- Specification of National Spatial Strategy as being of relevance to strategic planning policies.
4. In accordance with the provisions of section 23 (4)(a) of the Act, the “National Spatial Strategy: 2002 — 2020” published by Government on 28 November 2002 is hereby specified to be of relevance to the determination of strategic planning policies.
- Report on results of initial public consultation
5. (1) Not later than 16 weeks after the giving of notice under section 24(1) of the Act, the Director (or an officer or officers nominated to do so on his or her behalf) shall prepare a report on any submissions received under section 24(2)(c) of the Act.
- (2) In the case of the Dublin and Mid-East Regional Authorities, as referred to at paragraph (2) of the Direction, not later than 16 weeks after the giving of notice under section 24(1) of the Act, the Directors (or officers nominated to do so on their behalf) shall jointly prepare a report on any submissions received under section 24(2)(c) of the Act.
- (3) A report under sub-articles (1) or (2) shall:
- (a) list the persons or bodies who made submissions under section 24 of the Act as well as any persons or bodies consulted by the regional authority,
- (b) summarise the issues raised in the submissions and during the consultations, where appropriate,
- (c) give the opinion of the Director, or, in the case of a report prepared under sub-article (2), the opinion of the Directors, on the issues raised, taking account of the proper planning and sustainable development of the whole of the region to which the guidelines relate, the statutory obligations of any local authority in the region and any relevant policies or objectives for the time being of the Government or of any Minister of the Government, including the National Spatial Strategy, and

- (d) state the Director's recommendations on the policies to be included in the draft regional planning guidelines, in the case of a report prepared under sub-article (1), or
- (e) state the Directors' joint recommendations on the policies to be included in the draft regional planning guidelines, in the case of a report prepared under sub-article (2).

- (4) A report under sub-article (1) shall be submitted to the members of the regional authority, or to a committee of the regional authority, as may be decided by the members of the authority, for their consideration.
- (5) A report under sub-article (2) shall be submitted to the members of the regional authorities, or to a joint committee of the regional authorities, as may be decided by the members of the regional authorities, for their consideration.
- (6) Following consideration of a report under sub-article (4) or (5), the regional authority or authorities, or the committee of the regional authority or authorities, as the case may be, may issue directions to the Director or Directors (in the case of the Dublin and Mid-East Regional Authorities).
- (7) Directions under sub-article (6) must take account of the proper planning and sustainable development of the whole of the region to which the guidelines relate, the statutory obligations of any local authority in the region and any relevant policies or objectives for the time being of the Government or of any Minister of the Government, including the National Spatial Strategy and the Director or Directors, as the case may be, shall comply with such directions.
- (8) Directions under sub-article (6) shall be issued not later than 10 weeks after the submission of a report under sub-article (4) or (5).
- (9) In issuing directions under sub-article (6), members shall be restricted to considering the proper planning and sustainable development of the region to which the regional planning guidelines relate.

Draft Regional  
Planning  
Guidelines to  
contain  
information on

- 6. Any draft of the regional planning guidelines prepared by the regional authority shall contain information on the likely significant effects on the environment of implementing the guidelines.

likely significant effects on the environment of implementing the guidelines

Draft Regional Planning Guidelines and Report on Submissions and Observations Received on Draft Regional Planning Guidelines

7. (1) Not later than 22 weeks after the giving of notice under section 24(4) of the Act, the Director (or an officer or officers nominated to do so on his or her behalf) shall prepare a report on any submissions or observations received under section 24(5) of the Act and submit the report to the members of the regional authority for their consideration.
- (2) In the case of the Dublin and Mid-East Regional Authorities, not later than 22 weeks after the giving of notice under section 24(4) of the Act, the Directors (or officers nominated to do so on their behalf) shall jointly prepare a report on any submissions or observations received under section 24(5) of the Act and submit the report to the members of the regional authorities for their consideration.
- (3) A report under sub-articles (1) or (2) shall —
- (a) list the persons or bodies who made submissions or observations under section 24(5) of the Act.
  - (b) summarise the issues raised by the persons or bodies in the submissions or observations, and
  - (c) give the response of the Director (or Directors in the case of the Dublin and Mid-East Regional Authorities) to the issues raised, taking account of any directions of the members under article 6(6), the proper planning and sustainable development of the region, the statutory obligations of any local authority in the region and any relevant policies or objectives for the time being of the Government or of any Minister of the Government, including the National Spatial Strategy.
- (4) A report prepared under sub-articles (1) or (2) shall be considered by the members of the regional authority or authorities, as appropriate, as part of its consideration of submissions or observations in accordance with section 24(6) of the Act.



GIVEN under the Official Seal of the Minister for the Environment and Local Government this 1<sup>st</sup> day of May, 2003.

MARTIN CULLEN, T.D.

Minister for the Environment and  
Local Government.

#### EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations set out a number of procedural requirements in relation to the preparation of regional planning guidelines by regional authorities. These procedural requirements supplement those already set out in the Planning and Development Act 2000 . The Regulations also specify the National Spatial Strategy as being of relevance to the determination of strategic planning policies. This means that regional authorities must take account of the National Spatial Strategy when preparing and making regional planning guidelines.

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