

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) (NO. 2) REGULATIONS 1995

The Minister for the Environment, in exercise of the powers conferred on him by section 10 of the Local Government (Planning and Development) Act, 1963 (No. 28 of 1963) and by section 18 of the Local Government (Planning and Development) Act, 1992 (No. 14 of 1992) as amended by Article 9 of the European Communities (Environmental Impact Assessment) (Amendment) Regulations, 1994 (S.I. No. 84 of 1994), hereby makes the following Regulations:—

REG 1

1 Citation.

1. (1) These Regulations may be cited as the Local Government (Planning and Development) (No. 2) Regulations, 1995.

(2) The collective citation "the Local Government (Planning and Development) Regulations, 1994 and 1995" shall include these Regulations.

REG 2

2 Amendment of Part V of 1994 Regulations.

2. Chapter IV of Part V of the Local Government (Planning and Development) Regulations, 1994 (S.I. No. 86 of 1994) is hereby amended by the insertion after article 72 of the following article:

"72A. (1) (a) Subject to paragraph (b) and sub-articles (2) and (3)—

(i) the documents relating to an appeal or other matter with which the Board is concerned shall be made available at the offices of the Board for inspection by members of the public, and

(ii) copies of the documents referred to in sub-paragraph (i), and of extracts from such documents, shall be made available at the offices of the Board, free of charge or for such fee as the Board may fix not exceeding the reasonable cost of making the copy .

(b) Paragraph (a) (ii) shall not apply in relation to plans or other drawings, or photographs.

(2) The documents to which sub-article (1) (a) applies shall be made available in accordance with the said provision for a period of five years commencing on the third working day following the day on which—

(a) the appeal or other matter with which the Board is concerned is determined or dismissed by the Board, or

(b) in the case of an appeal against a decision of a planning authority on a planning application, a direction in relation to it is given by the Board pursuant to section 15 of the Act of 1992.

(3) This article shall apply and have effect in relation to any appeal or other matter with which the Board is concerned that is received by the Board on or after the 10th day of April, 1995, other than any such appeal or other matter that is withdrawn or is regarded, pursuant to section 16 of the Act of 1992 or that section as applied by these Regulations, as having been withdrawn."

GIVEN under the Official Seal of the Minister for the Environment, this 6th day of April, 1995.

BRENDAN HOWLIN,
Minister for the Environment.

EXPLANATORY NOTE.

These Regulations amend the Local Government (Planning and Development) Regulations, 1994 (S.I. No. 86 of 1994) to provide for the making available for public inspection of documents relating to planning appeals and other matters determined by an Bord Pleanála. In any such case received by an Bord Pleanála on or after 10th April 1995, the documents, including the inspector's report, will be available for inspection for a period of five years commencing on the third working day following the day on which An Bord Pleanála makes its decision. It will be possible also to obtain a copy of all or part of any such document, except a plan or other drawing or a photograph.