

Ráithe 1 2023: 1 Eanáir 2023 go 31 Márta 2023 / Quarter 1 2023: 1 January 2023 to 31 March 2023

Uimhir na ceiste Query Number	Dáta faighte Date Received	Dáta admhála Acknowledged	Teachta Dála / Seanadóir Deputy / Senator	An t-ábhar a bhí i gceist Query Subject	Ceist Query	Freagra substainteach eisithe Substantive Reply Issued	Freagra substainteach Substantive Reply	Teanga Language	Ráithe Quarter	Bliain Year
OIR/23/001	12/01/2023	16/01/2023	Eoin Ó Broin TD	SID/LAP Case (Live); Legal Cases; Other	1. The number of JRs initiated against ABP decisions in 2022 broken down by SID, SHD, appeal, other, 2. The number of JRs lost by APB in 2022 broken down by SID, SHD, appeal, other, 3. The total cost to ABP from lost JRs in 2023 including legal costs and other costs, 4. The number of outstanding/late decisions still with ABP at the end of 2022 broken down by SID, SHD, appeals, other, 5. The average length of time these outstanding/late decisions have been with ABP broken down by SID, SHD, appeals, other, 6. The total late fees paid out by ABP to applicants in 2022 for SHDs.	10/02/2023	<p>1. The number of JRs initiated against ABP decisions in 2022 broken down by SID, SHD, appeal, other:</p> <p>The Board was a respondent in 95 cases.</p> <ul style="list-style-type: none"> SID including local authority projects: 13 SHD: 35 Normal planning appeals (NPA): 32 Other: 15 <p>2. The number of JRs lost by APB in 2022 broken down by SID, SHD, appeal, other:</p> <p>Total cases conceded in 2022: 34</p> <ul style="list-style-type: none"> NPA: 16 SID: 2 SHD: 11 Other: 5 <p>Total cases lost by judgment in 2022: 9</p> <ul style="list-style-type: none"> NPA: 4 SHD: 4 Other: 1 	EN	1	2023

						<p>3. The total cost to ABP from lost JRs in 2023 including legal costs and other costs:</p> <p>We assume you intended to request this information for 2022. Please note that we do not yet have this information available. This will not be fully collated and certified as correct until our accounts for 2022 are audited by the Office of the Comptroller and Auditor General.</p> <p>4. The number of outstanding/late decisions still with ABP at the end of 2022 broken down by SID, SHD, appeals, other:</p> <p>Please see attached spreadsheet entitled: OIR_23_001 - On-Hands - 31.12 Summary</p> <p>5. The average length of time these outstanding/late decisions have been with ABP broken down by SID, SHD, appeals, other:</p> <p>Please see attached spreadsheet entitled: OIR_23_001 - On-Hands - 31.12 Summary</p> <p>6. The total late fees paid out by ABP to applicants in 2022 for SHDs:</p> <p>The total amount paid out by An Bord Pleanála in accordance with section 9(13) of Planning and Development (Housing) and Residential Tenancies Act 2016</p>			
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							to applicants in 2022 for SHD cases was €1,340,000.00 (134 cases).			
OIR/23/002	09/02/2023	13/02/2023	Eoin Ó Broin TD	Appeal Case (Live); SID/LAP Case (Live); Housing	<p>The total number of Board decisions that are overdue broken down by:</p> <ul style="list-style-type: none"> time (less than a year, 1 – 2 years, 2 – 3 years, 3 – 4 years, 4 – 5 years and more than five years), consent type – planning appeal, SID, SHD, LRSB etc. 	24/02/2023	<p>Please see attached the spreadsheet entitled "OIR_23_002 - OnHands Years breakdown 01.02.2023" which contains the information as per your request.</p> <p>Please note that – in the case of strategic infrastructure development pre-application consultation cases still on hands – a significant majority of these relate to cases that are in abeyance at the request of the prospective applicant in each case.</p> <p>Please note that this is the most up-to-date information as of close of business on 31st January 2023.</p>	EN	1	2023
OIR/23/003	06/03/2023	08/03/2023	Cian O'Callaghan TD	Administration	To provide a table of derelict buildings that have been purchased through compulsory purchase orders in each year since 2018, broken down by local authority area.	05/04/2023	An Bord Pleanála's role in relation to Compulsory Purchase Orders (CPO) is limited to adjudicating on the question of whether the proposed compulsory acquisition (to be affected by way of a CPO) is or is not to be authorised in circumstances where such a CPO is submitted to it for confirmation by the relevant local authority and where valid objections are made and not withdrawn to the CPO. In a substantial number of such cases no objections are received, or objections made are subsequently withdrawn. In both of those circumstances, the Board has no further role in the process and simply returns the	EN	1	2023

							<p>CPO to the local authority and the local authority can proceed to itself confirm or annul its own CPO.</p> <p>In addition, it should be noted that the compulsory acquisition process beyond the above stages involves a number of further steps that must be undertaken and completed by the local authority before the compulsory acquisition is affected (this applies even where a CPO confirmation application is assented to by the Board after considering objections). If these additional steps are not undertaken by the local authority the compulsory acquisition cannot proceed. The Board has no involvement in or knowledge of these further steps.</p> <p>Accordingly, An Bord Pleanála does not hold the information requested. It appears likely to An Bord Pleanála that only each individual local authority will hold the requested information relevant to its own area.</p>			
OIR/23/004	21/03/2023	27/03/2023	Joe O'Brien TD	Decided Case	To request that An Bord Pleanála consider amending the conditions of the planning application ABP-309409-21. (Planning Reference: F20A/0324) at Junctions of Townparks & Holmpatrick, Skerries, Co Dublin.	11/04/2023	<p>Please note that once An Bord Pleanála has signed and sealed its order setting out its decision in any particular case, it has no statutory or legal authority to change the substance of any such decision so made by it.</p> <p>Under section 146A of the Planning and Development Act 2000, as amended, An Bord Pleanála has a limited power to amend any decision made by it for the purpose of correcting any</p>	EN	1	2022

						<p>clerical error therein or facilitating the doing of anything pursuant to the permission which may reasonably be regarded as having been contemplated by the decision but was not expressly provided for in the decision. However, this power does not enable any substantive or material alteration to the original decision. Having regard to the above I context, I can advise that in respect of this particular application and decision, An Bord Pleanála has no further role and cannot comment further on the matter.</p> <p>In this case the condition in the decision that appears to be the focus of your query reflects a similar condition that was in the original planning authority decision on this application and was also included as a recommended condition by the Board's inspector. In that context it is clear that the imposition of the condition does not qualify as a clerical error or further elaboration.</p>			
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