



An
Bord
Pleanála

Annual Report and Accounts 2020



Mission

To play our part as an independent national body in an impartial, efficient and open manner, to ensure that physical development and major infrastructure projects in Ireland respect the principles of sustainable development, including the protection of the environment.

Mandate

An Bord Pleanála was established in 1977 under the Local Government (Planning and Development) Act 1976 and is responsible for the determination of appeals and certain other matters under the Planning and Development Acts 2000 to 2020 and determination of direct applications for Strategic Infrastructure and Housing Developments.

It is also responsible for dealing with proposals for the compulsory acquisition of land by local authorities and others under various enactments. An Bord Pleanála also determines appeals under the Water Pollution and Building Control Acts.

Annual Report and Accounts 2020

To the Minister for Housing, Local
Government and Heritage.

In accordance with the Planning and
Development Acts (as amended), An
Bord Pleanála herewith presents its
Annual Report and Accounts for the year
ending 31st December 2020.



Dave Walsh
Chairperson



Bríd Hill
Chief Officer

30th June 2021

Summary 2020

| Operations | 2020 | | 2019 | |
|---|-------------|----------|------------|----------|
| Planning Cases Received | 2,753 | | 2,938 | |
| Planning Cases Disposed | 2,628 | | 2,971 | |
| Operations | Received | Disposed | Received | Disposed |
| Normal Planning Appeals | 1,956 | 1,887 | 2,076 | 2,115 |
| Strategic Infrastructure Development (Private Entities /Statutory Undertakers): All cases | 74 | 66 | 55 | 60 |
| Strategic Infrastructure Development (Local Authority) | 20 | 18 | 20 | 28 |
| Other Local Authority Projects ¹ | 118 | 78 | 100 | 111 |
| Strategic Housing Development Applications | 120 | 137 | 128 | 91 |
| Vacant Site Levy | 45 | 47 | 90 | 112 |
| Other Case Types | 420 | 395 | 469 | 454 |
| Finance | 2020 | | 2019 | |
| Income | € | | € | |
| Oireachtas Grant | 19,244,341 | | 18,623,812 | |
| Fees /Recoupment | 6,778,479 | | 6,388,160 | |
| Other ² | 2,868,103 | | 3,397,460 | |
| Total Income | 28,890,923 | | 28,409,432 | |
| Expenditure | 31,534,701 | | 25,391,149 | |
| Surplus / (Deficit) for year before appropriations | (2,643,778) | | 3,018,283 | |
| Transfer from / (to) the Capital Account | 105,037 | | (241,543) | |
| Surplus / (Deficit) for year after appropriations | (2,538,741) | | 2,776,740 | |

¹ Includes Appropriate Assessment

² Includes Net Deferred Pension Funding, Deposit Interest and Miscellaneous Income.

At A Glance 2020

Planning
Cases
Received:

2753



Planning
Cases
Disposed:

2628

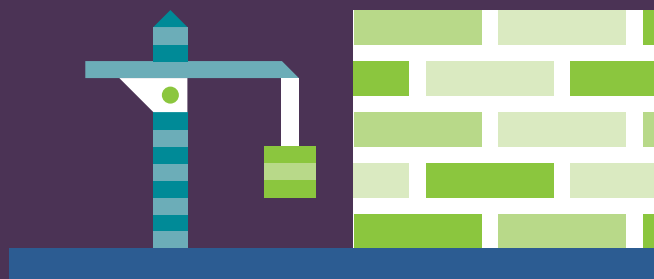


Normal Planning
Appeals
Received:

1956

Normal Planning
Appeals
Disposed:

1887

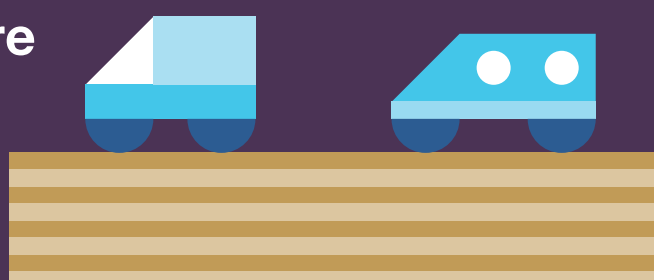


Strategic Housing
Developments
Disposed:

137

Strategic Infrastructure
Developments
Disposed:

84



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Chairperson's Statement

2020 was a very challenging year for An Bord Pleanála as it has been for many other organisations and for society generally, with major disruptions to normal life and work practices due to the Covid-19 pandemic. However, despite these disruptions, the Board was able to remain open for business, with planning designated as an essential service by the Government.

With the co-operation and goodwill of our staff, partners and customers, we were able to maintain a high level of case output as we adapted our practices to enable some on-line services, virtual meetings and hybrid office/home working patterns for all staff to ensure that we fully adhered to health and safety requirements to protect everyone against possible infection.

Looking back on 2020, much of it significantly impacted by Covid-19 restrictions, and indeed many of these impacts continuing into 2021, I am hugely proud of the commitment and efforts by our entire staff cohort in keeping the show on the road through progressing and deciding cases as well as delivering on several reforms and actions under our five-year Strategic Plan. Their resilience and public service ethos shown during these trying times is a credit to the organisation and to the planning system generally that recognised the importance of ensuring that operations continued amidst all the restrictions, worries and uncertainty caused by Covid-19.

Performance

Taking account of the society-wide disruptions from the pandemic, the Board saw a slight drop in the overall number of cases lodged with it in 2020, with a total of 2,753 received, down 6% on 2019. Similarly, the 2,628 cases decided by the Board in 2020 marked a 12% decrease on the previous year's total. These small decreases in case numbers can be ascribed in part to the impact of the 8-week planning timeline extension, imposed by Government Order over the months of April and May, in light of the significant movement restrictions imposed at the time, but activity swiftly resumed over the following months with case intake returning to normal levels for the latter half of the year.

Planning appeals (1,956 cases) accounted for over 71% of all cases received in 2020, with two-thirds of all appeals relating to residential developments, ranging in scale from home extensions and improvements to single house and multi-unit developments.

A key measure of An Bord Pleanála's performance is the level of compliance with the statutory objective period (SOP) of 18 weeks to decide normal planning appeals, and the average time it takes to dispose of appeal cases.

Compliance with the 18-week SOP continued in an upward trend from 39% in 2018 and 69% in 2019, to 76% in 2020, despite the impact of Covid-19. This exceeded the target range of 65% - 75% set by the Board in January 2020, demonstrating the commitment, expertise and teamwork across the entire organisation to maintain such high levels of compliance and continue to deliver a top-class service in very difficult circumstances.

It should also be noted that the average time for dealing with normal planning appeals was 18.5 weeks, virtually unchanged from the 18.4 weeks recorded in 2019. This means that, on average, planning appeals were decided within 3.5 days of the SOP target. Our challenge now is to maintain this strong performance, while also exploring how we can further streamline our systems and processes.

Strategic Housing and Infrastructure

2020 was also another busy year for large-scale strategic housing development (SHD) with 112 valid applications made directly to the Board, slightly down on the 119 applications received in the previous year. There was, however, a significant increase in the number of SHD cases decided, with 126 applications decided (up from 82 in 2019). While 28 applications were refused permission, the remaining 98 development proposals approved by the Board provide for over 25,400 new residential units, including houses, apartments, as well as shared accommodation and student accommodation. All SHD decisions were made within the 16-week statutory timeline (or 24 weeks in the few instances where an oral hearing was held).

Taken with those granted permission in 2019, the number of new homes permitted in 2020 will make a significant contribution to meeting the overall increasing demands for new homes as identified in the Government's Rebuilding Ireland Action Plan for Housing and Homelessness. Of course, An Bord Pleanála's role under its statutory functions is to consider and decide on the appropriateness of the location, design and other planning considerations for such housing schemes but it is the role of the construction industry and their funders to activate these permissions and build out the new houses and apartments to meet the significant pent-up demand for new homes, particularly in our cities and larger towns, in line with the principles and objectives of the National Planning Framework, the Regional Spatial and Economic Strategies and local development plans. It should also be noted that the significant increase in the judicial reviews taken against the Board in 2020, particularly in respect of strategic housing developments, may also have an impact on the timelines for realising those permitted developments.

In relation to strategic infrastructure development (SID) applications, 24 applications were received in 2020, down slightly from 26 in 2019, while 19 cases were decided, compared with 21 last year. However, reflecting the increased infrastructural investment under the National Development Plan and general uplift in economic activity in more recent times, the Board received a total of 50 pre-application consultation requests during 2020, 12 more than were lodged in 2019, with 45 pre-application cases also determined during 2020.

While there was disruption to some oral hearings and other meetings during the planning extension and arising out of the national movement restrictions put in place to contain Covid-19, many of these subsequently proceeded on-line. Among the major projects approved were several windfarms and industrial installations, as well as the South Kerry Greenway, the Malahide Demesne Greenway and other projects, including various strategic infrastructure developments at Dublin Port.

ICT Transformation

Substantial progress was made on our major IT transformation project Plean-IT, with the establishment of an in-house development team to drive further enhancements and functionality within the system. While the aim is to facilitate the on-line submission of applications and appeals, aligned with the planning authorities' e-Planning initiative, we were able to advance important developments during 2020, such as the launch in November of our on-line facility enabling observations on strategic housing development applications. There was also progress in the design of a more user-friendly and informative website which was launched in April 2021 and we expect further phased roll-out of on-line services in the near future.

Acknowledgements

It is sometimes in times of crisis and pressure that we really get to witness the true character of people. 2020 has certainly been a year of crisis, with severe disruptions to daily life, increased health worries for ourselves, our families, friends and colleagues and having to quickly adapt to new ways of working and engaging. Despite all these challenges, the resilience and capacity of all our teams across the organisation has enabled us to adapt and keep working as best we can, supporting each other and maintaining a positive outlook. This phenomenal commitment is testament to the public service ethos and the collegiality of both staff and Board. We should all be proud of how we have stepped up and maintained our high standards in serving the public and conducting our work as efficiently as possible.

While we were able to welcome a few new faces into the organisation during 2020, we also saw a few staff move on and we also said goodbye to Philip Jones, one of our Board members who retired in August after a long and distinguished career in public service. While we were not able to give them a proper send-off, we will hopefully have a chance to do so when things return to normal.

Unfortunately, 2020 also saw the loss of some of our current and former An Bord Pleanála colleagues, including Paddy Keogh, a former Board member and serving inspector, who passed away in September and Sean Lucy, a former Chairperson of the Board, who was laid to rest in October. While many of us were unable to pay our respects in person, they will be fondly remembered for their tireless dedication and contribution to the organisation and for their lasting friendship.

Thanks to our Audit and Risk Committee and, in particular, to Martin Higgins, our external Chairperson who concluded his six-year term in December. Thanks also to Patricia Byron, an external member who has assumed the role of Chairperson, and to Terry Ó Niadh, Michelle Fagan and John Connolly, the Board members who participated on the Committee during 2020, for assisting the Board with its important corporate governance function.

As ever, An Bord Pleanála relies on the support of its parent Department and I would like to thank the Minister and his officials in the Department of Housing, Local Government and Heritage for all their support during the year. For our part and drawing on our extensive experience and exposure to all types of planning cases, we will continue to engage with and support the Department, planning authorities and the Office of the Planning Regulator in their work.

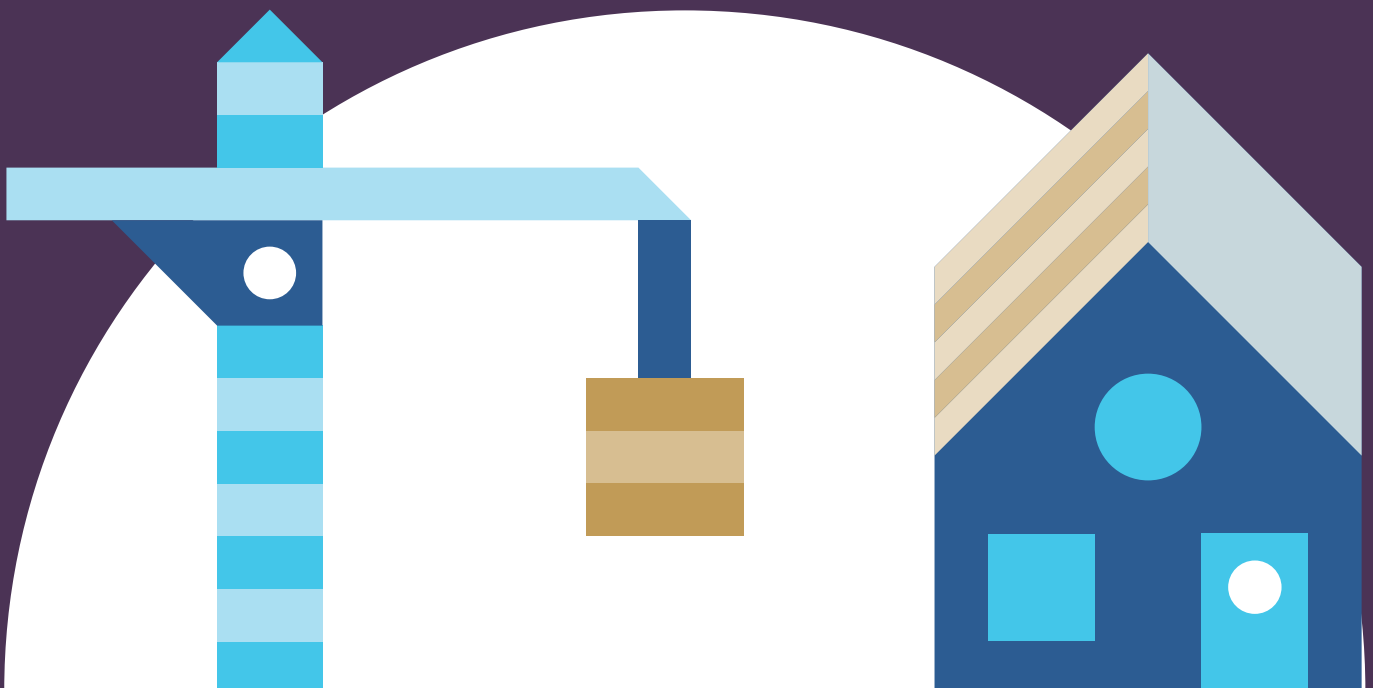


Mr Dave Walsh,
Chairperson
Date: 30th June 2021



01. Planning Casework and Performance

- All Planning Cases
- Planning Appeals
- Strategic Infrastructure Development
- Strategic Housing Development
- Other Significant Case Types
- Oral Hearings
- Reports and Recommendations



All Planning Cases

In 2020, the number of planning cases received was down 6% to 2,753 from 2,938 in 2019 (Figure 1). The total number of cases decided in 2020 was 2,628 a 12% decrease on the previous year (2,971). By year end, the total number of cases on hands was 1,164 up from 1,039 in 2019.

Figure 1: Intake and Disposal of Cases 2010-2020

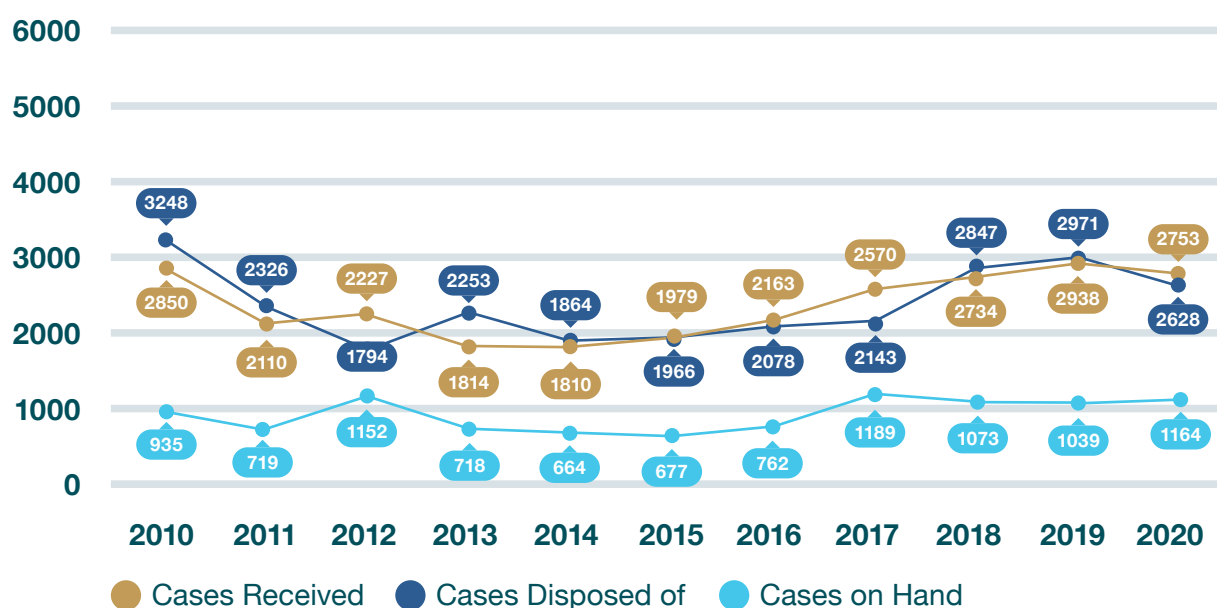
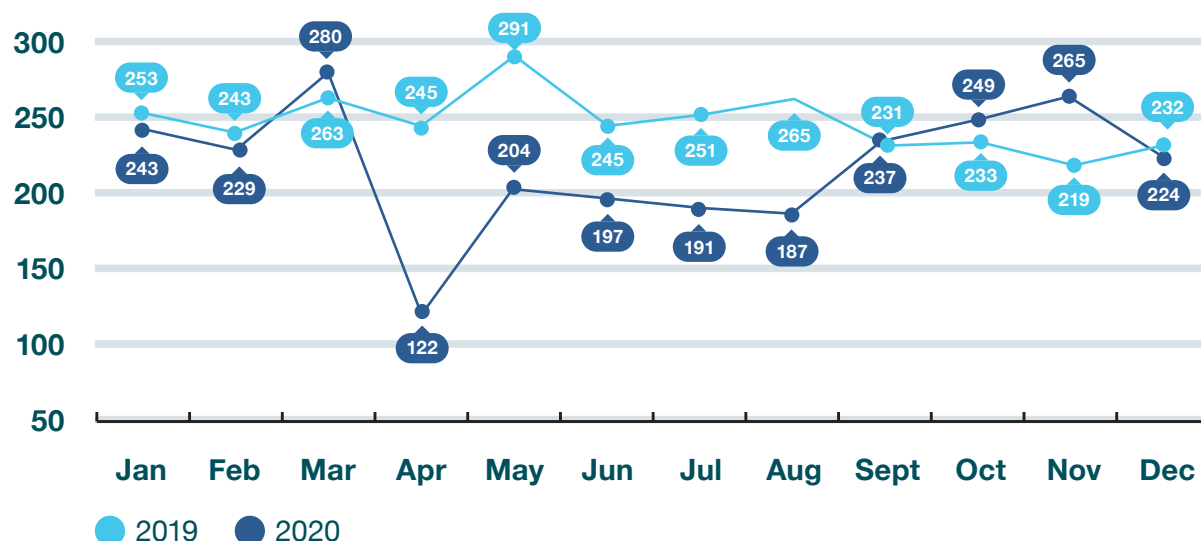


Figure 2: All Planning Cases –Disposed per month 2019 v 2020

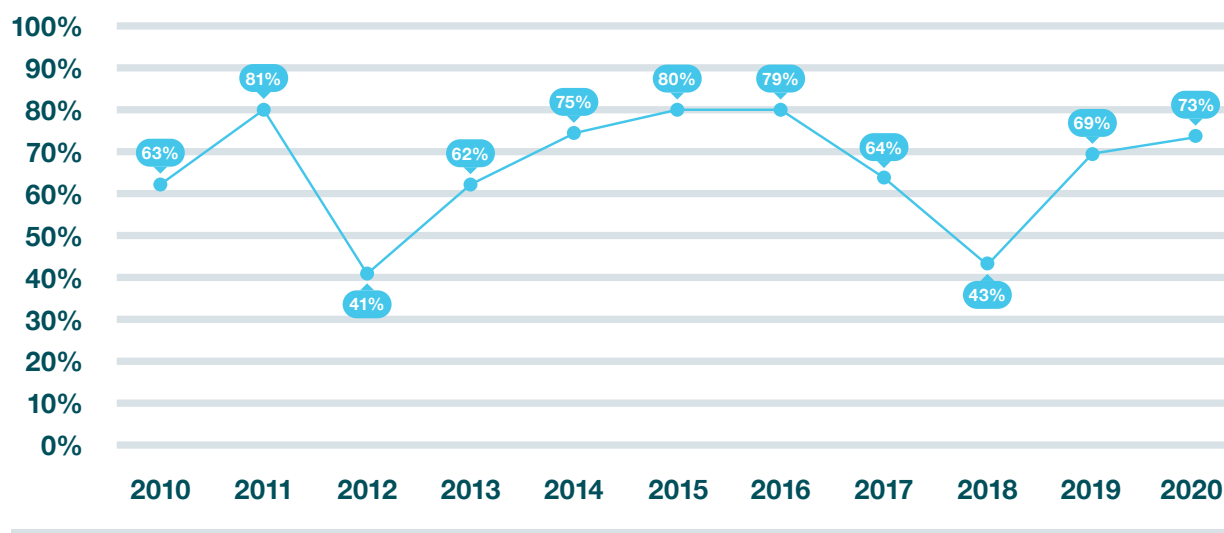


Statutory Objective Periods for Determining Cases

Provisions in the Planning, Building Control and Water Pollution Acts and Regulations made under these Acts set down as an objective of An Bord Pleanála a requirement to ensure that appeals and certain other matters are determined within specified periods of time. In most cases, this is 18 weeks; 4 months applies to some cases while in others no statutory objective time period applies.

In 2020, 73% of all planning cases were decided within the statutory objective period compared to 69% in 2019 (Figure 3).

Figure 3: Compliance with statutory objective period 2010 – 2020



Disposal of cases in weeks

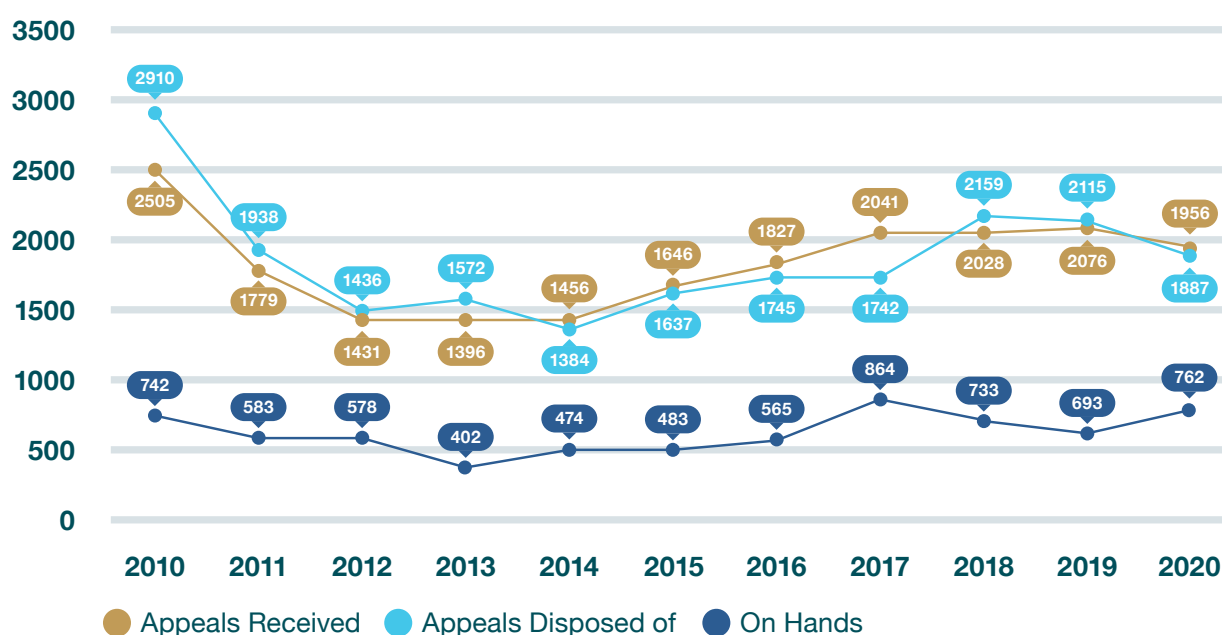
The total average number of weeks that it took to decide all planning cases in 2020 was 19 weeks.

Planning Appeals

Planning appeals arise from decisions by planning authorities on applications for permission for the development of land.

The number of planning appeals received in 2020 was 1,956 making up 71% of all cases submitted to the Board, a decrease of 120 from the number received in 2019 (2,076).

Figure 4: Planning Appeals –Intake and Disposal



The number of appeals disposed in 2020 was down on the previous year at 1,887 (2,115 in 2019).

The category 'disposed of otherwise' which includes withdrawals, dismissals and invalids accounted for 17% of all appeals received in 2020. Of the 313 cases in this category, 191 were invalid appeals. These are appeals which have been declared invalid where compliance with certain statutory criteria has not been achieved, for example, late appeals, incorrect fees, or other reasons.

Statutory Objective Periods

By year end, the compliance rate for appeals was up to 76% (Table 1). The average number of weeks to decide planning appeals was 18.5 in 2020 (18 weeks in 2019).

Table 1: Normal Planning Appeals

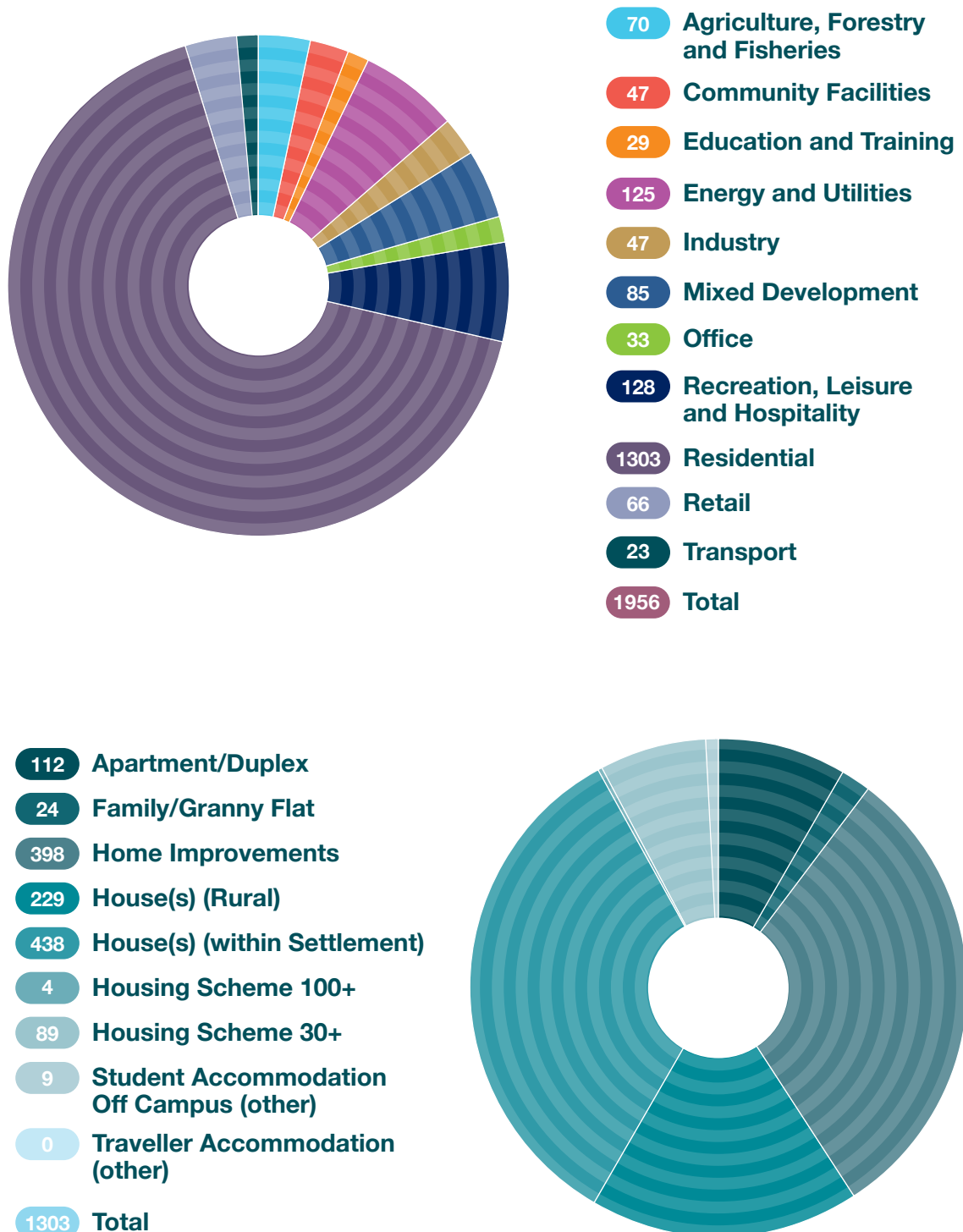
| Year | Average No. of Weeks | Compliance Rate (18 weeks) |
|------|----------------------|----------------------------|
| 2015 | 15 | 83% |
| 2016 | 16 | 82% |
| 2017 | 17 | 64% |
| 2018 | 22 | 39% |
| 2019 | 18 | 69% |
| 2020 | 19 | 76% |



Development Types

67% (1,303) of all appeals received in 2020 related to residential development which range in scale from home improvements to single and multiple unit accommodation (Figure 5).

Figure 5: Planning Appeals by Development Type Received 2020



Priority Appeals

Certain categories of planning appeals are classified as 'Priority Appeals' and are given priority status in order to expedite them through the system.

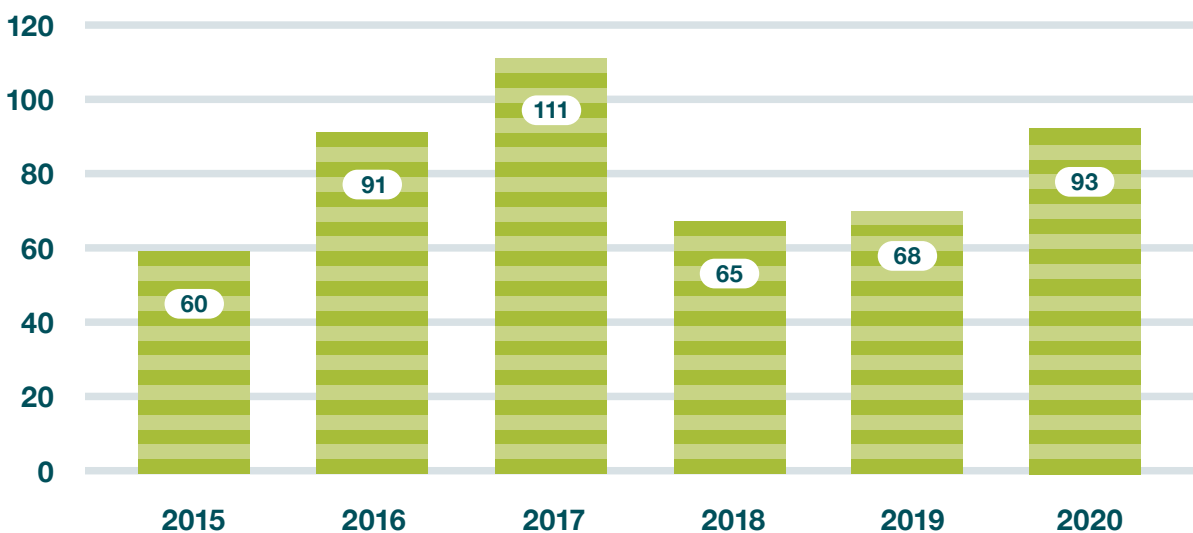
Priority appeals include large-scale commercial, housing, educational and healthcare developments as well as significant infrastructural or other projects prioritised in line with government policy at any particular time. Appeals relating to Strategic Development Zones are also included in this category.

Priority cases decided during 2020 include: amendments to the North Parallel Runway at Dublin Airport; an educational and science research building at St. Stephen's Green, Dublin 2; a data centre in Lucan, County Dublin; a large mixed commercial/residential development in Dublin 12; an event centre at the former Beamish and Crawford site in Cork City; a cheese manufacturing plant in County Kilkenny; significant additional facilities at a milk processing plant near Virginia, County Cavan; and a large wind farm in North Kildare. Permission was refused for coastal erosion works at Doonbeg, County Clare.

Housing Appeals

The number of appeals received related to multi-unit (30+) residential developments increased from 68 in 2019 to 93 in 2020. During 2020, 90 appeals for developments of 30+ housing units were disposed of (5 for 100+ units). This category included developments of more than 100 residential units which are now generally submitted as applications for Strategic Housing Development.

Figure 6: Housing Appeals Received (30+ units)



Strategic Development Zones

A Strategic Development Zone (SDZ) is an area of land that is proposed to contain developments of economic or social importance to the State. Once designated as such by Government, a draft planning scheme for the SDZ is proposed by the relevant development agency and made by the Planning Authority for the area concerned. Draft SDZ planning schemes (and amendments) can be appealed to An Bord Pleanála.

In 2020 the Board approved a minor amendment to the Cherrywood Planning Scheme in relation to car parking provision and it refused to approve an amendment to the North Lotts and Grand Canal Planning Scheme to re-locate a bridge crossing of the River Liffey.

Appeals by Area

In 2020, 27,321 decisions were made by planning authorities of which 1,956 (or 7%) were appealed to An Bord Pleanála (5.6% in 2019).

Dublin City Council, Dún Laoghaire-Rathdown County Council and Fingal County Council had the highest levels of decisions appealed respectively at 16.1%, 16% and 14.4%. Donegal County Council had the lowest level of decisions appealed at 2.6%

Table 2: Planning Appeals Received by Area

| Planning Authority | Number of planning authority decisions appealed | Percentage of planning authority decisions appealed |
|---------------------------------------|---|---|
| All Planning Authorities | 1956 | 7.20% |
| Dublin City Council | 369 | 16.10% |
| Dún Laoghaire-Rathdown County Council | 177 | 16.00% |
| Fingal County Council | 154 | 14.40% |
| Galway City Council | 42 | 13.50% |

A table of planning appeals received and decided by area is available in Appendix 2.

Strategic Infrastructure Development

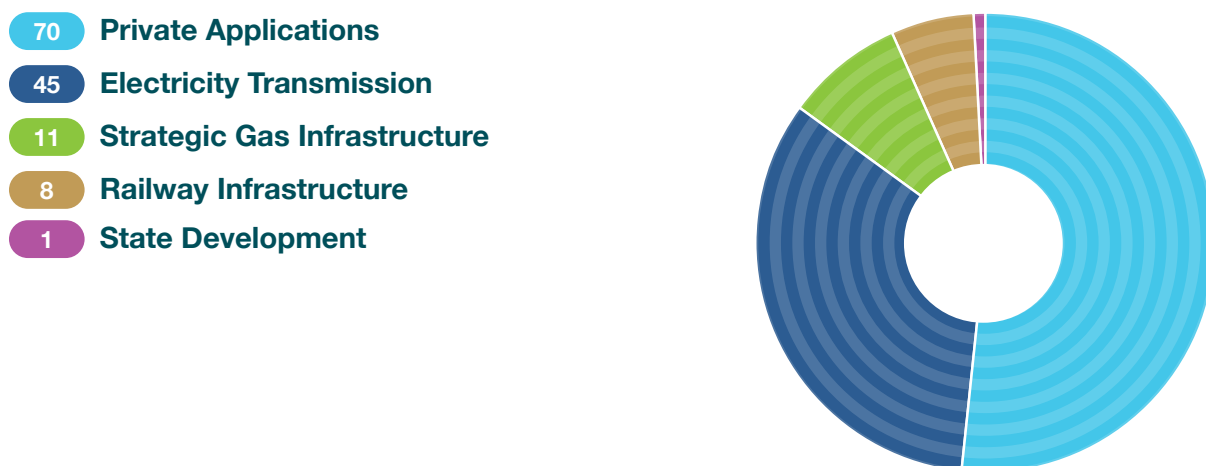
Under the Planning and Development Act 2000, as amended, applications for public and private proposed Strategic Infrastructure Development (SID) are made directly to An Bord Pleanála.

The Planning and Development (Strategic Infrastructure) Act 2006 provided for the making of direct applications for public and private strategic infrastructure development to An Bord Pleanála.

Private Entities / Statutory Undertakers(Private Applications)

Applications for strategic infrastructure developments are made directly to An Bord Pleanála from private entities and statutory undertakers and from local authorities. These applications relate to large scale developments comprising energy, transport, environmental and health infrastructure. Seventeen private applications were submitted in 2020 bringing the total number received to 135 since the legislative provisions became operative in 2007.

Figure 7: Breakdown of Strategic Infrastructure Development application cases received to end 2020



Compliance with the relevant statutory objective period for making decisions for this category of cases was at 17% in 2020 which reflects the level of complexity and the fact that additional time is often required to conduct hearings and to seek and consider further information.

During 2020, 3 private strategic infrastructure development applications and 8 electricity cases and 1 State Development were concluded as follows:

Table 3: Strategic Infrastructure Development Applications Concluded 2020

| | |
|--|---|
| Increase in waste material at Drehid Waste Management Facility, Carbury, Co. Kildare. | Refuse permission |
| 110kV onsite electrical substation and 110kV overhead line grid at Timahoe East, Co. Kildare. | Approve with conditions |
| Wind farm of 24 number wind turbines, 110kV substation and related works, Derryadd Wind Farm, Lanesborough, Co. Longford. | Grant permission with conditions |
| Air insulated switchgear 110kV transmission substation, Duleek, Co. Meath | Approve with conditions |
| Oil Berth 3 and Oil Berth 4, Eastern Oil Jetty at Berths 50A, 50N, 50S, 51, 51A, 49, 52, 53 and associated terminal yards, including new Ro-Ro jetty and consolidation of passenger terminal buildings, Dublin Port, Dublin 1 and 3. | Grant permission with conditions |
| 110kV 4-bay C-type electricity substation and associated infrastructure to tie into existing 110kV transmission line, Tullamore, Listowel, Co. Kerry. | Approve with conditions |
| 110kV 4-bay C-type electricity substation (with 33kV customer compound) to connect to and serve a proposed solar farm at Tullabeg, Camolin, Co. Wexford. | Approve with conditions |
| 110kV electrical substation and associated 110kV infrastructure to connect a solar farm to the existing 110kV overhead line, Hightown and Balloughter, Co. Westmeath. | Approve with conditions |
| 220kV transmission line and a 220kV gas insulated switchgear (GIS) substation, Cruiserath, Co Dublin. | Approve with conditions |
| 110kV substation with 110kV overhead line grid connection to existing transmission line on site, Harristown, Castlejordan and Clongall, Co. Meath. | Approve with conditions |
| 110kV Gas Insulated Switchgear (GIS) substation, underground cables, IDA Business & Technology Park, Blanchardstown Dublin 15. | Approve with conditions |
| Brexit Infrastructure - installation of porta-cabin structures. Resurfacing and amalgamation of existing yards. Parking for heavy goods vehicles, cars and bicycles, Dublin Port, Dublin 3. | Approve with conditions |

Prior to submitting an application, it is mandatory to have a pre-application consultation with An Bord Pleanála (with the exception of local authorities). In 2020, 46 requests for pre-application consultations were received for strategic infrastructure development cases, 53 meetings were held and 44 requests were concluded.

Of the 44 requests concluded, 29 were deemed to be strategic infrastructure development, 11 were deemed not to be and 4 were otherwise disposed.

Local Authorities

7 strategic infrastructure applications (including related compulsory acquisition requests) were received from local authorities. In 2020, 7 applications were concluded as follows:

| Table 4: Strategic Infrastructure Development (Local Authorities) applications decided in 2020 | |
|--|---------------------------------------|
| Dublin Mountain Visitors Centre and associated works, Jamestown, South Dublin. | Approve with conditions |
| South Kerry Greenway comprising the construction of a 31.93 km greenway on the corridor of the abandoned railway line with off-line sections being constructed on adjacent lands and local roads, Cahirciveen to Glenbeigh, Co. Kerry. | Approve with conditions |
| South Kerry Greenway Compulsory Purchase Order No. 1, 2018 | Confirm CPO with modifications |
| Mixed use development comprising cultural centre, residential and retail buildings, new sea wall around the existing Trinity Wharf site, 64 berth floating marina, Trinity Wharf, Trinity Street, Wexford. | Approve subject to conditions |
| Opera site re-development including a mixed use scheme of offices, supported by a range of retail and non-retail services, refurbishment of existing protected buildings and open space, Limerick City. | Approve with Conditions |
| Greenway between Malahide Demesne and Newbridge Demesne to be known as 'Broadmeadow Way'. | Approve subject to conditions |
| A residential development with ancillary commercial uses (retail unit, café and crèche) partially comprising a "Build to Rent" scheme on circa 9.69 hectares, Shankill, Co. Dublin. | Approve with conditions |

Compulsory Acquisition

There were 58 compulsory acquisition cases concluded in 2020. There were 31 informal decisions, for instance, where no objections were received in Compulsory Purchase Order cases. Of the 27 formally decided cases, 85% were disposed of within the statutory objective period. The cases were concluded as follows:

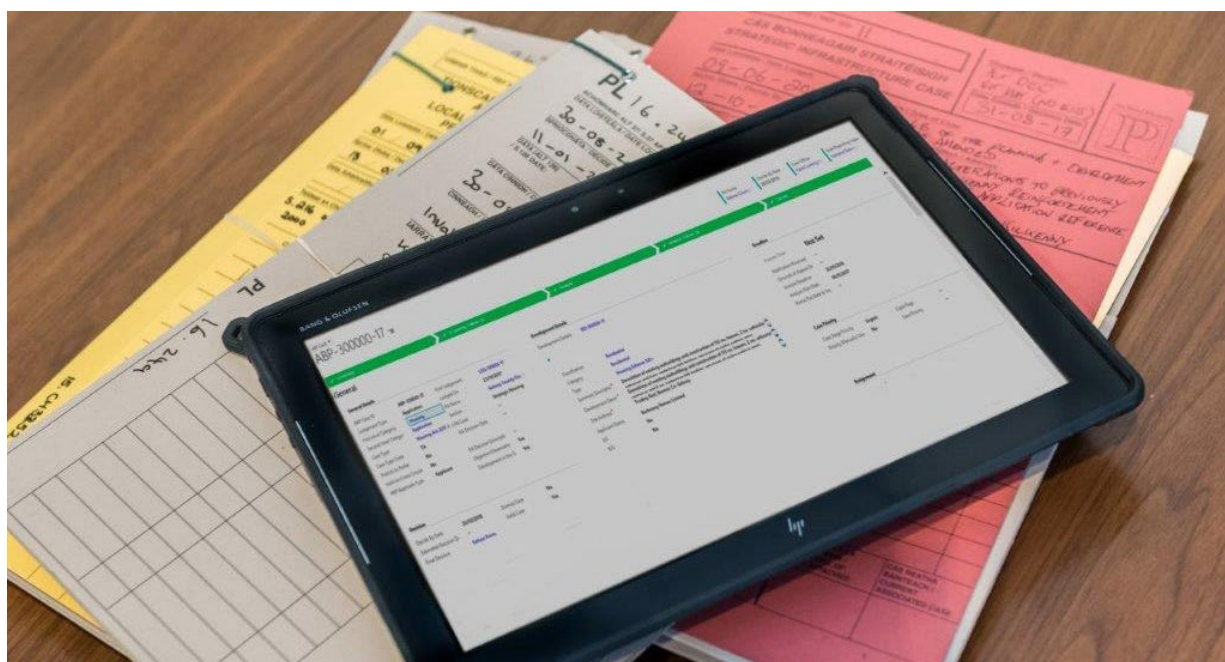
Table 5: Compulsory acquisition

| | |
|---|----|
| Approved with Modifications (Grant consent with modification and confirm CPO with modifications) | 2 |
| Approved without Modifications (Grant consent without modification, confirm CPO without Modification and Grant Consent) | 18 |
| Annulled (Annul CPO) | 3 |
| Refused (Refuse consent) | 4 |
| Informal Decisions (all except those filters mentioned above) | 31 |

Appropriate Assessment

Appropriate Assessment is an assessment of the potential of a plan or project to adversely affect the integrity of a site which is protected under the EU Habitats Directive. Where a local authority project requires Appropriate Assessment or where it needs to be determined whether or not Appropriate Assessment is required, the Competent Authority is An Bord Pleanála.

In 2020, 21 Appropriate Assessment cases were received and 20 concluded. Of these 20 cases, 13 were approved, 3 refused and 4 were determined not to require a Natura Impact Statement (NIS).



Strategic Housing Development

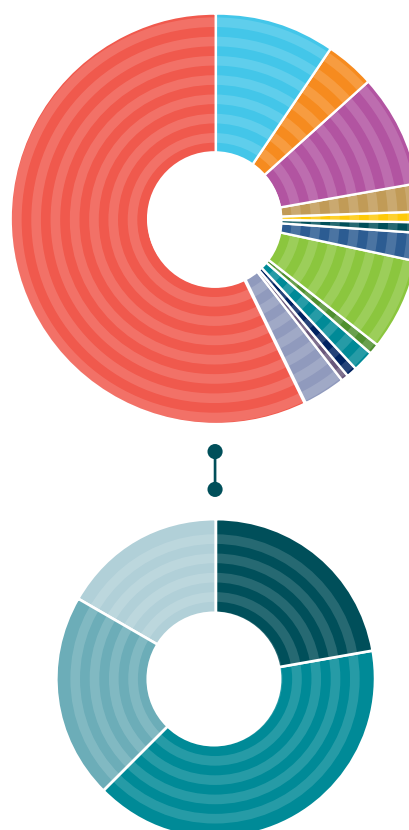
The Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended by the Planning and Development (Amendment) Act 2018) requires that certain applications for strategic housing developments (100 or more houses, 200 or more bed spaces for student accommodation or 200 or more bed spaces for shared accommodation units) to be made directly to An Bord Pleanála.

During 2017, An Bord Pleanála established a dedicated Strategic Housing Development Unit and a new division of the Board (as required under legislation) to implement this new function and decide on these applications.

Applications

In 2020 An Bord Pleanála received 112 valid SHD applications. During the year, 137 SHD applications were concluded with the Board making a formal decision on 126 applications. All decisions on SHD applications were made within the statutory period (16 weeks where no oral hearing was held and 24 weeks if an oral hearing was held). The Planning and Development (Housing) and Residential Tenancies Act 2016 allows for the holding of oral hearings into SHD applications where there is a compelling case for such hearings, An Bord Pleanála held 4 oral hearings into SHD applications in 2020. A geographical breakdown of valid SHD application decided in 2020 is as follows:

Figure 8: Geographic Distribution of valid SHD Applications decided 2020



Of the 126 decisions made, the Board granted permission with conditions in 98 cases (78%) and refused permission in 28 cases (22%). Under those 98 decisions, permission was granted for 25,403 residential units of which 5,908 were houses and 19,495 were apartments (which includes 3,631 'Build to rent' apartments). In addition, permission was granted for 774 'shared accommodation/co-living' bedspaces and 2,301 student bedspaces.

| Table 6: Strategic Housing Developments - Applications | | | | |
|--|---------------------|-------------------|--------------------|----------------------|
| | Permissions Granted | Residential Units | Student Bed Spaces | Shared accommodation |
| 2020 | 98 | 25,403 | 2,301 | 774 |

Pre-Application Consultations

The SHD legislation also requires that a prospective applicant completes a pre-application consultation process with An Bord Pleanála before lodging an application for a strategic housing development.

This pre-application consultation is a 9-week process and culminates in the issuing of an 'Opinion'.

In 2020, An Bord Pleanála received 167 valid requests to enter into pre-application consultations and issued 151 Opinions. This marks an increase in SHD activity on the previous year when 150 valid requests were received, and 148 Opinions issued.



Other Significant Case Types

Vacant Site Levy

The Urban Regeneration and Housing Act 2015 provides for appeals to An Bord Pleanála against entry on the vacant sites register, or against the vacant site levy, or both.

In 2020, 45 appeals were received, of which 30 were valid.

During the year, 47 cases were concluded with the Board making a formal decision on 32 cases with 15 otherwise disposed of.

Table 7: Vacant Site Levy Appeals Concluded

| | |
|----------------------------|-----------|
| Confirm entry on register | 19 |
| Cancel entry from register | 13 |
| Otherwise disposed of | 15 |
| Total | 47 |



Projects of Common Interest

An Bord Pleanála is the Competent Authority for Projects of Common Interest (PCI) under European Regulation 347/2013 on guidelines for trans-European energy infrastructure. This relates to European Union procedures to streamline the consenting process for trans-European energy projects which are contained in a Union list of projects adopted by the European Commission.

Greenlink Project

In June 2020, the project promoter submitted a draft application file for the project known as Greenlink (Ireland – United Kingdom interconnection between Wexford and Pembroke, Wales: 1.9 on the Union List) under Article 10 of the Regulation. Following the submission of supplementary information, An Bord Pleanála acting as competent authority, accepted the application which was submitted in December 2020. The PCI Regulation provides that the PCI statutory permit granting procedure, covering the period from the date of acceptance of the submitted application file until the comprehensive decision is taken, shall not exceed one year and six months. The Regulation does provide for an extension of the time limit on a case-by-case basis.

Celtic Interconnector Project

On 31st January 2020, the project known as the Celtic Interconnector (France – Ireland interconnection between La Martyre and Knockraha Co. Cork: 1.6 on the Union List) was accepted into the permit granting process following the decision of the UK competent authority as the PCI Regulation provides that where two or more Member States are concerned, the date of acceptance of the last notification by the competent authority concerned shall serve as the date of the start of the permit granting process. The concept for public participation submitted by EirGrid (the project promoter) in April 2020 was approved by An Bord Pleanála, as competent authority, in July 2020.

Oral Hearings

Appeals and referrals are generally dealt with on the basis of written submissions from the parties, together with a site inspection by an Inspector appointed by An Bord Pleanála. Oral hearings are typically held in relation to CPO cases, Strategic Infrastructure Applications and other cases which are complex and / or large in scale. An Bord Pleanála often arranges oral hearings to be held in the local area to the proposed development to facilitate attendance by local interested parties, planning authorities and stakeholders to attend.

During 2020, there were 19 oral hearings held. Of these 8 related to compulsory purchase orders, and 7 related to strategic infrastructure development applications and other types of local authority projects, and 4 related to strategic housing developments.

In relation to planning appeal cases, there were no oral hearings held in 2020.

Due to COVID-19, oral hearings were generally held virtually.

Reports and Recommendations

Decisions on all valid appeals and applications are made by the Board of An Bord Pleanála on foot of reports, including recommendations, prepared by inspectors. External inspectors are appointed in a small number of specialist work areas such as Fire Safety and Disability Access cases, or as specialists - for example: hydrologists – to assist in-house reporting inspectors with aspects of particular planning cases.

A total number of 2,081 inspector's reports were prepared for the Board in 2020 a decrease on the 2,212 prepared in 2019. The majority 2,071 (2,184 in 2019) were prepared by in-house inspectors. External reporting inspectors prepared 10 reports for the Board in 2020 (28 reports in 2019).

In 2020, 90% of recommendations made by the inspectors were generally accepted by the Board, broadly in line with the 89% acceptance in 2019.

Board Meetings

The Inspector's Report and Recommendation is provided to the Board with the full case file for decision. The cases are decided by Board members in a quorum at Board meetings and decisions are entered in a record of the Board meeting.



02. Corporate Matters

- Legal Proceedings
- Human Resources
- Implementation of ICT Strategy
- Communications
- Energy Efficiency



Legal Proceedings

In 2020, 83 legal cases were instituted in relation to Board decisions and procedures.

There were 30 substantive court judgments delivered in 2020 and of those, 11 upheld the legality of the relevant Board decision while 19 found against the Board. The Board conceded 13 other legal challenges in 2020 where it accepted that there was a material legal defect in its decision-making process.

8 legal cases against the Board were withdrawn in 2020.

Figure 9: Outcome of Legal Proceedings 2020

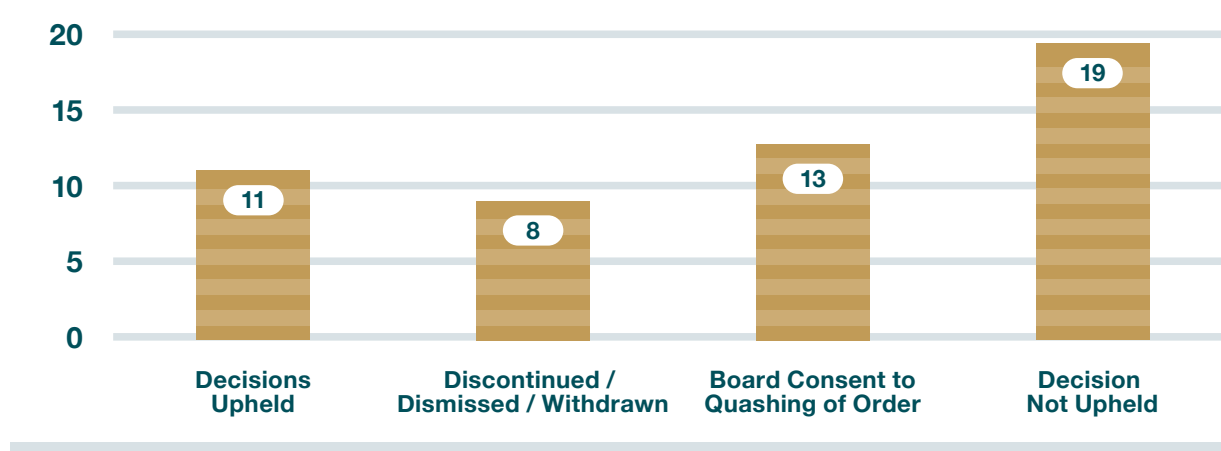


Figure 10: Outcome of Legal Cases concluded in the relevant calendar year

| Year | Cases Won | Cases Lost Court Judgement | Cases Conceded | Cases Withdrawn |
|--------------|-----------|----------------------------|----------------|-----------------|
| 2021 * | 8 | 15 | 3 | 5 |
| 2020 | 11 | 19 | 13 | 8 |
| 2019 | 9 | 8 | 7 | 11 |
| 2018 | 13 | 2 | 10 | 16 |
| 2017 | 19 | 2 | 10 | 19 |
| Total | 60 | 46 | 43 | 59 |

A large proportion of the increasing caseload of judicial reviews relating to An Bord Pleanála decisions concern complex matters of procedure and interpretation relating to the EU environmental directives and procedures to do with handling of Strategic Housing Development applications.

It is accepted that recent judicial review outcomes have seen a greater number of such cases conceded or lost and this is an outcome of the increasing complexity of those European law issues and novel issues relating to the new strategic housing process.

* These figures relate to midyear only.

Human Resources

Staffing and Recruitment

The Board places great value and reliance on the professional expertise, integrity, dedication and public service ethos of its members and staff. It recognises their commitment and dedication to the Board's pursuit of providing its stakeholders with a high quality and efficient service. The staff and Board members are to be commended for their commitment throughout Covid-19 to maintaining operations, the robust safety measures implemented in the office and the roll out of blended working for all staff in this emergency which has fundamentally changed the way they work. Their responsiveness ensured that disruptions were minimised across the organisation.

There were challenges in 2020 in relation to staff turnover with 25 new staff joining the Board and 15 staff leaving reflecting the general economic situation in relation to employment. The summer internships for planning students from Technological University Dublin (formerly Dublin Institute of Technology), UCD and UCC did not go ahead in 2020 due to Covid restrictions at the time.

The highest number of staff employed during 2020 was 175.4 (168.2 in 2019). The average number of staff employed over 2020 was 168.2 whole time equivalent (162.2 in 2019).



Implementation of ICT Strategy

Plean-IT project

The second phase of the ICT Strategy is currently underway. An in house development team has been engaged to renovate and deliver enhancements to the case management system which has been operational since October 2017. Work completed in 2020 and Q1 of 2021 includes an online strategic housing observation service, enhanced system security and new functionality in the form of a “case details dashboard”. An Bord Pleanála is continuing to optimise the case management solution through the implementation of these architectural improvements and ensuring its readiness for migration to the cloud.

The new website was launched in April 2021. A customer feedback process will be conducted in July 2021 and feedback will be taken into consideration as the aim is to continually improve and enhance the website going forward. Further online services capability is planned for more case types and these will be rolled-out over Q3 and Q4 of 2021.

Communications

Consultations with other Bodies

An Bord Pleanála is obliged to keep itself informed of the policies of certain bodies whose functions have a bearing on proper planning and sustainable development. These include Ministers of the Government and planning authorities. In 2020 An Bord Pleanála met with a range of stakeholders, including Commission for Regulation of Utilities, Irish Wind Energy Association (IWEA), and Irish Water.

Irish Language

An Bord Pleanála welcomes the use of the Irish language and the organisation is fully committed to fulfilling its obligations and commitments in relation to official language equality under the Official Languages Act 2003, the Planning and Development Acts and its Customer Action Plan and Language Scheme.



Freedom of Information (FOI) and Access to Information on the Environment (AIE)

The Planning and Development Acts, the Freedom of Information Act and Access to Information on the Environment Regulations provide for access to certain information on An Bord Pleanála's operations.

Details of activity in 2020 are provided below:

| Table 8: FOI / AIE Requests 2020 | FOI | AIE |
|---|------------|------------|
| On Hands Start | 1 | 2 |
| Requests Received | 39 | 22 |
| Granted / Partially Granted | 26 | 17 |
| Withdrawn | 0 | 0 |
| Transferred | 0 | 0 |
| Refused | 14 | 7 |
| On Hands End | 0 | 0 |

The number of public access requests for casework files under the Planning and Development Acts was 1,066.

Oireachtas Members Liaison

An Bord Pleanála has arrangements in place to provide information to members of the Oireachtas on request. In 2020, 18 queries were received from members of the Oireachtas. We issued a substantive reply to each query within the 15 working days' response time. Responses to queries are published on a quarterly basis on our website.

Customer Service

The Customer Charter and Customer Action Plan, published on the website, sets out the organisation's commitments and objectives in relation to maintaining high standards of customer service. The Customer Action Plan also contains information on how to make a complaint about the quality of customer service.

In 2020, one query was resolved by the Customer Service Officer by phone, while responses were made to 204 communications regarding decided cases. Sometimes a query will contain more than one topic, for example, the query may raise both interpretation and clarification matters. The most common topic raised is enforcement (91 queries). Enforcement is where a person considers that the decision of the Board is not being correctly implemented. This is a matter for the planning authorities, as An Bord Pleanála has no role in enforcement matters.

Figure 11: Post-Decision Correspondence Replies



Energy Efficiency

As part of the Sustainable Energy Authority of Ireland (SEAI) Public Sector Energy Programme, An Bord Pleanála is committed to increasing energy efficiency by a factor of 33% by the year 2020.

Table 9: Energy Data 2020

| | 2020 | Baseline 2006-2008 | % change |
|---------------------------|-------------|--------------------|----------|
| Energy Usage | 434,400 kWh | 742,877 kWh | -42% |
| CO ₂ Emissions | 130,515 kg | 457,941 kg | -72% |

An Bord Pleanála has exceeded its target for the 2020 (SEAI) Public Sector Energy programme.

We increased our energy efficiency by 5.4% in 2020 compared to 2019. CO₂ emissions remain well below the required reduction target.

The building lies in the C3 category of the building energy rating (BER) scheme, an improvement on our previous D1 rating.

Actions undertaken to improve energy efficiency in 2020 include:

- Replacement of electric heaters in lift lobbies with new more energy efficient models.
- Full audit of timers on electrical devices throughout the building
- First phase of LED lighting in open plan office areas

Actions planned for 2021 include:

- Further installation of LED lighting in open office areas
- Review and implement the actions set out in An Bord Pleanála's Resource Energy Action Plan (REAP)

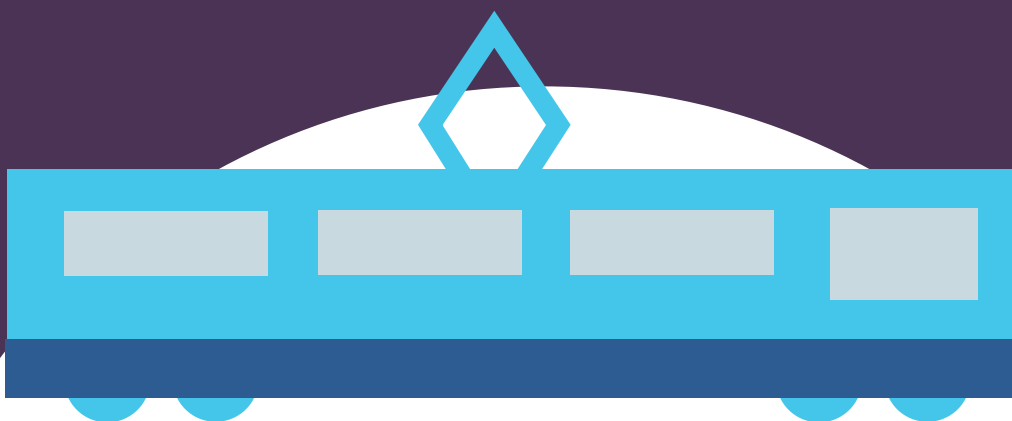
Green Government Initiative

In line with the Government's Green Initiative, An Bord Pleanála adopted a Resource Efficiency Action Plan (REAP) and established a Green Team with participants from across the organisation to identify and drive forward new green initiatives. In 2020, the Board continued to implement the actions set out in the REAP.



03. Governance Matters

- **Members of the Board**
- **Code of Practice for Governance of State Bodies**
- **Risk Management**
- **Procurement**
- **Prompt Payments**
- **Data Protection and GDPR**
- **Public Sector Equality and Human Rights Dignity**
- **Ethics in Public Office**



Members of the Board



Dave Walsh²

Chairperson:
30 October 2018



Paul Hyde^{1 2}

Ordinary Member: 1 May 2014
Reappointed: 1 May 2019
Deputy Chairperson:
29 January 2019



Chris McGarry²

Ordinary Member:
1 February 2019



Michelle Fagan¹

Ordinary Member:
12 February 2018



Terry Prendergast¹

Ordinary Member:
2 August 2017



Terry Ó Niadh

Ordinary Member:
4 September 2017



Dr Maria FitzGerald²

Ordinary Member:
10 July 2017



John Connolly²

Ordinary Member:
18 September 2017



Stephen Bohan¹

Ordinary Member:
12 June 2018



Philip Jones^{1 3}

Ordinary Member:
1 May 2014

¹ Strategic Housing Division
² Strategic Infrastructure Division
³ Retired August 2020

Code of Practice for Governance of State Bodies

Corporate Governance in An Bord Pleanála follows the relevant requirements of the Code of Practice for the Governance of State Bodies 2016. An Bord Pleanála is committed to reviewing its governance policies and procedures on an on-going basis and obtaining up to date refresher training and guidance to assure continued compliance with best practice in this area.

An Bord Pleanála has conducted a review of governance arrangements and procedures to ensure appropriate alignment with all relevant provisions of the 2016 Code. An Bord Pleanála is satisfied that it is in full compliance with all relevant/applicable code requirements.

Risk Management

Risk Management and related governance structures and procedures are key priorities. The Board has responsibility for overseeing risk management within the organisation determining the organisation's risk appetite and the Corporate Risk Register (and amendments to) during the year.

Procurement

As a public body, An Bord Pleanála utilises central contracts put in place by the Office of Government Procurement (OGP) when procuring a range of commonly acquired goods and services.

Where no central contract is available, An Bord Pleanála operates in accordance with European Union (EU) Procurement Directives.

In 2020, the following services (over €25,000) were procured under frameworks operated by the OGP:

- Applications Developer Architect Consultancy Services (ICT)
- Software Developer (Integration) Consultancy Services (ICT)
- Software Developer (Front-End) Consultancy Services (ICT)
- CRM Developer Consultancy Services (ICT)
- Project Manager Consultancy Services (ICT)
- Cyber Security Consultancy Services (ICT)

Additionally, Network Infrastructure Upgrade (ICT) services were procured following an open competition and Website Development Services (ICT) were procured under a restricted procedure following the issue of a pre-qualification questionnaire. A tender for the provision of Legal Services was cancelled and rescheduled and a tender for Software Developer (Data) Consultancy Services (ICT) did not result in any contract award.

Prompt Payments

An Bord Pleanála comes within the scope of the Prompt Payment of Accounts Act 1997, as amended by the European Communities (Late Payment in Commercial Transactions) Regulations 2002. The payment practices are reported on below for the year ended 31st December 2020 in accordance with section 12 of the Act.

1. It is An Bord Pleanála's policy to comply with the relevant provisions of the Act and to ensure that all invoices are paid promptly. Specific procedures are in place that enable it to track all invoices and ensure that payments are made before the due date. Invoices are registered daily, and payments are made as required to ensure timely payments. In 2020 An Bord Pleanála did not set or agree payment periods outside the terms of the Act.
2. The system of internal control incorporates such controls and procedures as are considered necessary to ensure compliance with the Act. This system includes accounting and computer controls designed to ensure the identification of invoices and contracts for payment within the payment periods required by the Act. Reports are produced that identify unpaid outstanding invoices and these reports are reviewed regularly at a senior management level.
3. The procedures referred to at 1 and 2 above are designed to provide reasonable but not absolute assurance against material non-compliance with the Act. An Bord Pleanála is satisfied that its procedures have operated adequately in the main and that no remedial action is required.
4. The average delay in making payments, after the statutory period of 30 days, was nil. Since 1st January 2021, there have been no material developments insofar as An Bord Pleanála's compliance with the Act is concerned.

There were no late payments in 2020. The total value of all payments was €8.14 million.

Data Protection and GDPR

Data Protection and GDPR Data Protection legislation is in place to protect the natural person with regard to processing of personal data and on the free movement of such data. All staff are briefed on their obligations and the procedures in place in the Board. During 2020, the Board received 7 data protection requests and issued 10 responses.

Public Sector Equality and Human Rights Dignity

Section 42 of the Irish Human Rights and Equality Commission Act 2014 imposes a statutory obligation on public bodies in performing their functions to have regard to the need to:

- Eliminate discrimination;
- Promote equality of opportunity and treatment for staff and persons to whom it provides services; and
- Protect the human rights of staff and service users. This became a particular focus during the pandemic so the duty of care to staff was even more relevant during Covid-19 – the measures included the roll out of remote working, increased safety measures across the office and increased mental health supports for staff members.

Our Access Officer is available to facilitate access to our services for all members of the public in as far as it is reasonable and practicable.

Training

Diversity, Equality and Inclusion training will be rolled out in 2021 to all staff and Board members. During 2021 Board policies will be reviewed and updated in line with current legislation and the spirit of equality and social justice.

The Board will continue to promote celebrations of diversity such as Pride, International Day for Persons with Disabilities and Positive Ageing Week.

Recruitment

Open recruitment competitions for generalist posts are notified to the following bodies: Solas, NDA, Rehab.

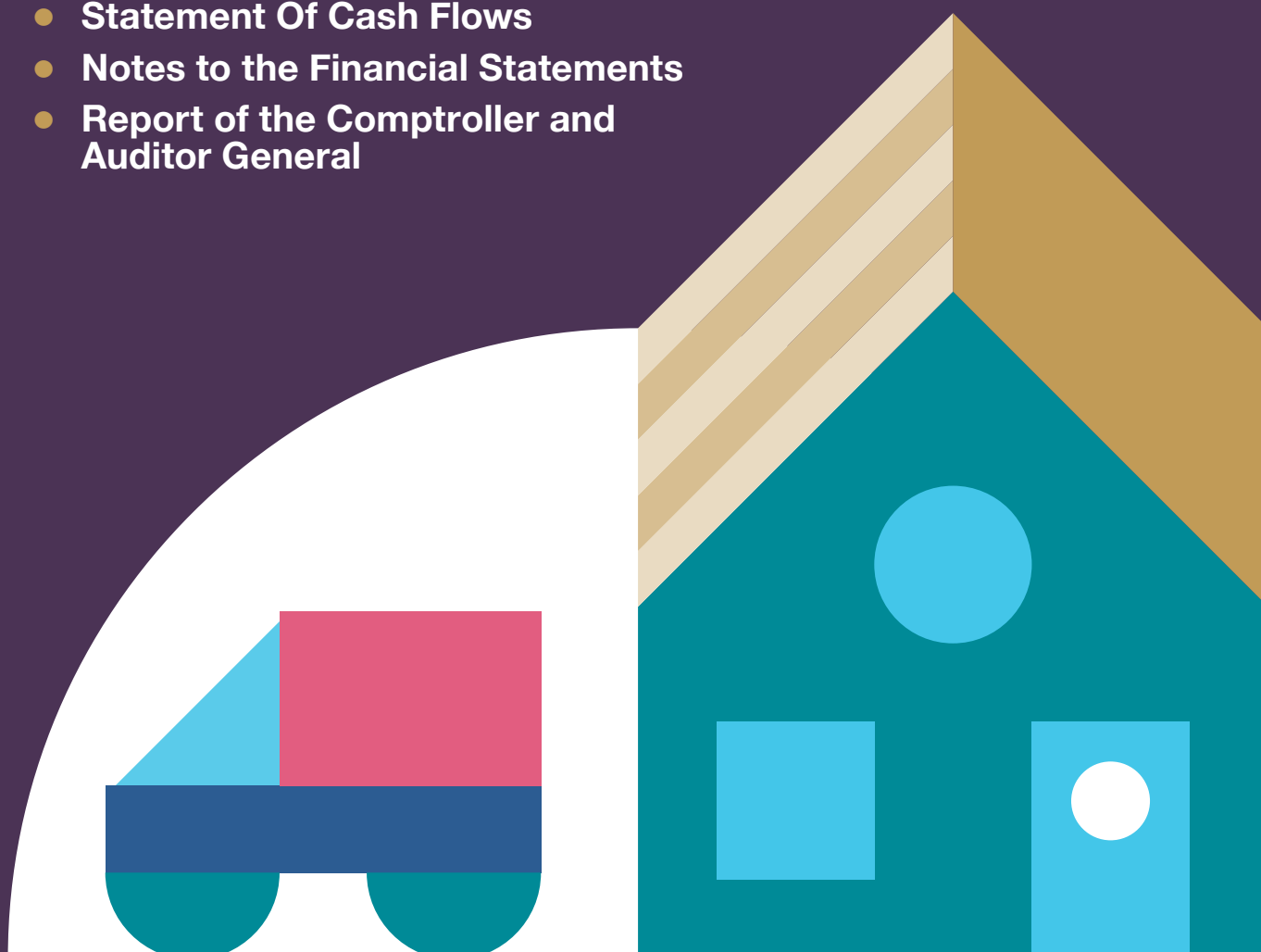
Ethics in Public Office

An Bord Pleanála comes within the scope of the Ethics in Public Office Acts 1995 and 2001 and has adopted procedures to comply with the Acts. Where required, Board members and staff have completed statements of interest in compliance with the provisions of the Acts.



04. Governance Report & Financial Statements

- Governance Statement and Board Members' Report
- Statement of Compliance
- Statement on Internal Control
- Statement of Income and Expenditure and Retained Revenue Reserves
- Statement of Comprehensive Income
- Statement of Financial Position
- Statement Of Cash Flows
- Notes to the Financial Statements
- Report of the Comptroller and Auditor General



Governance Statement and Board Members' Report

Governance

An Bord Pleanála was established under the Local Government (Planning and Development) Act, 1976. An Bord Pleanála is responsible for the determination of appeals and certain other matters under the Planning and Development Acts, 2000 to 2020 and determination of direct applications for Strategic Housing Development and for Strategic Infrastructure Development including major road and railway cases. It is also responsible for dealing with proposals for the compulsory acquisition of land by local authorities and others under various enactments. The Board also has functions to determine appeals under Water Pollution and Building Control Acts.

The Board is accountable to the Minister for Housing, Local Government and Heritage and for ensuring good corporate governance. The regular day-to-day management, control and direction of An Bord Pleanála are the responsibility of the Chairperson, Chief Officer and the senior management team.

The Chairperson, Chief Officer and senior management team must follow the broad strategic direction set by the Board, and must ensure that all Board members have a clear understanding of the key activities and decisions related to the organisation, and of any significant risks likely to arise. The Chairperson acts as a direct liaison between the Board and management of An Bord Pleanála.

Board Responsibilities

The work and responsibilities of the Board are set out in the statutory provisions in the Planning and Development Acts 2000 – 2020 and associated legislation.

The Chairperson and Ordinary Board members are appointed in a whole-time capacity and are specifically excluded from holding any other office or employment in respect of which emoluments are payable. Remuneration levels for the Chairperson and other Board members are set by the Minister for Housing, Local Government and Heritage with the consent of the Minister for Public Expenditure and Reform.

Board Members have responsibility for delivery of high quality decisions on planning appeals and applications in a timely manner and for oversight of the overall corporate governance of the organisation. In addition to regular meetings to adjudicate on planning casework, the Board also meets generally on a monthly basis or as required in relation to oversight and governance of An Bord Pleanála. These General Board Meetings have standing items which include:

- Financial reports/management accounts
- Performance Reports
- Risk Management reports and analysis
- Approval and review of corporate policies
- Approval and monitoring of annual budget
- Approval and monitoring of annual delivery plan

- Reports from the Audit and Risk Committee and Internal Audit
- Management reports on Legal Affairs
- Any other matters reserved to the Board for decision

Section 150 of the Planning and Development Act, 2000, as amended, requires An Bord Pleanála to adopt a Code of Conduct for dealing with conflicts of interest and promoting public confidence in the integrity of the conduct of its business. The Code of Conduct adopted by the Board is available on its website. The provisions of the Code of Conduct also align with the requirements of the Code of Practice for the Governance of State Bodies.

The policy of An Bord Pleanála is to provide best value for money when purchasing goods and services for the organisation. An Bord Pleanála is encouraged to utilise central contracts put in place by the Office of Government Procurement when procuring a range of commonly acquired goods and services. Where no central contract is available, An Bord Pleanála operates in accordance with EU Procurement Rules and Guidelines and its own internal procurement policy and protocols. An Bord Pleanála also complies with the appropriate requirements of the Department of Public Expenditure and Reform Public Spending Code in relation to its expenditure.

Section 117(1) of the Planning and Development Act, 2000 requires the Board of An Bord Pleanála to keep, in such form as may be approved by the Minister for Housing, Local Government and Heritage with consent of the Minister for Public Expenditure and Reform, all proper and usual accounts of money received and expended by it.

In preparing its financial statements, An Bord Pleanála is required to:

- Select suitable accounting policies and apply them consistently.
- Make judgements and estimates that are reasonable and prudent.
- Prepare the financial statements on the going concern basis unless it is inappropriate to presume that it will continue in operation.
- State whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in financial statements.

The Board is responsible for keeping adequate accounting records which disclose, with reasonable accuracy at any time, its financial position which enables it to ensure that the financial statements comply with section 117(1) of the Planning and Development Act, 2000. The maintenance and integrity of the information on the An Bord Pleanála website in relation to any corporate or financial matters is the responsibility of the Board.

The Board is responsible for approving the annual delivery plan and budget. An evaluation of the performance of An Bord Pleanála by reference to the annual delivery plan and budget for 2020 was carried out by the Board at the General Board Meeting of the 25th February 2021.

The Board is also responsible for safeguarding its assets and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The Board considers that the financial statements of An Bord Pleanála give a true and fair view of the financial performance and the financial position of An Bord Pleanála at 31 December 2020.

Board Structure

The Planning and Development Act, 2000, as amended, provides that the Board shall consist of a Chairperson and nine ordinary members, one of whom is appointed as Deputy Chairperson. The Chairperson's term of office is seven years and the Chairperson can be re-appointed for a second or subsequent term of office provided he or she is Chairperson at the time of the re-appointment. The ordinary Board members (including the Deputy Chairperson) term of office is five years and these members may be re-appointed for a second or subsequent term provided that the person concerned is an outgoing member at the time of the re-appointment. Membership of the Board is whole-time. The table below details the appointment period/s for current members:

| Board Member | Role | Date Appointed |
|----------------------------|---------------------------------|-------------------|
| Dave Walsh | Chairperson | 30 October 2018 |
| Paul Hyde | Ordinary Member | 1 May 2014 |
| | Reappointment approved to apply | 1 May 2019 |
| | Appointed Deputy Chairperson | 29 January 2019 |
| Dr Maria FitzGerald | Ordinary Member | 10 July 2017 |
| Terry Prendergast | Ordinary Member | 2 August 2017 |
| Terry Ó Niadh | Ordinary Member | 4 September 2017 |
| John Connolly | Ordinary Member | 18 September 2017 |
| Michelle Fagan | Ordinary Member | 12 February 2018 |
| | Re-appointed | 1 January 2020 |
| Stephen Bohan | Ordinary Member | 12 June 2018 |
| | Re-appointed | 1 January 2020 |
| Chris McGarry | Ordinary Member | 1 February 2019 |

The Board completed a self-assessment evaluation of its own performance on 25th March, 2021.

The Board has established an Audit and Risk Committee which comprises two Board members and two external persons, one of whom is the Chairperson of the Audit and Risk Committee. The role of the Audit and Risk Committee (ARC) is to support the Board in relation to its responsibilities for issues of risk, control and governance and associated assurance. The ARC is independent from the financial management of the organisation. In particular, the Committee ensures that the internal control systems including audit activities are monitored actively and independently. The minutes of the ARC's meetings are circulated to the Board after each meeting and an annual report is delivered to the Board by the Chairperson of the ARC on activities throughout the year.

The members of the Audit and Risk Committee on 1st January 2020 were: Martin Higgins (External Chairperson), Patricia Byron (external member) and Board members, Michelle Fagan and Terry Ó'Niadh.

Martin Higgins's term on the Committee ended on 11th December 2020 and Patricia Byron was appointed as Chairperson, by the Board of An Bord Pleanála, with effect from 12th December 2020. Terry Ó Niadh's term on the Committee ended on 31st October 2020. John Connolly (Board member of An Bord Pleanála) was appointed to the Committee with effect from 1st November 2020. There were four meetings in 2020.

Schedule of Attendance, Fees and Expenses

A schedule of attendance at the General Board and Audit and Risk Committee meetings for 2020 is set out below:

| | General Board Meetings | | Audit and Risk Committee | |
|-----------------------------|------------------------|---|--------------------------|---|
| | A | B | A | B |
| Dave Walsh | 8 | 8 | | |
| Paul Hyde | 8 | 8 | | |
| Philip Jones ² | 5 | 5 | | |
| Dr Maria FitzGerald | 8 | 6 | | |
| Terry Prendergast | 8 | 8 | | |
| Terry Ó Niadh ¹ | 8 | 8 | 2 | 2 |
| John Connolly ¹ | 8 | 7 | 2 | 2 |
| Michelle Fagan ¹ | 8 | 8 | 4 | 4 |
| Stephen Bohan | 8 | 8 | | |
| Chris McGarry | 8 | 8 | | |

A Number of meetings held during the tenure of each Board member in 2020 (includes 1 SGBM)

B Number of meetings attended

¹ Board member who sat on the Audit and Risk Committee during 2020.

² Retired August 2020.

No fees are paid to Board Members and expenses paid are disclosed in Note 6(d) to the Financial Statements.

Key Personnel Changes

One Ordinary Board member (Philip Jones) retired in August 2020.

Disclosures Required by Code of Practice for the Governance of State Bodies (2016)

The Board is responsible for ensuring An Bord Pleanála has complied with the requirements of the Code of Practice for the Governance of State Bodies (“the Code”), as published by the Department of Public Expenditure and Reform in August 2016. The following disclosures are required by the Code:

Employee benefits breakdown (includes Board Members)

The employee benefits breakdown is disclosed in Note 6 (e) to the Financial Statements.

Consultancy Costs

Consultancy costs include the cost of external advice to management and exclude outsourced 'business-as-usual' functions.

| | 2020 | 2019 |
|--|------------------|----------------|
| | € | € |
| Legal advice | 61,926 | 57,673 |
| Actuarial advice | 5,166 | 3,321 |
| ICT Consultancy | 13,845 | 20,775 |
| ICT Consultancy Plean IT Project | 913,342 | 568,346 |
| Human Resources | 10,423 | 8,399 |
| Business Improvement | 0 | 7,089 |
| Other | 61,619 | 45,881 |
| Total consultancy costs | 1,066,321 | 711,484 |
| Consultancy costs capitalised | 30,017 | 139,826 |
| Consultancy costs charged to the Statement of Income and Expenditure and Retained Revenue Reserves | 1,036,304 | 571,658 |
| Total | 1,066,321 | 711,484 |

Legal Costs

The table below provides a breakdown of amounts recognised as expenditure in the reporting period in relation to legal costs. These costs comprise the Board's own legal costs, primarily for solicitor and barrister representation in judicial review cases before the superior courts and the Court of Justice of the European Union, and also payment of costs liabilities for other side costs in these cases where such liabilities arise as an outcome of the Court process. This does not include expenditure incurred in relation to general legal advice received by an Bord Pleanála which is disclosed in Consultancy costs above.

| | 2020 | 2019 |
|---|------------------|------------------|
| | € | € |
| An Bord Pleanála legal fees – legal proceedings | 4,328,653 | 1,607,353 |
| Conciliation and arbitration payments | 0 | 0 |
| Other side legal costs - legal proceedings | 3,877,891 | 1,783,218 |
| Total | 8,206,544 | 3,390,571 |

Travel and Subsistence Expenditure

Travel and subsistence expenditure is categorised as follows:

| | 2020 | 2019 |
|----------------------|----------------|----------------|
| | € | € |
| Domestic | | |
| Board* | 187 | 3,447 |
| Employees | 163,152 | 202,754 |
| Planning Consultants | 8,893 | 1,639 |
| International | | |
| Board | 0 | 576 |
| Employees | 270 | 689 |
| Total | 172,502 | 209,105 |

* includes travel and subsistence of €187 paid directly to Board members in 2020 (2019: €1,002).

Hospitality Expenditure

The Statement of Income and Expenditure and Retained Revenue Reserves includes the following hospitality expenditure:

| | 2020 | 2019 |
|--------------------|----------|------------|
| | € | € |
| Staff hospitality | 0 | 723 |
| Client hospitality | 0 | 0 |
| Total | 0 | 723 |

Statement of Compliance

The Board has adopted the 2016 Code of Practice for the Governance of State Bodies.

An Bord Pleanála is satisfied that it is in full compliance with all applicable requirements of the Code.

On behalf of the Board of An Bord Pleanála:



Mr Dave Walsh,
Chairperson
Date: 24th June 2021



Mr Paul Hyde,
Deputy Chairperson
Date: 24th June 2021

Statement on Internal Control

Scope of Responsibility

On behalf of An Bord Pleanála I acknowledge the Board's responsibility for ensuring that an effective system of internal control is maintained and operated. This responsibility takes account of the requirements of the Code of Practice for the Governance of State Bodies (2016).

Purpose of the System of Internal Control

The system of internal control is designed to manage risk to a tolerable level rather than to eliminate it. The system can, therefore, only provide reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded, and that material errors or irregularities are prevented or detected in a timely way.

The system of internal control, which accords with guidance issued by the Department of Public Expenditure and Reform has been in place in An Bord Pleanála for the year ended 31 December 2020 and up to the date of approval of the financial statements.

Capacity to Handle Risk

An Bord Pleanála has an Audit and Risk Committee (ARC) comprising two Board members and two external members, with financial and audit expertise, one of whom is the Chairperson. The ARC met four times in 2020.

An Bord Pleanála has also established an internal audit function by engaging external consultants who conduct a programme of work agreed with the ARC.

An Bord Pleanála has developed a risk management policy which sets out its risk appetite, the risk management process in place and details the roles and responsibilities of staff in relation to risk. The policy has been issued to all staff who are expected to work within An Bord Pleanála's risk management policies, to alert management on emerging risks and control weaknesses and assume responsibility for risks and controls within their own area of work.

Risk and Control Framework

An Bord Pleanála has implemented a risk management system which identifies and reports key risks and the management actions being taken to address and, to the extent possible, to mitigate those risks.

A risk register is in place which identifies the key risks facing An Bord Pleanála and these have been identified, evaluated and graded according to their significance. The register is reviewed and updated by the Board on an annual and mid-year basis.

The outcome of these assessments is used to plan and allocate resources to ensure risks are managed to an acceptable level.

The risk register details the controls and actions needed to mitigate risks and responsibility for the operation of controls assigned to specific staff. I confirm that a control environment containing the following elements is in place:

- procedures for all key business processes have been documented,
- financial responsibilities have been assigned at management level with corresponding accountability,
- there is an appropriate budgeting system with an annual budget which is kept under review by senior management,
- there are systems aimed at ensuring the security of the information and communication technology systems,
- there are systems in place to safeguard assets.

Ongoing Monitoring and Review

Formal procedures have been established for monitoring control processes and control deficiencies are communicated to those responsible for taking corrective action and to management and the Board, where relevant, in a timely way. I confirm that the following ongoing monitoring systems are in place:

- key risks and related controls have been identified and processes have been put in place to monitor the operation of those key controls and report any identified deficiencies,
- reporting arrangements have been established at all levels where responsibility for financial management has been assigned, and
- there are regular reviews by senior management of periodic and annual performances and financial reports which indicate performance against budgets/forecasts.

Procurement

I confirm that An Bord Pleanála has procedures in place to ensure general compliance with current procurement rules and guidelines. During 2020 An Bord Pleanála generally complied with those procedures.

There were two areas where it is acknowledged that there was not full compliance with procurement requirements. These were related to archive facilities and recording of oral hearing services. Following the February 2021 General Board meeting, the Board decided that both of these services will go to tender in the short term. The total expenditure on these two items in 2020 was €155,952.

Review of Effectiveness

I confirm that An Bord Pleanála has procedures to monitor the effectiveness of its risk management and control procedures. An Bord Pleanála's monitoring and review of the effectiveness of the system of internal control is informed by the work of the internal and external auditors, the Audit and Risk Committee which oversees their work, and the senior management within An Bord Pleanála responsible for the development and maintenance of the internal control framework.

I confirm that the Board conducted an annual review of the effectiveness of the internal controls for 2020 on 25th March, 2021.

Internal Control Issues

No weaknesses in internal control were identified in relation to 2020 that require disclosure in the financial statements.

Systems of internal control were not significantly altered during 2020 despite some disturbance to overall normal business operations as a consequence of the Covid-19 pandemic. The planning system, which includes An Bord Pleanála, was designated by Government as an essential service and, in accordance with that designation, An Bord Pleanála's offices remained open throughout 2020 to enable statutory planning functions, including public participation, to continue. Business continuity was maintained but in alignment with all central Government and health authority requirements and guidance. Within the above context certain staff worked a hybrid office/home working pattern and all existing key financial and other key internal control protocols and procedures continued to be followed throughout 2020.

Accordingly, the Board is satisfied that there was no significant disturbance to existing systems of internal control in 2020 as a consequence of the Covid-19 pandemic.



Mr Dave Walsh,
Chairperson

Date: 24th June 2021



Statement of Income and Expenditure and Retained Revenue Reserves

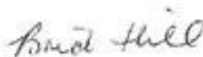
For the year ended 31 December 2020

| | | 2020 | 2019 |
|---|------|--------------------|-------------------|
| | Note | € | € |
| Income | | | |
| Oireachtas Grants | 2 | 19,244,341 | 18,623,812 |
| Fees | 3(a) | 1,742,649 | 1,457,219 |
| Strategic Housing Fees | 3(b) | 2,619,876 | 3,108,528 |
| Strategic Infrastructure Fees & Cost Recoupment | 4 | 2,415,954 | 1,822,413 |
| Net Deferred Pension Funding | 7(c) | 2,861,149 | 3,384,445 |
| Miscellaneous Income | 5 | 6,829 | 11,911 |
| Deposit Interest | 5 | 125 | 123 |
| Profit/(loss) on disposal of Fixed Assets | | 0 | 981 |
| Total Income | | 28,890,923 | 28,409,432 |
| Expenditure | | | |
| Salaries, Allowances and Superannuation | 6 | 17,443,233 | 16,575,398 |
| Establishment Expenses | 8 | 2,509,504 | 2,480,211 |
| Operating Expenses | 9 | 11,581,964 | 6,335,540 |
| Total Expenditure | | 31,534,701 | 25,391,149 |
| Surplus/(Deficit) for the Year before Appropriations | | (2,643,778) | 3,018,283 |
| Transfer from/(to) the Capital Account | 11 | 105,037 | (241,543) |
| Surplus/(Deficit) for the Year after Appropriations | | (2,538,741) | 2,776,740 |
| Balance Brought Forward at 1 January | | 1,857,922 | (918,818) |
| Balance Carried Forward at 31 December | | (680,819) | 1,857,922 |

The Statement of Cash Flows and notes 1 to 21 form part of these financial statements.
On behalf of the Board of An Bord Pleanála:



Mr Dave Walsh,
Chairperson
Date: 24th June 2021



Ms. Bríd Hill
Chief Officer
Date: 24th June 2021

Statement of Comprehensive Income

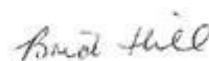
For the year ended 31 December 2020

| | | 2020 | 2019 |
|--|------|---------------------|---------------------|
| | Note | € | € |
| Surplus/(Deficit) after appropriations | | (2,538,741) | 2,776,740 |
| Experience gains/(losses) on retirement benefit obligations | 7(d) | 496,000 | (2,464,000) |
| Change in assumptions underlying the present value of retirement benefit obligations | | (12,521,000) | (14,023,000) |
| Total actuarial loss in the year | | (12,025,000) | (16,487,000) |
| Adjustment to deferred retirement benefits funding | | 12,025,000 | 16,487,000 |
| Total Comprehensive Income for the year | | (2,538,741) | 2,776,740 |

The Statement of Cash Flows and notes 1 to 21 form part of these financial statements.
On behalf of the Board of An Bord Pleanála:



Mr Dave Walsh,
Chairperson
Date: 24th June 2021



Ms. Bríd Hill
Chief Officer
Date: 24th June 2021

Statement of Financial Position

As of 31 December 2020

| | Note | 2020 € | 2019 € |
|---|------|------------------|------------------|
| Non-Current Assets | | | |
| Property, plant & equipment | 12 | 654,701 | 545,595 |
| Intangible Assets- Plean IT Project | 12 | 303,947 | 518,090 |
| Total Non-Current Assets | | 958,648 | 1,063,685 |
| Current Assets | | | |
| Receivables | 13 | 1,216,733 | 850,238 |
| Cash and cash equivalents | | 8,081,330 | 8,306,012 |
| | | 9,298,063 | 9,156,250 |
| Current Liabilities (<i>amounts falling due within one year</i>) | | | |
| Payables | 14 | (9,978,882) | (7,298,328) |
| Net Current Assets/(Liabilities) | | (680,819) | 1,857,922 |
| Retirement Benefits | | | |
| Retirement benefit obligations | 7(b) | (164,305,000) | (149,419,000) |
| Deferred retirement benefit funding asset | | 164,305,000 | 149,419,000 |
| Total Net Assets/(Liabilities) | | 277,829 | 2,921,607 |
| Representing | | | |
| Capital account | 11 | 958,648 | 1,063,685 |
| Retained revenue reserves | | (680,819) | 1,857,922 |
| | | 277,829 | 2,921,607 |

The Statement of Cash Flows and notes 1 to 21 form part of these financial statements.
On behalf of the Board of An Bord Pleanála:



Mr Dave Walsh,
Chairperson
Date: 24th June 2021



Ms. Bríd Hill
Chief Officer
Date: 24th June 2021

Statement of Cash Flows

for the year ended 31 December 2020

| | 2020 | 2019 |
|---|------------------|------------------|
| | € | € |
| Net Cash Flows from Operating Activities | | |
| Excess Income over expenditure | (2,538,741) | 2,776,740 |
| Movement on Capital Account | (105,037) | 241,543 |
| Depreciation and impairment of fixed assets | 516,266 | 503,825 |
| (Increase) in receivables | (366,495) | (186,573) |
| Increase in payables | 2,680,554 | 2,243,855 |
| Bank interest received | (125) | (123) |
| Net Cash Inflow from Operating Activities | 186,422 | 5,579,267 |
| Cash Flows from Investing Activities | | |
| Payments to acquire property, plant & equipment | (411,229) | (745,368) |
| Net Cash Flows from Investing Activities | (411,229) | (745,368) |
| Cash Flows from Financing Activities | | |
| Bank interest received | 125 | 123 |
| Net Cash Flows from Financing Activities | 125 | 123 |
| Net Increase/(Decrease) in Cash and Cash Equivalents | (224,682) | 4,834,022 |
| Cash and cash equivalents at 1 January | 8,306,012 | 3,471,990 |
| Cash and Cash Equivalents at 31 December | 8,081,330 | 8,306,012 |

Notes to the Financial Statements

For the year ended 31 December 2020

1. Accounting Policies

The basis of accounting and significant accounting policies adopted by An Bord Pleanála are set out below. They have all been applied consistently throughout the year and for the preceding year.

a) General Information

An Bord Pleanála was established in 1977 under the Local Government (Planning and Development) Act, 1976, and has an office at 64 Marlborough Street, Dublin 1.

An Bord Pleanála is responsible for the determination of appeals and certain other matters under the Planning and Development Acts, 2000 to 2020 and determination of applications for strategic infrastructure development including major road and railway cases. It is also responsible for dealing with proposals for the compulsory acquisition of land by local authorities and others under various enactments. The Board also has functions to determine appeals under Water Pollution and Building Control Acts.

b) Statement of Compliance

The financial statements of An Bord Pleanála for the year ended 31 December 2020 have been prepared in compliance with the applicable legislation, and with FRS 102 The Financial Reporting Standard applicable in the UK and the Republic of Ireland issued by the Financial Reporting Council in the UK.

c) Basis of Preparation

The financial statements have been prepared under the historical cost convention, except for certain assets and liabilities that are measured at fair values as explained in the accounting policies below. The financial statements are in the form approved by the Minister for Housing, Local Government and Heritage with the concurrence of the Minister for Public Expenditure and Reform under section 117(1) of the Planning and Development Act, 2000. The following accounting policies have been applied consistently in dealing with items which are considered material in relation to An Bord Pleanála's financial statements.

d) Oireachtas Grant

Oireachtas grants from Department of Housing, Local Government and Heritage (Vote 34, Subhead D3) are accounted for on a cash receipt basis except for grants specifically for ICT Strategy Plean-IT project which are accounted for as expended (Note 2).

e) Interest income

Interest income is recognised on a cash receipt basis.

f) Fees

These represent fees paid to the Board in respect of appeals, applications and other matters referred to the Board for determination under various enactments. The actual fees payable are either set by Ministerial regulation or are as determined by the Board and approved by the Minister for Housing, Local Government and Heritage in accordance with the following statutory provisions:

- Section 144 of the Planning and Development Act, 2000, as amended.
- Section 177M of the Planning and Development Act, 2000, as amended.
- Sections 7 and 7A of the Building Control Act, 1990, as amended.
- Sections 6 and 19 of the Local Government (Water Pollution) Act, 1977, as amended and section 103 of the Water Services Act, 2007.

Fee income is shown net of refunds which are made in respect of invalid appeals, referrals and other cases.

g) Strategic Infrastructural Development

Fees in respect of strategic infrastructure development applications are as determined by the Board and approved by the Minister for Housing, Local Government and Heritage in accordance with section 144 of the Planning and Development Act, 2000, as amended.

The Board charges an initial fee ranging from €30,000 to €100,000 in relation to Strategic Infrastructure applications. These fees are accounted for on a cash receipts basis. The Board assesses the cost of assessing individual cases and may seek to recoup additional costs or refund a portion of the fee as appropriate. Recoupment of additional costs and refund of fees are accounted for as they fall due.

h) Property, Plant and Equipment

Property, plant and equipment are stated at cost less accumulated depreciation, adjusted for any provision for impairment. Depreciation is provided on all property, plant and equipment at rates estimated to write off the cost less the estimated residual value of each asset on a straight line basis over their estimated useful lives, as follows:

| | |
|--|------------------------------------|
| (i) Leasehold buildings | 10% per annum |
| (ii) Refurbishment to Existing Buildings | 10% per annum |
| (iii) Fixtures and Fittings | 20% per annum |
| (iv) Computers and Technical Equipment | range from 20% to 33.33% per annum |

Residual value represents the estimated amount which would currently be obtained from disposal of an asset, after deducting estimated costs of disposal, if the asset was already of an age and in the condition expected at the end of its useful life.

If there is objective evidence of impairment of the value of an asset, an impairment loss is recognised in the Statement of Income and Expenditure and Retained Revenue Reserves in the year.

i) Intangible Assets

An Bord Pleanála's policy is to account for intangible assets under section 18 of FRS102. The amortisation of assets commences once the asset is developed and in use:

| | |
|------------------|-----------------------------|
| Plean IT Project | 20% per annum straight line |
|------------------|-----------------------------|

j) Capital Account

The Capital Account represents the unamortised amount of income used to purchase fixed assets.

k) Employee Benefits

Short-term Benefits

Short term benefits such as holiday pay are recognised as an expense in the year, and benefits that are accrued at year-end are included in the Payables figure in the Statement of Financial Position.

l) Retirement Benefits

(a) The Board operates defined benefit superannuation schemes through the medium of four different independent schemes namely:

- An Bord Pleanála Staff Superannuation Scheme 1986 to 2006,
- An Bord Pleanála Staff Spouses' and Children's Contributory Pension Scheme 1986,
- An Bord Pleanála (Chairman and Members) Superannuation Scheme 1986 to 2009, and
- An Bord Pleanála (Chairman and Members) Spouses' and Children's Contributory Pension Scheme 1986 to 2002.

The payment of superannuation benefits to and in respect of employees and members of the Board is provided for in these defined benefit superannuation schemes approved by the Minister for Housing, Local Government and Heritage and with the consent of the Minister for Public Expenditure and Reform under section 119 of the Planning and Development Act, 2000.

The schemes are funded annually on a pay-as-you-go basis from monies available to the Board, including monies from exchequer funds provided by the Department of Housing, Local Government and Heritage and from contributions deducted from staff and members' salaries.

Superannuation costs reflect superannuation benefits earned by members and employees in the period and are shown net of staff superannuation contributions, which are retained by the Board. An amount corresponding to the superannuation charge is recognised as income to the extent that it is recoverable, and offset by grants received in the year to discharge superannuation payments.

Actuarial gains or losses arising on scheme liabilities are reflected in the Statement of Comprehensive Income and a corresponding adjustment is recognised in the amount recoverable from exchequer funds provided by the Department of Housing, Local Government and Heritage.

Superannuation liabilities represent the present value of future superannuation payments earned by staff to date. Deferred superannuation funding represents the corresponding asset to be recovered in future periods from exchequer funds provided by the Department of Housing, Local Government and Heritage.

(b) The Board also operates the Single Public Service Pension Scheme ("Single Scheme"), which is also a defined benefit superannuation scheme for all pensionable public servants appointed on or after 1 January 2013. The rules of the Single Scheme are set down in the Public Service Pensions (Single Scheme and Other Provisions) Act, 2012. Single Scheme members' contributions are paid over to the Department of Public Expenditure and Reform.

(m) Legal Costs

It is the policy of An Bord Pleanála to discharge its own legal costs associated with applications for judicial review of Board decisions following the conclusion of such cases in the relevant Superior Courts.

It is also the policy of An Bord Pleanála to discharge any legal costs awarded against it following conclusion of cases in accordance with the outcome of either settlement discussions/negotiations or formal adjudication of costs by the Office of the Legal Costs Adjudicators.

The Board, where practicable, seeks recovery of its legal costs arising out of legal actions where such costs are awarded by the Courts (see Note 16(a)). Legal costs recovered are accounted for on a cash receipt basis and netted to legal expenditure fees in the current year. Legal recoverable amounts, therefore, are not recorded in the Statement of Financial Position.

The Board makes an estimate of the legal fees on cases that have been decided by the Courts within the financial year. These estimated legal costs are provided for in the Board's financial statements.

Legal fees in respect of cases yet to be decided by the Courts which have been

- Invoiced by the Board's solicitors during the financial year are charged to legal expenditure fees in the year.
- Incurred by the Board but not invoiced by the Board's solicitors within the financial year are estimated and provided for in the Board's financial statements.

In addition, outstanding costs are reviewed and written off when they are deemed to be unrecoverable.

(n) Operating Leases

Rental expenditure under operating leases is recognised in the Statement of Income and Expenditure and Retained Revenue Reserves over the life of the lease. Expenditure is recognised on a straight-line basis over the lease period.

(o) Receivables

Short term debtors are measured at transaction price, less any impairment. There are no loans receivable to measure.

(p) Cash and Cash Equivalents

Cash is represented by cash in hand and deposits with financial institutions repayable without penalty on notice of not more than 24 hours. Cash equivalents are deposits with financial institutions repayable without penalty on notice of not more than 30 days.

(q) Payables

Short term creditors are measured at transaction price. There are no other financial liabilities, including bank loans, to measure.

(r) Currency in use policy

The financial statements are presented in euro, which is the currency of the primary economic environment in which An Bord Pleanála operates.

(s) Critical judgements and estimates

The preparation of financial statements requires management to make judgements, estimates and assumptions that affect the amounts reported for revenues and expenses during the year. However the nature of estimation means that actual outcomes could differ from those estimates. The following estimates have had the most significant effect on amounts recognised in the financial statements.

(a) Provisions

An Bord Pleanála makes an estimate of the legal provision required at the financial reporting date. The amount in respect of this provision has been estimated at €5,089,878 at the statement of financial position date (Note 16 (c)).

(b) Retirement Benefits Obligation

The assumptions underlying the actuarial valuations for which the amounts recognised in the financial statements are determined (including discount rates, rates of increase in future compensation levels, mortality rates and healthcare cost trend rates) are updated annually based on current economic conditions, and for any relevant changes to the terms and conditions of the pension and post-retirement plans.

Assumptions can be affected by:

- (i) The discount rate, changes in the rate of return on high-quality corporate bonds
- (ii) Future compensation levels, future labour market conditions

2. Oireachtas Grants

The Oireachtas Grants voted to An Bord Pleanála from Vote 34 - Department of Housing, Local Government and Heritage as shown in the financial statements consist of:

| | Sub-head | 2020 | 2019 |
|--|------------|-------------------|-------------------|
| | | € | € |
| Grant for current expenditure | D.3 | 18,331,000 | 18,088,000 |
| Grant for capital expenditure –Plean-IT Project * | D.3 | 1,200,000 | 460,000 |
| Remainder capital Grant carried forward from previous year | | 0 | 75,812 |
| Unused capital Grant brought forward to next year* | | (286,659) | 0 |
| | | 19,244,341 | 18,623,812 |

* Deferred Capital Grant unspent in 2020 €286,659 (Note 14)

3 (a). Fee Income

| | 2020 | 2019 |
|--|------------------|------------------|
| | € | € |
| Fees received in respect of appeal, referrals cases | 1,482,089 | 1,524,052 |
| Refunds in respect of appeals | (109,879) | (116,581) |
| | 1,372,210 | 1,407,471 |
| | | |
| | 2020 | 2019 |
| | € | € |
| Fees received in respect of substitute consent Cases * | 412,346 | 48,050 |
| Cost recoupment from applicants in respect of substitute consent cases | 2,350 | 1,698 |
| Refunds made to applicants | (44,257) | 0 |
| | 370,439 | 49,748 |
| | 1,742,649 | 1,457,219 |

* Substitute consent application fees received in accordance with section 177M of the Planning and Development Act, 2000, as amended.

3 (b). Strategic Housing Fees

| | 2020 | 2019 |
|--|------------------|------------------|
| | € | € |
| Fees received in respect of Strategic Housing * | 5,785,943 | 6,918,799 |
| Refunds in respect of Strategic Housing * | (1,822,950) | (1,686,171) |
| Refund Liability in respect of Strategic Housing * | (1,343,117) | (2,124,100) |
| | 2,619,876 | 3,108,528 |

* The Planning and Development (Housing) and Residential Tenancies Act, 2016, and the Planning and Development (Strategic Housing Development) Regulations, 2017, under S.I. No. 270 of 2017 and S.I. No. 271 of 2017, came into operation on the 3rd day of July 2017.

Strategic Housing fees are received in accordance with sections 4 and 5 of the Planning and Development (Housing) and Residential Tenancies Act, 2016.

Under Article 305 of the Planning and Development Regulations 2001, as amended, An Bord Pleanála is required to pay 50% of the application fees received for these cases to the relevant Planning Authority.

4. Strategic Infrastructure Fees and Cost Recoupment

| | 2020 | 2019 |
|--|------------------|------------------|
| | € | € |
| Fees received in respect of Strategic Infrastructure Development * | 2,457,050 | 1,825,810 |
| Cost Recoupment from applicants in respect of Strategic Infrastructure development | 855,979 | 825,501 |
| Refunds paid to applicants in respect of Strategic Infrastructure | (723,589) | (658,275) |
| Refund Liability in respect of Strategic Infrastructure | (173,486) | (170,623) |
| | 2,415,954 | 1,822,413 |

* Deferred Fees €200,000 within Creditors due within one year figure (Note 14)

5. Other Revenue

| | 2020 | 2019 |
|----------------------|--------------|---------------|
| | € | € |
| Miscellaneous income | 6,829 | 11,911 |
| Deposit Interest | 125 | 123 |
| | 6,954 | 12,034 |

6. Salaries and Allowances

At 31 December 2020, the Board consisted of a Chairperson and 8 ordinary members, one of whom is also a Deputy Chairperson (nine members at the end of 2019). Membership of the Board is whole-time.

In addition to Board members at 31 December 2020, there were:

| | |
|---------------------------------|-----------------------|
| Whole-time equivalent employees | 175.3 (163.7 in 2019) |
| Management | 15.7 (14.7 in 2019) |
| Technical | 59.3 (55.3 in 2019) |
| Administrative | 100.3 (93.7 in 2019) |

The average number of whole-time equivalent employees during the year was 168.2 (162.2 in 2019). Staffing levels are approved by the Minister for Housing, Local Government and Heritage with the consent of the Minister for Public Expenditure and Reform.

(a) Remuneration and Other Pay Costs

| | 2020 | 2019 |
|---|-------------------|-------------------|
| | € | € |
| Staff short-term benefits | 10,954,818 | 10,367,462 |
| Annual leave accrual adjustment | 321,848 | (29,819) |
| Termination benefits | 0 | 0 |
| Retirement benefit costs | 5,197,015 | 5,343,249 |
| Employer's contribution to social welfare | 969,552 | 894,506 |
| | 17,443,233 | 16,575,398 |

An amount of €412,821 (2019 ASC : €447,998) was paid to the Department of Housing, Local Government and Heritage in respect of additional superannuation contributions (ASC). Some 2019 comparative figures have been amended but the changes have no impact on the surplus in the year.

(b) Staff Short Term Benefits

| | 2020 | 2019 |
|------------------------------|-------------------|-------------------|
| | € | € |
| Basic Pay | 10,888,285 | 10,302,853 |
| Overtime | 27,909 | 30,337 |
| Incentivised Scheme payments | 38,624 | 34,272 |
| | 10,954,818 | 10,367,462 |

(c) Chairperson's Remuneration

The total remuneration paid to the Chairperson position in 2020 comprised of:

| | 2020 | 2019 |
|--------|----------------|----------------|
| | € | € |
| Salary | 196,906 | 192,558 |
| BIK | 0 | 2,158 |
| | 196,906 | 194,716 |

The Board and staff of An Bord Pleanála are paid on a fortnightly basis. In 2020 the calendar year fell in such a way that there were 26 pay dates. The Chairperson's pension entitlements do not extend beyond the standard entitlements in the model public sector defined benefit superannuation scheme.

(d) Board Members' Emoluments

| Board Member | BIK Professional Membership | Vouched Expenses | Total Expenses |
|-----------------------------------|-----------------------------|------------------|----------------|
| | € | € | € |
| Dave Walsh (Chairperson) | 0 | 0 | 0 |
| Paul Hyde (Deputy Chairperson) | 810 | 187 | 997 |
| Philip Jones (retired 07/08/2020) | 0 | 0 | 0 |
| Dr Maria FitzGerald | 0 | 0 | 0 |
| Terry Prendergast | 0 | 0 | 0 |
| Terry Ó Niadh | 325 | 0 | 325 |
| John Connolly | 405 | 0 | 405 |
| Michelle Fagan | 540 | 0 | 540 |
| Stephen Bohan | 280 | 0 | 280 |
| Chris McGarry | 620 | 0 | 620 |
| | 2,980 | 187 | 3,167 |

e) Disclosure of key management

Key management includes the Chairperson, Deputy Chairperson, Board Members, Chief Officer, Director of Planning and Director of Corporate Affairs. The compensation paid or payable to key management for employee services is shown below:

| | 2020 | 2019 |
|--|-----------|-----------|
| | € | € |
| Salaries and other short-term benefits | 1,522,703 | 1,549,165 |

(f) Employee benefits breakdown (includes Board Members)

Board Members and Employees' short-term benefits in excess of €60,000 are categorised into the following bands:

| Range of total employee benefits | | | No. of Employees | |
|----------------------------------|---|----------|------------------|-----------|
| From | | To | 2020 | 2019 |
| €60,000 | - | €69,999 | 13 | 13 |
| €70,000 | - | €79,999 | 30 | 31 |
| €80,000 | - | €89,999 | 23 | 23 |
| €90,000 | - | €99,999 | 8 | 0 |
| €100,000 | - | €109,999 | 6 | 2 |
| €110,000 | - | €119,999 | 2 | 2 |
| €120,000 | - | €129,999 | 6 | 6 |
| €130,000 | - | €139,999 | 0 | 1 |
| €140,000 | - | €149,999 | 1 | 0 |
| €150,000 | - | €159,999 | 0 | 0 |
| €160,000 | - | €169,999 | 0 | 0 |
| €170,000 | - | €179,999 | 0 | 0 |
| €180,000 | - | €189,999 | 0 | 0 |
| €190,000 | - | €199,999 | 1 | 1 |
| | | | 90 | 79 |

Note: For the purpose of this disclosure, short-term employee benefits in relation to services rendered during the reporting period include salary, other allowances and other payments payable to the employee based on the total annual rate payable at 31 December 2020, but excludes employer's PRSI amounts.

7. Retirement Benefit Costs

(a) Analysis of total retirement benefit costs charged to the Statement of Income and Expenditure and Retained Revenue Reserves

| | 2020 | 2019 |
|---|--------------|--------------|
| | €'000 | €'000 |
| Current service costs | 3,892 | 3,389 |
| Interest on retirement benefit scheme liabilities | 1,687 | 2,365 |
| Employee Contributions | (398) | (395) |
| | 5,181 | 5,359 |

(b) Movement in net retirement benefit obligations during the financial year

| | 2020 | 2019 |
|---|------------------|------------------|
| | €'000 | €'000 |
| Net retirement benefit obligation at 1 January | (149,419) | (129,548) |
| Current service costs | (3,892) | (3,389) |
| Interest costs | (1,687) | (2,365) |
| Actuarial gain/(loss) | (12,025) | (16,487) |
| Pensions paid in the year | 2,718 | 2,370 |
| Net retirement benefit obligation at 31 December | (164,305) | (149,419) |

(c) Deferred funding for retirement benefits

The Board recognises these amounts as an asset corresponding to the unfunded deferred liability for retirement benefits on the basis of the set of assumptions described above and a number of past events. These events include the statutory basis for the establishment of the retirement benefit schemes, and the policy and practice currently in place in relation to funding public service pensions including contributions by employees and the annual estimates process. The Board has no evidence that this funding policy will not continue to meet such sums in accordance with current practice.

The net deferred funding for retirement benefits recognised in the Statement of Income and Expenditure and Retained Revenue Reserves was as follows:

| | 2020 | 2019 |
|---|--------------|--------------|
| | €'000 | €'000 |
| Funding recoverable in respect of current year retirement benefit costs | 5,579 | 5,754 |
| State grant applied to pay retirement benefits | (2,718) | (2,370) |
| | 2,861 | 3,384 |

The deferred funding asset for retirement benefits at 31st December 2020 amounts to €164.3m (2019: €149.4m). Some 2019 comparative figures have been amended but the changes have no impact on the surplus in the year.

(d) History of defined benefit obligations

| | 2020 | 2019 | 2018 | 2017 |
|---|---------|---------|---------|---------|
| | €'000 | €'000 | €'000 | €'000 |
| Defined benefit obligations (see Note 7(f)) | 164,305 | 149,419 | 129,548 | 125,064 |
| Experience losses/(gains) on defined benefit scheme liabilities | (496) | 2,464 | 4,568 | (5,173) |
| Percentage of scheme liabilities | 0.30% | 1.65% | 3.53% | 4.14% |

(e) General description of the schemes

The retirement benefit schemes currently administered in the Board are disclosed in Accounting Policy 1(l)

The four An Bord Pleanála schemes are defined benefit final salary pension arrangements with benefits and contributions defined by reference to the schemes and general pension regulations. Normal retirement age on the above schemes is 65, with entitlement to retire without actuarial reduction at age 60 and a maximum of age 70 in line with the Public Service Superannuation (Age of Retirement) Act, 2018. Post-April (New Entrants) 2004 members do not have a maximum retirement age.

Single Public Service Pension Scheme (SPSPS) Note 7(f)

Since 2013, the Board has administered the SPSPS, it is a CPI-linked defined-benefit pensions based on career-average pay. Normal pension age set, initially, at 66 years; this will rise in step with statutory changes in the State Pension age to 67 years in 2021 and 68 years in 2028. It has a compulsory retirement age of 70.

All the above schemes provide an annual pension, lump sum payment and are subject to spouses and children's pensions entitlements.

The valuation used for FRS102 disclosures has been based on a full actuarial valuation performed on 3rd March 2021 by a qualified independent actuary, taking account of the requirements of the FRS in order to assess the scheme liabilities at 31st December 2020.

The principal actuarial assumptions were as follows:

| | 2020 | 2019 |
|---|-------|-------|
| Rate of increase in salaries | 2.65% | 2.65% |
| Rate of increase in retirement benefits in payment - Main Scheme | 2.15% | 2.15% |
| Rate of increase in retirement benefits in - Single Scheme | 1.45% | 1.45% |
| Discount rate | 0.77% | 1.14% |
| Inflation rate | 1.45% | 1.45% |

Mortality

58% of PNML00 for males with improvements (see below).

62% of PNFL00 for females with improvements (see below).

Annuity factors increase by 0.36% p.a. (Males not in Spouses and Children's Scheme) to 0.30% p.a. (Females not in Spouses and Children's Scheme and Members of Spouses and Children's Scheme) for each year between 2014 and the year of retirement.

The mortality basis explicitly allows for improvements in life expectancy over time, so that life expectancy at retirement will depend on the year in which a member attains retirement age. The table below shows the life expectancy for members attaining age 65 in 2020 and 2040.

| Year of attaining age 65 | 2020 | 2040 |
|--------------------------|------|------|
| Life expectancy – male | 21.5 | 23.9 |
| Life expectancy – female | 24.0 | 26.0 |

(f) Single Public Service Pension Scheme (Single Scheme)

The Board operates the Single Public Service Pension Scheme ("Single Scheme"), which is also a defined benefit superannuation scheme for all pensionable public servants appointed on or after 1 January 2013. The rules of the Single Scheme are set down in the Public Service Pensions (Single Scheme and Other Provisions) Act, 2012. Single Scheme members' contributions are paid over to the Department of Public Expenditure and Reform.

An amount of €151,413 (2019: €113,798) was paid to the Department of Public Expenditure and Reform in respect of the Single Scheme employee contributions.

The Single Scheme provides for a pension and retirement lump sum based on career-average pensionable remuneration, and spouse's and children's pensions. The minimum pension age is 66 years (rising in line with State pension age changes). It includes an actuarially-reduced early retirement facility from age 55. Pensions in payment increase in line with the consumer price index.

The defined benefit obligation figure relating to the Single Scheme is recognised as €2,582,000 (2019: €1,461,000). This figure is included in the total defined benefit obligations figure of €164,305,000 (2019: €149,419,000) in Note 7 (d).

8. Establishment Expenses

| | Note | 2020 | 2019 |
|--|------|------------------|------------------|
| | | € | € |
| Rent and service charges ^{*#} | 18 | 1,768,659 | 1,769,060 |
| Repairs and maintenance | | 109,621 | 93,719 |
| Insurance | | 32,171 | 31,774 |
| Light and Heat | | 82,787 | 81,833 |
| Depreciation | | 516,266 | 503,825 |
| | | 2,509,504 | 2,480,211 |

* Rent and service charges includes €Nil hospitality expenses

€3,165 monies collected from staff in relation to the provision of beverages/snacks are off-set against Rent and service charges

9. Operating Expenses

| | Note | 2020 | 2019 |
|---|------|-------------------|------------------|
| | | € | € |
| Travel and subsistence * | | 172,502 | 209,105 |
| Legal fees | 16 | 8,268,470 | 3,448,244 |
| Office equipment and stationery | | 229,964 | 229,776 |
| Information and communications technology | | 1,481,245 | 1,477,425 |
| ICT Plean-IT Project | | 883,325 | 428,520 |
| Printing and books | | 23,285 | 22,220 |
| Statutory notices | | 8,144 | 22,703 |
| Recruitment, staff training and development and conferences | | 116,845 | 152,796 |
| Telephone and postage | | 107,463 | 127,819 |
| Consultants' fees and services | 17 | 231,633 | 188,317 |
| Audit fees | | 20,000 | 20,000 |
| Provision for Doubtful Debt | | 0 | 0 |
| Sundries | | 39,088 | 8,615 |
| | | 11,581,964 | 6,335,540 |

* Travel and subsistence figure includes €270 foreign travel expenses

10. Reduction in Value of Fixed Assets

| | Note | 2020 | 2019 |
|---|------|----------------|----------------|
| | | € | € |
| Depreciation of property, plant and equipment | 12 | 516,266 | 503,825 |
| | | 516,266 | 503,825 |

11. Capital Account

| | 2020 | 2019 |
|--|----------------|------------------|
| | € | € |
| Opening balance | 1,063,685 | 822,142 |
| Income allocated for capital purposes (gross of asset disposals) | 411,229 | 745,859 |
| Amount released on disposal of fixed assets | 0 | (491) |
| Amortisation in line with asset depreciation | (516,266) | (503,825) |
| Closing balance | 958,648 | 1,063,685 |

12. Non-Current Assets-Fixed Assets¹ and Intangible Assets²

| | Leasehold Premises ¹ | Furniture & Fittings ¹ | IT & Office Equipment ¹ | Plean-IT Project ² | Total |
|---------------------------|---------------------------------|-----------------------------------|------------------------------------|-------------------------------|-------------------|
| Cost | € | € | € | € | € |
| At 1 January | 6,683,225 | 862,100 | 2,040,126 | 1,220,342 | 10,805,793 |
| Additions | 0 | 15,857 | 365,355 | 30,017 | 411,229 |
| Disposals | 0 | 0 | (16,682) | 0 | (16,682) |
| At 31 December | 6,683,225 | 877,957 | 2,388,799 | 1,250,359 | 11,200,340 |
| Depreciation | | | | | |
| At 1 January | 6,683,225 | 541,988 | 1,814,643 | 702,252 | 9,742,108 |
| Charge for the year | 0 | 94,006 | 178,100 | 244,160 | 516,266 |
| Disposals | 0 | 0 | (16,682) | 0 | (16,682) |
| At 31 December | 6,683,225 | 635,994 | 1,976,061 | 946,412 | 10,241,692 |
| Net Book Value | | | | | |
| At 1 January | 0 | 320,112 | 225,483 | 518,090 | 1,063,685 |
| Net movement for the year | 0 | (78,149) | 187,255 | (214,143) | (105,037) |
| At 31 December | 0 | 241,963 | 412,738 | 303,947 | 958,648 |

¹ Non-Current Assets - Fixed Assets

² Plean-IT Project - Non-Physical Assets in the course of development which include knowledge, software and other intangible computer based assets

The new case management system was deployed in October 2017 with new cases input on receipt to the Plean-IT system. The specification for the case management system was based on a Target Operating Model and To-Be Processes. A new Geographical Information System (GIS), has also been deployed for internal use.

The second phase of the ICT Strategy is currently underway. An in house development team has been engaged to renovate and deliver enhancements to the case management system. Work completed to date includes an online strategic housing observation portal, enhanced system security and new functionality in the form of a “case details dashboard”. An Bord Pleanála is continuing to optimise the case management solution through the implementation of these architectural improvements and ensuring its readiness for migration to the cloud.

The finalisation of the new website, which will be launched in Q1 of 2021, is also in progress and requirements specification for a full portal to enable online submission of planning applications / appeals.

13. Receivables

| | 2020 | 2019 |
|----------------------------------|------------------|----------------|
| | € | € |
| Debtors | 465,681 | 152,605 |
| Less Provision for Doubtful Debt | (2,265) | (2,265) |
| Net Debtors | 463,416 | 150,340 |
| Prepayments | 753,317 | 699,898 |
| | 1,216,733 | 850,238 |

14. Payables

Amounts falling due within one year

| | 2020 | 2019 |
|--|------------------|------------------|
| | € | € |
| Trade Creditors | 98,396 | 47,626 |
| Taxation and Social Welfare due to Revenue | 496,816 | 350,917 |
| Legal Provisions (Note 16c) | 5,089,878 | 2,879,877 |
| Deferred Grant Income (Note 2) | 286,659 | 0 |
| Deferred Fee Income (Note 4) | 200,000 | 204,500 |
| Accruals | 3,807,133 | 3,815,408 |
| | 9,978,882 | 7,298,328 |

15. Contingencies with Regard To Legal Actions

There is a contingent liability of an undetermined amount as a result of legal actions against the Board in relation to its decisions on planning appeals and other cases. It is the Board's policy to contest such actions, where appropriate.

16. Legal Costs

As indicated at note 1(m) in the Statement of Accounting Policies, certain legal costs are initially borne by the Board and recovery is pursued. The situation in 2020 regarding these recoverable costs was as follows:-

(a) Recoverable Legal Costs (memorandum)

| | 2020 | 2019 |
|--|------------------|------------------|
| | € | € |
| Outstanding at 1 January | 2,007,636 | 1,880,782 |
| Recovered during year ¹ | (181,316) | (241,141) |
| Recoverable costs arising during year | 418,787 | 367,995 |
| Costs written off during year | 0 | 0 |
| Costs re-designated during year ² | (19,360) | 0 |
| | 2,225,747 | 2,007,636 |

The Board continually reviews the recoverability of the above costs. It is anticipated that a substantial amount thereof will not be recovered.

¹ The amount recovered was netted to legal fees in the current year.

² Costs which were initially deemed recoverable prior to the completion of legal actions and are now being re-designated on foot of court decisions.

(b) Legal Fees

| | 2020 | 2019 |
|---|------------------|------------------|
| | € | € |
| Recoverable costs arising during year | 418,787 | 367,995 |
| Recovered during year | (181,316) | (241,141) |
| Net recoverable costs | 237,471 | 126,854 |
| Non-recoverable costs | 4,153,107 | 1,538,172 |
| Non-recoverable payment of other side costs | 3,877,892 | 1,783,218 |
| | 8,268,470 | 3,448,244 |

(c) Reconciliation of movement in Legal Provisions for the year ended 31st December 2020

| | 2020 | 2019 |
|--|------------------|------------------|
| | € | € |
| Legal provision as at 1 January | 2,878,877 | 2,599,877 |
| Legal payments made in year | (1,252,709) | (1,405,484) |
| Change in provisions from previous year | 118,710 | (285,516) |
| Provision for decided cases in year | 3,345,000 | 1,970,000 |
| Provisions relating to un-decided cases to date | 0 | 0 |
| Legal provision as at 31 December (Note 14) | 5,089,878 | 2,878,877 |

17. Consultants' Fees and Services

The Board engages part-time consultant inspectors on a fee-per-case basis in accordance with rates approved by the Minister for Housing, Local Government and Heritage with the consent of the Minister for Public Expenditure and Reform. In addition, the Board engages, in accordance with section 124 of the Act, other consultants and advisors, as it is necessary for the performance of its functions. In 2020, 0.4% (2019: 1.26%) of all inspectors' reports came from consultant inspectors and their fees, along with associated costs relating to recording of oral hearings, accounted for 66% (2019: 65%) of all consultancy fees and services costs.

Fee amounts totalling €3,597 (2019: €4,496) were paid to two external members of the audit committee and expenses of €67 (2019: €304) were paid to two external members of the audit committee. These amounts are included in the heading "Consultants' fees and services" in Note 9.

18. Lease Commitments

The Board occupies and pays rent on premises at 64 Marlborough Street, Dublin 1 which is held on a 25 year lease from January 2002.

Following a rent review in 2018 An Bord Pleanála estimates the following lease payments under non-cancellable operating leases for each of the following periods:

| | 2020 | 2019 |
|----------------------------------|--------------|--------------|
| | €'000 | €'000 |
| Payable within one year | 1,296 | 1,296 |
| Payable within two to five years | 5,183 | 5,183 |
| Payable after five years | 1,296 | 2,592 |
| | 7,775 | 9,071 |

Operating lease amounts recognised as an expense total €1,295,820 (2019: €1,295,820).

The costs in relation to the fit-out and certain other matters, other than normal establishment and operating costs, were allocated for capital purposes and included under Leasehold Premises in Fixed Assets. Ongoing improvements to the premises are treated in a similar manner.

19. Board Members & Staff Interests

Board members and certain staff are required to make declarations/disclosures of interests in accordance with the provisions of the Planning and Development Act, 2000.

Section 147 of the 2000 Act provides for statutory declarations by members and certain staff in relation to certain interests. A register of interests is maintained by the Secretary in accordance with section 147 of the Act and is available for public inspection during office hours.

Section 148 of the 2000 Act relates to disclosures regarding a pecuniary or other beneficial interest in, or which is material to, any appeal or other matter to be determined by the Board. In 2020, Board members made zero (2019: five) disclosures, staff made twenty (2019: thirteen) disclosures and consultants made zero (2019: one) disclosures under section 148.

Section 150 of the Planning and Development Act, 2000, requires the Board to adopt a code of conduct for dealing with conflicts of interest and promoting public confidence in the integrity of the conduct of its business.

The Code of Practice for the Governance of State Bodies also requires such a written code of conduct for Board members and employees. The Board has adopted such a code and it applies to members, certain staff and other persons whose services are availed of by the Board. Section 15 of The Code has additional disclosure requirements beyond those set out in Section 148 and in 2020, Board members made seven (2019: zero) disclosures, staff made five (2019: zero) disclosures and consultants made zero (2019: zero) disclosures under this section of the Code.

In addition, members and certain staff are subject to the requirements of the Ethics in Public Office Acts, 1995 and 2001, and yearly statements of registrable interests are made under the Acts. In 2020, six (2019: nine) existing members made statements in accordance with the Acts.

20. Events after the reporting date

Since compilation of the 2020 financial statements the ongoing global COVID-19 pandemic continued to cause national restrictions which have disrupted many normal business operations. The office of An Bord Pleanála remained open throughout the COVID-19 national restrictions. All government health and safety guidelines were adhered to with reduced numbers of staff physically on site combined with increased working from home.

The Board assesses this event to be a non-adjusting post balance sheet event in relation to its 2020 financial statements and has factored the COVID-19 pandemic into its overall risk management processes and operations in 2021 and for estimates into 2022.

An Bord Pleanála is satisfied that it can continue to discharge its statutory functions and that it will continue to have the necessary funding to enable that.

Having regard to the foregoing, the Board is of the view that its operations can continue on a going concern basis covering the twelve-month period from the date of signing of the 2020 financial statements.

21. Approval of the financial statements

The financial statements were approved by the Board of An Bord Pleanála on 25th March 2021.



Ard Reachtaire Cuntas agus Ciste Comptroller and Auditor General

Report for presentation to the Houses of the Oireachtas

An Bord Pleanála

Opinion on the financial statements

I have audited the financial statements of An Bord Pleanála for the year ended 31 December 2020 as required under the provisions of section 117 of the Planning and Development Act 2000. The financial statements comprise

- the statement of income and expenditure and retained revenue reserves
- the statement of comprehensive income
- the statement of financial position
- the statement of cash flows and
- the related notes, including a summary of significant accounting policies.

In my opinion, the financial statements give a true and fair view of the assets, liabilities and financial position of An Bord Pleanála at 31 December 2020 and of its income and expenditure for 2020 in accordance with Financial Reporting Standard (FRS) 102 — *The Financial Reporting Standard applicable in the UK and the Republic of Ireland*.

Basis of opinion

I conducted my audit of the financial statements in accordance with the International Standards on Auditing (ISAs) as promulgated by the International Organisation of Supreme Audit Institutions. My responsibilities under those standards are described in the appendix to this report. I am independent of An Bord Pleanála and have fulfilled my other ethical responsibilities in accordance with the standards.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Report on information other than the financial statements, and on other matters

An Bord Pleanála has presented certain other information together with the financial statements. This comprises the annual report, the governance statement and Board members' report and the statement on internal control. My responsibilities to report in relation to such information, and on certain other matters upon which I report by exception, are described in the appendix to this report.

I have nothing to report in that regard.

Andrew Harkness
For and on behalf of the
Comptroller and Auditor General

30 June 2021

Appendix to the report

Responsibilities of Board members

As detailed in the governance statement and Board members' report, the Board members are responsible for

- the preparation of financial statements in the form prescribed under section 117 of the Planning and Development Act 2000
- ensuring that the financial statements give a true and fair view in accordance with FRS 102
- ensuring the regularity of transactions
- assessing whether the use of the going concern basis of accounting is appropriate, and
- such internal control as they determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Responsibilities of the Comptroller and Auditor General

I am required under section 117 of the Planning and Development Act 2000 to audit the financial statements of An Bord Pleanála and to report thereon to the Houses of the Oireachtas.

My objective in carrying out the audit is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with the ISAs, I exercise professional judgment and maintain professional scepticism throughout the audit. In doing so,

- I identify and assess the risks of material misstatement of the financial statements whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- I obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal controls.
- I evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures.

- I conclude on the appropriateness of the use of the going concern basis of accounting and, based on the audit evidence obtained, on whether a material uncertainty exists related to events or conditions that may cast significant doubt on An Bord Pleanála's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my report. However, future events or conditions may cause An Bord Pleanála to cease to continue as a going concern.
- I evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Information other than the financial statements

My opinion on the financial statements does not cover the other information presented with those statements, and I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, I am required under the ISAs to read the other information presented and, in doing so, consider whether the other information is materially inconsistent with the financial statements or with knowledge obtained during the audit, or if it otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

Reporting on other matters

My audit is conducted by reference to the special considerations which attach to State bodies in relation to their management and operation. I report if I identify material matters relating to the manner in which public business has been conducted.

I seek to obtain evidence about the regularity of financial transactions in the course of audit. I report if I identify any material instance where public money has not been applied for the purposes intended or where transactions did not conform to the authorities governing them.

I also report by exception if, in my opinion,

- I have not received all the information and explanations I required for my audit, or
- the accounting records were not sufficient to permit the financial statements to be readily and properly audited, or
- the financial statements are not in agreement with the accounting records.



Appendices

- **Appendix 1: Statistics Available**
- **Appendix 2: Planning appeals received and decided by area**
- **Appendix 3: Staff, external consultants and legal agents 2020**



Appendix 1

Statistics Available

The following tables of statistics are available at www.pleanala.ie

1. Summary of All Planning Cases
2. Average Time Taken to Dispose of Cases (weeks)
3. Planning Appeals Received / Disposed / On Hands Cases
4. Strategic Infrastructure Development Cases (Private Entities and Statutory Undertakers)
5. Strategic Infrastructure Applications (Private Entities and Statutory Undertakers Received in 2020)
6. Strategic Infrastructure Development Cases (Local Authorities)
7. Strategic Infrastructure Development Applications (Local Authorities) Received in 2020
8. Local Authority Projects
9. Appropriate Assessment Cases
10. Strategic Housing Development Cases 2020
11. Vacant Site Levy
12. Other Planning Case Types
13. Summary of Other Non-Planning Cases
14. Analysis of planning appeal decisions
15. Planning appeals received by development category / area
16. Summary of all cases disposed of by reference to statutory objective period

Appendix 2

Planning appeals received and decided by area

Received 2020

| | No. of decisions made by planning authority ² | No. of decisions appealed | % of decisions appealed | Decisions appealed as a % of all appeals ³ |
|---------------------------------|--|---------------------------------|-------------------------------|---|
| County Area ¹ | | | | |
| Carlow | 321 | 16 | 5.00% | 0.80% |
| Cavan | 488 | 17 | 3.50% | 0.90% |
| Clare | 825 | 42 | 5.10% | 2.10% |
| Cork | 2484 | 111 | 4.50% | 5.70% |
| Donegal | 1367 | 36 | 2.60% | 1.80% |
| Dun Laoghaire / Rathdown | 1105 | 177 | 16.00% | 9.00% |
| Fingal | 1072 | 154 | 14.40% | 7.90% |
| Galway | 1598 | 71 | 4.40% | 3.60% |
| Kerry | 1090 | 71 | 6.50% | 3.60% |
| Kildare | 1168 | 84 | 7.20% | 4.30% |
| Kilkenny | 788 | 36 | 4.60% | 1.80% |
| Laois | 515 | 20 | 3.90% | 1.00% |
| Leitrim | 179 | 12 | 6.70% | 0.60% |
| Longford | 266 | 16 | 6.00% | 0.80% |
| Louth | 753 | 45 | 6.00% | 2.30% |
| Mayo | 796 | 35 | 4.40% | 1.80% |
| Meath | 1410 | 86 | 6.10% | 4.40% |
| Monaghan | 510 | 19 | 3.70% | 1.00% |
| Offaly | 468 | 28 | 6.00% | 1.40% |
| Roscommon | 382 | 17 | 4.50% | 0.90% |
| Sligo | 358 | 18 | 5.00% | 0.90% |
| South Dublin | 744 | 77 | 10.30% | 3.90% |
| Tipperary | 934 | 47 | 5.00% | 2.40% |
| Westmeath | 462 | 27 | 5.80% | 1.40% |
| Wexford | 1216 | 43 | 3.50% | 2.20% |
| Wicklow | 871 | 82 | 9.40% | 4.20% |
| City | | | | |
| Cork | 700 | 71 | 10.10% | 3.60% |
| Dublin | 2286 | 369 | 16.10% | 18.90% |
| Galway | 311 | 42 | 13.50% | 2.10% |
| City and County | | | | |
| Limerick | 1061 | 53 | 5.00% | 2.70% |
| Waterford | 793 | 34 | 4.30% | 1.70% |
| Total | 27,321 | 1,956 | 7.20% | 100.00% |

¹ 'Area' is a county planning authority and all other planning authorities in that area except city councils.

² Figures of decisions made by planning authorities courtesy of the Department of Housing, Local Government and Heritage.

³ Decisions do not include 313 otherwise disposed cases.

Appendix 2

Planning appeals received and decided by area

Decided 2020

| | No. of formal decisions * | % of planning authority decisions confirmed | % of planning authority decisions varied | % of planning authority decisions reversed |
|---------------------------------|---------------------------|---|--|--|
| County Area ¹ | | | | |
| Carlow | 17 | 24% | 47% | 29% |
| Cavan | 14 | 14% | 50% | 36% |
| Clare | 44 | 32% | 45% | 23% |
| Cork | 97 | 24% | 43% | 33% |
| Donegal | 23 | 13% | 48% | 39% |
| Dun Laoghaire / Rathdown | 116 | 25% | 45% | 30% |
| Fingal | 129 | 29% | 38% | 33% |
| Galway | 60 | 30% | 40% | 30% |
| Kerry | 49 | 20% | 47% | 33% |
| Kildare | 67 | 39% | 36% | 25% |
| Kilkenny | 41 | 19% | 66% | 15% |
| Laois | 11 | 18% | 64% | 18% |
| Leitrim | 8 | 0% | 87% | 13% |
| Longford | 14 | 7% | 79% | 14% |
| Louth | 35 | 29% | 45% | 26% |
| Mayo | 31 | 29% | 39% | 32% |
| Meath | 64 | 22% | 50% | 28% |
| Monaghan | 13 | 15% | 39% | 46% |
| Offaly | 16 | 25% | 25% | 50% |
| Roscommon | 16 | 25% | 56% | 19% |
| Sligo | 7 | 29% | 57% | 14% |
| South Dublin | 71 | 28% | 44% | 28% |
| Tipperary | 37 | 22% | 49% | 29% |
| Westmeath | 18 | 33% | 39% | 28% |
| Wexford | 37 | 24% | 41% | 35% |
| Wicklow | 57 | 26% | 37% | 37% |
| City | | | | |
| Cork | 50 | 20% | 54% | 26% |
| Dublin | 328 | 26% | 54% | 20% |
| Galway | 31 | 29% | 52% | 19% |
| City and County | | | | |
| Limerick | 42 | 26% | 48% | 26% |
| Waterford | 29 | 41% | 38% | 21% |
| Total | 1,572 | 26% | 47% | 27% |

* Decisions include all formal Decisions including Financial Contribution Only Decisions.

¹ 'Area' is a county planning authority and all other planning authorities in that area except city councils.

² Figures of decisions made by planning authorities courtesy of the Department of Housing, Local Government and Heritage

³ Decisions do not include 313 otherwise disposed cases.

Appendix 3

Staff, external consultants and legal agents 2020

Staff, External Consultants and Legal Agents as at 31st December 2020

The following staff were employed as of 31st December 2020:

Chief Officer

Brid Hill.

Director of Planning

Rachel Kenny.

Director of Corporate Affairs

Gerard Egan.

Assistant Directors of Planning

Ciara Kellett, Stephen O'Sullivan, Tom Rabbette, Brendan Wyse.

Senior Administrative Officers

Chris Clarke, Diarmuid Collins, Marcella Doyle, Mary Holohan, Mary Kelly, Anne Killian, Carol Moloney, Ellen Morrin, Paddy Tallon.

Senior Planning Inspectors

Patricia Callear, Paul Caprani, Una Crosse, Mary Crowley, Philip Davis, Jane Dennehy, Michael Dillon, Lorraine Dockery, Donal Donnelly, Fiona Fair, Stephanie Farrington, Pauline Fitzpatrick, Breda Gannon, Karen Hamilton, Niall Haverty, Phillippa Joyce, Gillian Kane, Stephen Kay, Suzanne Kehely, Mary Kennelly, Mairead Kenny, Karen Kenny, Sarah Lynch, Hugh Mannion, Karla McBride, Dolores McCague, Conor McGrath, Susan McHugh, Kevin Moore, Sarah Moran, Rónán O'Connor, Una O'Neill, Stephen Rhys-Thomas, Stephen Ward.

Ecologist

Maeve Flynn

Senior Executive Officers

Síle Bannon, Frances Barrett, Bronwyn Byrne, Philip Canny, Muiriosa Cassells, Cora Cunningham, Barry Devine, Pierce Dillon, Kieran Doherty, Gavin Duffy, Jane Gilvarry, Josephine Hayes, Grainne Kelly, Eimear Mangan, Nora Ryan, Colm Walsh, Siobhan White.

Planning Inspectors

Angela Brereton, Siobhan Carroll, Auriol Considine, Caryn Coogan, Brendan Coyne, Maire Daly, Emer Doyle, Rachel Gleave O'Connor, Leslie Howard, Anthony Kelly, Deirdre MacGabhann, Brid Maxwell, Colin McBride, Irene McCormack, Dáire McDevitt, Colm McLaughlin, Hugh Morrison, Barry O'Donnell, Fergal O'Bric, Paul O'Brien, Adrian Ormsby, Elaine Power, Robert Speer, Elaine Sullivan, Louise Treacy, Patricia Marie Young.

Executive Officers

Miriam Baxter, Darina Boyle, Audrey Boyle, Stewart Browne, Sarah Byrne, Karen Byrne, John Cannon, Lita Clarke, Roslyn Collins, Hannah Cullen, Stephen Deighan, Ashling Doherty, Neil Doherty, Rita Donnelly, Garry Dorgan, Aoife Duffy, Edel Ennis, Regina Fitzgerald, Patricia Fitzpatrick, Josephine Halpin, Ciaran Hand, Catriona Holland, Anna Howard, Helen Keane, Erica Kearns, Violet Kennedy, Sarah Kerley, Mark Kielty, Katarzyna Kowal, Patricia Leggett, Rob MacGiollarnath, Mark Masterson, Aisling Matthews, Susan Maxwell, Brid McManus, Nichola Meehan, Sue Morel, Carmel Morgan, Ciaran Murray, Lisa Quinn, Aisling Reilly, Sean Ryan, Jennifer Sherry, Sorcha Skelly, Kieran Somers, Niamh Thornton, Brid Tiernan, Mary Tucker.

Administrative Assistants

Patrick Buckley, Christine Brennan, Anthony Byrne, Jennifer Carleton, Diona Chiforescu, Bill Coleman, Christine Denning, Thomas Edlin, Jade Farrell, Justin Fleming, Sean Foley, Siobhan Gavin, Sarah Graham, Liam Halpin, Emma Haughan, Niamh Hickey, Leanne Hobbs, Emer Keane, Hannah Keane, Aran Kelly, Shauna Kelly, Aisling Keogh, Mark Lawlor, Mary Ledwith, Aine Loughran, Amanda Marry, Yvonne McCormack, Shaun McGee, Kevin McGettigan, Ellen McKittrick, Ellen Moss, Lydia Mullen, Christina Noctor, Donal O'Connor, David O'Hara, Eoin O'Sullivan, Eimear Reilly, Anna Rychlinska, Wendy Sullivan, Stephen Sutton, Aoife Whelan.

The following were engaged during 2020:

External Consultants

Abate Counselling, Richard Arnold, Cundall, FRS - Dr. Raymond Connolly, JGA Engineering - Martin Davidson, James Dodds, ESRI Ireland, Evros, Luke Fegan, Des Fortune, GES (Geotechnical & Environmental System) – Jerome Keohane, Institute of Public Administration, Des Johnson, Maurice Johnson, Dermot Kelly, Kilgallen, Marine Planning Matters, Mazars, MHOC Consult - Design Build Matters, Rory McShane, NALA, Eamon O'Boyle, Daniel O'Connor, Michael O'Rourke, Brendan O'Sullivan, OpenSky Data Systems, PwC, Retirement Planning, Clare Rowland, Savilles, Thomson Ecology, Padraic Thornton, Willis, Wonder Works.

Legal Agents

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