



To: Directors of Planning Services, City and County Councils
CC: Chief Executives, City and County Councils
Senior Planners, City and County Councils
Directors of Regional Assemblies
An Bord Pleanála

Circular Letter: PL 05/2022

20 June 2022

Derelict Sites Act 1990 – Data Return and Prescription of Urban Areas

I am directed by Mr Darragh O'Brien T.D., Minister for Housing, Local Government and Heritage, in exercise of his powers under the Derelict Sites Act 1990, to request that local authorities:

1. complete a data return in respect of 2021, and
2. provide details of any new areas which are required to be prescribed under section 21 of the Derelict Sites Act 1990.

Data Return for 2021

Local authorities are requested to provide information regarding the implementation of the Derelict Sites Act in respect of their functional areas by completing, and returning, the attached template 'Derelict Sites Statistical Return 2021' (see Appendix 1). The information required will be readily available from the relevant derelict sites register, which each local authority is obliged to maintain under Section 8 of the Act.

Completed data return forms in respect of 2021 should be emailed to derelict.sites@housing.gov.ie by no later than close of business on **Friday 01 July 2022**.

Prescription of Urban Areas

The Derelict Sites Act provides for the payment of an annual levy in respect of sites in urban areas that have been included in an authority's derelict site register on the 1st January of that year, and where the site's market value has been determined. "Urban Area" is defined as:

"a county or other borough, an urban district, a town or an area prescribed by the Minister under section 21."



Consequently where authorities are considering the inclusion of a new site in their register, they must satisfy themselves that the new site is an urban area under the terms of the above definition and if it is not, then it is necessary to make the relevant return to the Department so that the Minister may formally prescribe the area as an “urban area” via statutory instrument for the purposes of the Derelict Sites Act. The authority may not impose a financial levy on a new site that is not already included in the section 21 definition or has not been prescribed by the Minister for the purpose of the Act. For your ease of reference, a list of all areas prescribed under the Act to date is enclosed, please see Appendix 2.

Requests to have new areas prescribed should be submitted to the Department by completing the enclosed 'Nomination of Urban Areas to be Prescribed 2022' form, please see Appendix 3. Areas must be identified at the townland level. The following information should accompany any requests:

- copy of the relevant Chief Executive Order;
- the name of the urban area, the name(s) of the townland(s) to be prescribed and the name of the District Electoral Division(s) (DED) in which it is situated;
- population details of the townland(s) concerned, in line with the most recent Census figures, as well as the number of derelict sites identified.

As with the data return, any requests to have new areas prescribed should be emailed to derelict.sites@housing.gov.ie by close of business **Friday 01 July 2022**. Please provide a nil return if no new areas are to be prescribed for your authority.

Any enquiries relating to this Circular should be emailed for the attention of Eoghan O'Brien or Margaret Rice at derelict.sites@housing.gov.ie or by contacting Planning Policy Section on (01) 888 2000.

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