STATUTORY INSTRUMENTS.

S.I. No. of 2026

PLANNING AND DEVELOPMENT (LICENSING ON PUBLIC ROADS) REGULATIONS 2026

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I, JAMES BROWNE, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by sections 4(1), 13(2)(h), 13(4)(a) and (b), 13(14), 13(15) and 583(1) of the Planning and Development Act 2024 (No. 34 of 2024), hereby make the following regulations:

Citation

1. These Regulations may be cited as the Planning and Development (Licensing on Public Roads) Regulations 2026.

Definitions

2. In these Regulations—

"Principal Act" means the Planning and Development Act 2024 (No. 34 of 2024);

"Regulations of 2001" means the Planning and Development Regulations 2001 (S.I. No. 600 of 2001);

"specified appliance, apparatus or structure" means an appliance, apparatus or structure referred to in section 13(2) of the Principal Act or any additional appliance, apparatus or structure specified in these Regulations;

"website" means an internet website (including part of such a website) —

(a) to which access is readily available by members of the public, and

(b) where anything published is readily available for inspection by members of the public;

"working day" means a day which is not a Saturday, Sunday or public holiday.

Appliances, apparatus and structures suitable for being licensed

3. The following appliances, apparatus and structures are hereby prescribed as requiring a licence under section 13 of the Principal Act:

(a) a case, rack, shelf or other appliance, apparatus or structure for displaying articles for the purposes of advertisement or of sale in, or in connection with, any adjacent business premises;

(b) tables and chairs outside a hotel, restaurant, public house or other establishment where food is sold for consumption on the premises;

(c) awnings, coverings, canopies, parasols, shades, windbreakers, heaters or other similar structure for the purpose of facilitating

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outdoor dining where tables and chairs are being provided under paragraph (b);

(d) a coin-operated machine other than a vending machine;

(e) an advertisement consisting of any text, symbol, emblem, model, device or logo;

(f) a pipe or appliance with a pipe attachment for dispensing air or water not being a pipe or appliance attached to a petrol, or oil, pump;

(g) a weighing machine;

(h) a bring facility;

(i) a cabinet that contains apparatus used for the provision of an electronic communications network or service by a person authorised under Part 3 of the European Union (Electronic Communications Code) Regulations 2022 (S.I. No. 444 of 2022) who may be licensed or licence exempt under the Wireless Telegraphy Act 1926 (No. 45 of 1926);

(j) a lamp-post;

(k) a bridge, arch, tunnel, passage or other similar structure which—

(i) is used or intended for use other than by the public, and

(ii) was constructed on or after 1 October 1964;

(l) a cellar or other underground structure constructed on, or after, 1 October 1964;

(m) a cable for conducting electricity for domestic or agricultural purposes.

Fees

4. (1) Where a licence is granted by a planning authority under section 13 of the Principal Act—

(a) to erect, construct, place and maintain, or

(b) to maintain,

a specified appliance, apparatus or structure referred to in Part 1 of the Schedule, the amount of the fee to be paid to the planning authority shall, subject to Regulation 5, be—

(i) where the licence is for a period of one year, the appropriate amount indicated in column (2) of that Part opposite the reference in column (1) to the specified appliance, apparatus or structure,

(ii) where the licence is for a period of greater than one year, an amount equal to the fee for one year, in accordance with paragraph (i), for each year or part of a year for which the licence is granted, and

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(iii) where the licence is for a period of less than one year, an amount equal to one tenth of the fee for one year, in accordance with paragraph (i), for each month or part of a month for which the licence is granted.

(2) Subject to Regulation 5, where a licence is granted by a planning authority under section 13 of the Principal Act to erect, construct, place and maintain a specified appliance, apparatus or structure referred to in Part 2 of the Schedule, the amount of the fee to be paid to the planning authority shall be the amount indicated in column (2) of that Part opposite the reference in column (1) to the specified appliance, apparatus or structure, and no fee shall be payable in respect of any renewal of a licence for such an appliance, apparatus or structure.

Additional fee for advertising use

5. In the case of—

(a) any machine or similar appliance, apparatus or structure, more than one quarter of the surface area of which is used for advertising purposes,

(b) any town or landscape map more than one third of the surface area of which is used for advertising purposes, or

(c) any other appliance, apparatus or structure any part of the area of which is used for advertising purposes,

the amount of the fee under Regulation 4 shall be increased by the amount of the fee payable under that Regulation in respect of an advertisement structure which is on a public road.

Decision

6. A planning authority to which an application for a licence under these Regulations is made shall—

(a) notify the applicant of its decision not later than five working days of the date of its making of the decision, and

(b) publish its decision, and any relevant documents, on a website maintained by, or on behalf of, the authority as soon as may be.

Register

7. All applications for licences and decisions to a planning authority made to it under section 13 of the Principal Act shall be entered into the register maintained by the planning authority concerned under section 382(1) of the Principal Act, as soon as practicable, by the authority concerned.

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Transitional

8. Where an application for a licence is received by a planning authority before the date of the coming into operation of these Regulations—

(a) the fee to be paid to the planning authority shall, be the fee payable under the Regulations of 2001 notwithstanding any repeal of those Regulations, and

(b) any licence granted under section 89 of the Local Government (Planning and Development) Act 1963 (No. 28 of 1963) or section 254 of the Planning and Development Act 2000 (No. 30 of 2000) shall remain in force for the period for which the licence was granted, notwithstanding any repeal of those sections.

Revocations

9. Articles 200 to 204 of, and Schedule 12 to, the Regulations of 2001 are revoked.

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Schedule

Regulation 4(1) & (2)

LICENCE FEES UNDER SECTION 13 OF THE PRINCIPAL ACT IN RESPECT OF SPECIFIED APPLIANCES, APPARATUS AND STRUCTURES.

Part 1

Appliance, Apparatus or Structure (1)	Licence fee (2)
(a) A vending machine or coin operated machine (not being a weighing machine).	€125.
(b) A town or landscape map for indicating directions or places.	€25.
(c) A hoarding, fence or scaffold (not being a hoarding, fence or scaffold bounding a public road).	€1,250.
(d) An advertisement structure (other than an advertisement structure specified in paragraph (e)).	€630.
(e) An advertisement structure (being of a fingerpost type not exceeding 1 metre in length) consisting of a direction sign.	€50.
(f) A cable, wire or pipeline (not being a cable for conducting electricity for domestic or agricultural purposes or a drain or waterpipe or an overground cable which is part of an electronic communications network).	€25 per 100 metres length or part thereof.
(g) A telephone kiosk or pedestal.	€630.
(h) A case, rack, shelf or other appliance, apparatus or structure for displaying articles, whether or not for the purpose of advertisement or sale in or in connection with any adjacent business premises.	€125.
(i) Tables and chairs outside a hotel, restaurant, public house or other establishment where food is sold for consumption on the premises.	€125 per table.
(j) An advertisement consisting of any text, symbol, emblem, model, device or logo.	€630.

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(k) A pipe or an appliance with a pipe attachment for dispensing air or water, not being a pipe or appliance attached to a petrol or oil pump.	€25.
(l) A weighing machine.	€63.
(m) A bring facility.	€25.

Part 2

Appliance, Apparatus or Structure (1)	Licence fee (2)
(a) A cabinet that contains apparatus used for the provision of an electronic communications network or service by a person authorised under Part 3 of the European Union (Electronic Communications Code) Regulations 2022 (S.I. No. 444 of 2022) who may be licensed or licence exempt under the Wireless Telegraphy Act 1926 (No. 45 of 1926).	€125.
(b) A lamp-post.	€25.
(c) A bridge, arch, tunnel, passage or other similar structure— (i) used or intended for use other than by the public, and (ii) constructed on or after 1 October 1964.	€125.
(d) A cellar or other underground structure constructed on or after 1 October 1964.	€125.
(e) A cable for conducting electricity for domestic or agricultural purposes.	€125.
(f) An overground cable which is part of an electronic communications network.	€125 per licence.

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GIVEN under my Official Seal,

_____ 2026.

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Minister for Housing,

Local Government and Heritage.

EXPLANATORY NOTE

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

The purpose of these Regulations is to specify the types of appliances, apparatuses and structures suitable for being licensed by a planning authority under section 13 of the Planning and Development Act 2024 for installation on a public road and the fees payable to the planning authority for such licences.

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