

## FAQs

# Frequently Asked Questions.

There are a number of different types of consultations that the Council engages in. Three of the main types are statutory consultation processes, for which processes and timelines are defined in law. To explain these important consultations the Council has compiled some information, see below. Please contact us you have questions about any type of consultation or how you can participate.

What is a Part VIII consultation?

What is a County/City Development Plan Consultation?

What is a Local Area Plan Consultation?

### **What is a Part VIII Consultation?**

Most developments by a local authority itself, are subject to a public consultation process as set out in the Planning & Development Regulations, 2001 - 2012. This procedure is known as a Part VIII. This procedure requires that notice of the proposed development be given in the public press and that a site notice be erected. Following consideration of any submissions or observations received, the Chief Executive presents a report to the members of the Council.

The Councillors decide as they consider appropriate, that the proposed development be carried out, with or without variations or modifications, or decide it will not be carried out.

### **County/City Development Plan Consultation**

The County Development Plan is a document that guides the future growth and development of the County.

Ireland has planning laws and guidelines on lots of important things like housing, transport and the environment. From these, the government develops long-term national and regional development strategies such as the National Spatial Strategy and Regional Planning Guidelines. Local authorities then create a County Development Plan, taking the national and regional policies into account, to guide development in their area. The current Kilkenny County and City Development Plans are in place until 2020, but they may be varied within this period.

### **Variation to the Kilkenny County or City Development Plans.**

The procedure for making a variation to a Development Plan is set out in Section 13 of the Planning & Development Acts 2000-2015.

### **Local Area Plan Consultation**

A Local Area Plan (LAP) sets out a strategy for the proper planning and sustainable development of a specific area . The plan must consist of a written statement and map or maps, which may include objectives for the zoning of land for particular purposes, or other objectives in relation to community facilities and amenities, conservation of built and natural heritage and on standards for the design of developments and structures.

A Local Area Plan is a legal document and must be prepared and adopted in a particular manner and within a strict timescale as set out in Section 20 of the Planning and Development Acts, 2000-2015 .

The preparation, amendment or revoking of a Local Area Plan includes periods of consultation during which the input of the public, interested bodies and service providers is invited and welcomed. The issues raised during said consultation are summarised for the Councillors and inform the decision making process.

The making of a Local Area Plan is a reserved function of Elected Members of the County Council (Councillors). The Members can adopt, amend or revoke the Plan following consideration of any issues raised.

### **Summary of the Local Area Plan Process**

The following is a summary of the timescale and processes involved in the preparation and adoption of a Local Area Plan (LAP). This is also the same process used for amending an LAP.

#### **Pre-Draft Public Consultation Phase**

Prior to preparing a draft Plan, the local authority takes whatever steps it considers necessary to consult the public including public bodies, non-governmental agencies, residents' associations, community groups, and business interests in the area. This may involve advertisements, public meetings etc.

#### **Proposed Plan Preparation**

The proposed plan is prepared by the County Council for display taking into account issues raised during the pre-draft consultation phase.

### **Public Notice & Plan Display**

An advertisement is placed in the newspaper and on the Council's website announcing the preparation of a Local Area Plan. Notice and a copy of the Proposed Local Area Plan is also sent to bodies such as the EPA,, Department of Environment, etc, which are called "prescribed bodies." The Proposed Plan goes on display for a minimum period of 6 weeks during which submissions / observations are invited from the public and all interested parties. You can make submissions to consultations on this website.

### **Preparation of Chief Executive's Report on Submissions / Observations**

The Chief Executive prepares a report summarising the issues raised and giving her opinion and recommendation. This report must be submitted to the elected members of the County Council for their consideration not later than 12 weeks after notice is published.

### **Chief Executive's Report Submitted to Elected Members for Consideration**

Elected Members have 6 weeks to consider the report and adopt / amend the plan.

### **Alteration of Proposed Local Area Plan**

If the Elected Members decide to materially alter the Local Area Plan, the Planning Authority must publish notice of the proposed material alteration not later than 3 weeks after the passing of a resolution to materially alter the plan.

### **Display of material alteration to the Proposed Local Area Plan**

The proposed material alteration(s) must go on public display for not less than 4 weeks,during which submissions / observations are invited from the public and all interested parties.

### **Preparation of Chief Executive's Report on Submissions**

The Chief Executive prepares a report summarising the issues raised and giving her opinion and recommendation. This report must be submitted to the elected members of the County Council for their consideration not later than 8 weeks after notice is published.

### **Elected Members Consider Proposed Material Alteration & Chief Executive's Report.**

Elected Members consider the Chief Executive's Report and resolve to make or amend the Local Area Plan with alteration(s) not later than 6 weeks after receiving the report.