

Updates for Planning SPC
Tuesday, 8th January, 2019

1. Galway Harbour Company

The Harbours Act 2015 transposed into legislation Government policy to transfer certain port companies into local authority control. The logistics of how this transition was to happen is to be determined locally between the Harbour Authority, Local Authority and Department of Transport, Tourism and Sport (DTTS).

As Galway City Council (GCC) is the body to which the Harbour Authority is to transition, the City Council is obliged to carry out a due diligence process, the cost of which will be funded by DTTS. A brief for this was prepared by GCC and consultants appointed through a public procurement process. Before the process commenced, the Harbour Company has required that a non-disclosure agreement be entered into by the local authority in order to protect commercially sensitive information. This was a complex and protracted process which was finalised by both bodies in October 2018. The consultants have subsequently commenced the due diligence process which is on-going. The estimated timeframe for this work is approximately six months.

Part of the due diligence process is to examine the overall financial status of the company to include its assets, liabilities, risk, governance etc. The issue of future pension burden will also be considered in the context of this.

The outcome of the process will be brought by the Chief Executive to the City Council and DTTS when completed. The due diligence will inform the Department and the local authority how government policy and the provisions of the Ports Act might be implemented.

The appointment of a CEO is exclusively a matter for the Harbour Company and its board of directors. Galway City Council has no role or involvement in this recruitment or appointment or indeed any aspect of any recruitment.

2. URDF Funding approval for €2.9m cycle ways

The Urban Regeneration and Development Fund (URDF) was established to support more compact and sustainable development, through the regeneration and rejuvenation of Ireland's five cities and other large towns, in line with the objectives of the National Planning Framework and National Development Plan (NDP). This is to enable a greater proportion of residential and mixed-use development to be delivered within the existing built-up footprints of our cities and towns and to ensure that more parts of our urban areas can become attractive and vibrant places in which people choose to live and work, as well as to invest and to visit. The types of proposals eligible for funding included, but were not limited, to the following:

- ✓ Active land management, including the acquisition, planning, design, enabling through servicing, decontamination or otherwise, of areas, sites and buildings;
- ✓ Measures to address building vacancy;
- ✓ Building refurbishment, redevelopment and/or demolition;
- ✓ The development of areas, sites and buildings and the strategic relocation of uses or activities;
- ✓ Public amenity, planting, streetscape/public realm, parks, recreational facilities, safety, security and/or crime prevention works;
- ✓ Infrastructure related to housing, economic or skills development (including enterprise and tourism), transport and services infrastructure;
- ✓ Infrastructure that enables improved accessibility, in particular sustainable modes such as walking and cycling, public transport and multi-modal interchange, but also including roads, bridges and car parking and
- ✓ Transition to a low carbon and climate resilient society, in an urban context

The URDF has an overall allocation of €2 billion to 2027 and the Department of Housing, Planning and Local Government has responsibility for implementation of the URDF which has initially €550 million allocated in the NDP to 2022. A first call for proposals under the fund was launched in July 2018. The successful applications from this first call are set out in the following pages. There are two categories of projects as follows:-

Category A

These are proposals that were submitted as 'ready to go' in 2019. The funding allocations listed are approval in principle for some or all elements of each proposal to commence in 2019, with commitment to further funding of some or all elements in subsequent years, subject to agreement and performance.

Category B

These are proposals that require further development in 2019. They were either submitted as such, or, as a result of the assessment process, were determined to require further development. The overall allocations listed below are approval in principle for some or all elements of each proposal to be further developed in 2019, with potential for further funding in subsequent years, subject to agreement and performance.

The National Planning Framework (NPF), Galway has been Ireland's most rapidly developing urban area for 50 years and is a key driver for growth in the West of Ireland. The NPF envisages that the population of Galway City and Suburbs will grow by 40,000 – 45,000 (to at least 120,000) over the lifetime of the Plan up to 2040.

The Galway Transport Strategy (GTS) was adopted in 2016 and sets out how Galway City Council intends to address the key challenge of traffic congestion.

Securing delivery of the Galway City Ring Road will be critical to reduce dependency on car based private transport. Modal shift for local and short trips from private car to more sustainable modes will also be required. The GTS commits to delivery of a

high quality, safe, segregated (where appropriate), integrated and connected cycle network to encourage modal shift. The GTS cycle network can be seen in the attached GTS Proposed Cycle Network.

Although the city's general flat topography is conducive to cycling, the current mode share of 6.2% (Census 2016) is relatively low. Census data indicates a high proportion of the local population (circa 47%) live within a 4km commute to work and education and that 52% of commuting trips within the city are 4km or under (Census 2011). This indicates a strong potential for more sustainable and active travel to occur.

The aim of the proposal is to increase cycling to 10% mode share by 2020 as envisioned by the National Cycle Framework to help reduce congestion which is disadvantaging the city in advance of the Galway City Ring Road (GCRR) delivery.

However, the opportunity for securing further increase in cycling mode share is limited due to the lack of dedicated cycling infrastructure in the city. This combined with a high volume of traffic, means that cycling is not appealing or perceived as safe. GCC has delivered 31km of cycling infrastructure in recent year. However, additional funding is required to ensure a continuous, integrated cycle network. The entire cycle network as outlined in the GTS can be seen in attached GTS Cycle proposed network.

The URDF funding would provide a catalyst for the delivery of the cycle infrastructure in the short to medium term that otherwise could not be achieved.

An implementation plan for delivery of the cycle network has been prepared, with routes prioritised for delivery over a four year timeframe. It has been developed to prioritise those routes with most potential to deliver greatest modal share, links key attractions and offers tourism / leisure benefits.

Galway City Council's approved proposal for URDF funding to enhance walking and cycling will ensure implementation of a key aspect of the GTS and aligns with local and national policies. The proposals were widely consulted on and supported through delivery of the GTS and we are confident of the economic, environmental and community benefits which this much needed infrastructure could present for the city. Further applications under future funding rounds of the URDF will be submitted to facilitate implementation of the GTS, over and above other funding streams that are separately included in the NPF to address transport issues in Galway.

A copy of the application that was submitted is attached for the information of the members with a small section of commercially sensitive information redacted.

Further updates will be provided to Galway City Council as this initiative progresses.

3. Headford Road / Dyke Road Lands in the Ownership of Galway City Council

Following an application made by Galway City Council in October 2015, European Regional Development Funding under the Designated Urban Centres (DUC) Grant Scheme, €3.5 million was approved by the BMW Operational Programme Committee to support the proposed Galway Library and Cultural Centre Development on the Headford Road / Dyke Road on lands within the ownership of Galway City Council.

A condition of this scheme is that the all funding must to be spent by the end 2020. Due to onerous public procurement and match funding stipulations relating to possible joint ventures and other similar delivery mechanisms, Galway City Council will not be able to advance the project within the delivery period of the designated urban centre grant scheme.

As the project has not advanced enough to meet this tight deadline, the European money has now been reallocated to another ready to go project in the city to ensure it will be spent in full. The Black Box is required as an integral delivery component of Galway's ECOC programme. Details of the reallocation of the DUC Grant will be discussed by the Chief Executive with the City Council at the January 14th meeting of City Council and the full detail of the alternative proposals will be in the public forum after this.

It is important to note that the original objectives for the Dyke Road site have not changed in any way from a report agreed by Galway City Council in February 2018, (*Copy attached for the information of SPC members*). The development of this site will progress in parallel with the preparation of an overall Local Area Plan for the wider Headford Road area.

Since September 2018, the Land Development Agency (LDA), which was established at that time by the Government has considered and accepted the February 2018 report of Galway City Council. Residential use will be but one component of an integrated and overall redevelopment of the site in question, the vision for which has again been enunciated in the council's document of February 2018. The welcome assistance from the LDA will mean that a fully comprehensive update / report in relation to this important land bank and a key city centre opportunity site will be available to Galway City Council in late April 2019, as a follow on to what was agreed by GCC in February 2018. The resources available to LDA are ensuring priority for the site, at no cost to Galway City Council. Any future decision relating to this site will rest exclusively with the City Council. The LDA is co-operating solely in an advisory capacity.

The City Council intends to seek funding under the NPF's Urban Regeneration Fund to advance all of the objectives that Galway City Council has for the provision of a new City Library, a new cultural campus to replace the Black Box, the replacement of which must be in place before the existing Back Box will be demolished. The Department of Planning Housing and Local Government has

indicated that the next round of applications under the URDF will be invited in February 2019. Galway City Council will be making a URD funding application relating to the Dyke Road car park site and site and the delivery of all of its objectives for that site.

4. Definition of a Derelict Site

A derelict site is defined in Section 3 of the 1990 Derelict Sites Act as:

“any land (in this section referred to as “the land in question”) which detracts, or is likely to detract, to a material degree from the amenity, character or appearance of land in the neighbourhood of the land in question because of

(a) the existence on the land in question of structures which are in a ruinous, derelict or dangerous condition, or

(b) the neglected, unsightly or objectionable condition of the land or any structures on the land in question, or

(c) the presence, deposit or collection on the land in question of any litter, rubbish, debris or waste, except where the presence, deposit or collection of such litter, rubbish, debris or waste results from the exercise of a right conferred by statute or by common law.

Derelicts Sites comes within the remit of the City Council’s Environment Section and Environment SPC.

5. Vacant Site Levy

A vacant site levy was established under the Urban Regeneration & Housing Act 2015. This levy is a site activation measure, to ensure that vacant land in urban areas is brought into beneficial use. At the passing of this Act, the Minister stated the levy is a "*visible demonstration of the Government's commitment to tackle reasons why so many key sites that are suitable for development are not coming forward at a time of such a major need for housing*".

The definition of a ‘vacant site’ is set out in Section 5 of the Act, and is defined as any land (exceeding 0.05 hectares) where:

- in the case of residential land: there is a need for housing in the area, the site is suitable for housing and the site, or majority of the site, is vacant or idle; and
- in the case of regeneration land: the majority of the site is vacant or idle and is having a negative impact on the character of the area.

Each local authority is required to set up a Vacant Sites Register. A vacant site can be entered on the register when the Council is of the opinion that it has been vacant for a minimum of 12 months preceding its entry on the register. Galway City Council is currently examining 15 such potential sites.

It should also be noted that residential sites depending on investment in public infrastructure and facilities (e.g. road infrastructure and/or water services) to facilitate development do not qualify as 'vacant sites'. It may be a case that some of the potential vacant sites currently being examined may fall into this category and therefore will not ultimately fulfil the criteria for inclusion on the register. However, as circumstances change in relation to access to the necessary infrastructure, sites can and will be re-examined against the criteria outlined in the Vacant Site levy legislation.