



19<sup>th</sup> May, 2020

**To each Member of the Environment, Recreation & Amenity SPC**

**RE: Derelict Sites – Galway City**

**Item no. 8 on Agenda of SPC Meeting on the 26<sup>th</sup> May, 2020**

Dear Member,

## **INTRODUCTION**

The Derelict Sites Act, 1990 as amended, is the legislation under which the City Council assesses and endeavours to remove dereliction in the City. See attached Derelict Sites Act 1990 as revised in December, 2018.

A derelict site is defined in section 3 of the Act as:

Any land, 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:

- The existence on the land in question of structures which are ruinous, derelict, or dangerous condition, or
- The neglected, unsightly or objectionable condition of the land or any structure on the land in question, or
- 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 by common law.

The Act puts a duty on every owner and occupier of land, including a Statutory Body and a State Authority, to take all reasonable steps to ensure that the land does not become or continue to be a derelict site.

## **PROCEDURE**

When a derelict site or potentially derelict site is identified, the Environment Section follows the procedure as set out in the Derelict Sites Act, as amended, to address the dereliction. A copy of the procedure is attached.

Derelict Site Inspections are carried out on an ongoing basis by the Environment Engineer with assistance from the Community Wardens. Following each inspection, a report is prepared, outlining the findings with recommendations to address the dereliction. Every effort is made to attempt to work with property owner and address the dereliction issues before formal entries onto the register are made.

The Environment Department face ongoing challenges such as:

- Property owners not contactable;
- Owners unable to carry out required works due to financial difficulties;
- Question over ownership and liability in cases where property has gone into receivership;

### **Current status of Derelict Sites & Derelict Sites Register**

There are currently 15 sites listed on the Derelict Sites Register (details of register attached). In addition to sites on the register, other sites are being addressed through the Derelict Sites procedure by the Environment Section. Discussions are on-going with owners where possible to address the dereliction, and to prevent the sites being entered on the Register.

Where non-compliance with a Section 11 notice occurs and no efforts are made to address the dereliction, Environment staff liaise with the City Council's legal representatives with regard to instigating legal proceedings for non-compliance. The Council will consider other statutory options available under the derelict sites legislation including Compulsory Purchase where appropriate.

Valuations on properties have taken place and Section 22 notices have issued advising the owner of the market value and the potential 7% levy that may apply.

Where a site or property is no longer considered derelict, following completion of required works, the site is removed from the Derelict Sites register.

In 2019, a total of 98 inspections were carried out. All levies owed up to December 2018 have been discharged. In 2019 a total of €123,900 was levied on owners of derelict sites. These levies are being pursued by the Debt Collection Unit as they remain unpaid. For 2020, a total of €21,000 has been levied to date with further levies to be issued over the course of the year.

### **Conclusion**

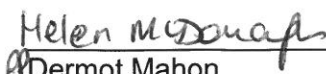
In March 2020, Derelict Sites inspections were temporarily suspended due to the Government Covid-19 restrictions. However, some site inspections will recommence from week beginning 18<sup>th</sup> May, (phase 1 – Roadmap for Reopening Society & Business)

The Derelict Sites work programme has fallen behind due to Covid-19 restrictions, however, the Environment Department will continue to implement the legislation, follow up with property owners increasing the number on the Derelict Sites Register and apply levies as appropriate.

I attach herewith the following:

- Derelict Sites Act 1990 revised 19<sup>th</sup> December, 2018
- Galway City Council's Derelict Sites Procedure
- Update on Derelict Sites Register at today's date

Yours sincerely,



Dermot Mahon

A/ Director of Services

Housing, Climate Change & Environment, Recreation & Amenity