



Joint Oireachtas Committee on Housing, Local Government and Heritage

AILG Opening Statement on the Land Development Agency Bill 2021

Tuesday 11th May 2021

Cllr. Mary Hoade, President AILG

As AILG President, I would like to thank you Chair and your committee members for affording us the opportunity to meet with you today and contribute to your work as part of the committee stage of the Land Development Agency Bill.

AILG has scrutinised the Land Development Agency Bill in great detail and our detailed submission, that we have forwarded to the committee, highlights issues in the Bill which need to be amended to protect the role of the local authority as a housing authority and, specifically, to defend the function of the elected members in relation to council owned property. **The Association is taking a strong position in defence of the role of Councillors in disposing of land owned by the local authority and we are also taking a strong position on the primacy of the local authority as the housing and planning authority.**

AILG has supported measures over the last number of years to assist in the delivery of much needed housing as we continue to tackle our housing and homelessness crisis. We recognise that the Land Development Agency has an important role to play in assisting local authorities in the performance and delivery of their housing function. We note that primary objectives of the LDA are to drive strategic land assembly and fully utilise state/public lands to build social and affordable homes and sustainable/regenerated communities. These are key objectives of our elected members as they try and deliver appropriate housing for their communities and their constituents and build sustainable communities for generations to come where place making is at its heart and we welcome the additionality that the LDA will bring, particularly in relations to affordable housing. We acknowledge that the bill provides for the LDA to provide services to local authorities in order to assist them in the development of sites for housing and urban development and in the performance of their housing functions.

However, it must be acknowledged that for more than a century local authorities have, successfully been the providers of social housing for the Irish population. Our local authorities have a strong record of achievement in the housing area and AILG are adamant that we must continue to ensure the primacy of Local Authorities in continuing to be the lead provider of social and affordable housing and that they are central to any public housing delivery programme. The current programme for Government is categorical in its commitment to “Ensure local authorities are central to delivering housing”. This is a stated commitment in the current programme for government and there cannot be any deviation from that.

AILG and our members are concerned that the bill, in its proposed form will lead to the curbing of some of the reserved functions of Councillors particularly in relation to Section 56 of the bill which proposes to remove the Section 183 reserved function of our members in relation to the disposal of local authority owned land. The Association is concerned that this will result in the transfer of local authority land to a centralised agency, unaccountable to the local public representatives. As a national representative body we can never support or accept any diminution in the reserved functions and powers of our Elected Members and we would ask that this section of the bill be removed. Our proposed amendments include amendments to section 49 and section 56 of the bill that will protect the reserved function of our members.

AILG are also concerned that the bill does not go far enough in protecting the primacy of our member authorities County/City Development Plans. County Development Plans have a high level of legitimacy through public engagement, and the councillors' role in their development and approval. They are critical and central to orderly development and their role must be protected. It is essential that LDA developments must co-ordinate with the local authority's own future plans as political responsibility for any development will remain with the elected members of the local authority, even where their statutory roles have been by-passed by the powers conferred on the LDA. We are proposing an amendment to section 50 (3) and an additional section to ensure that the LDA will take account of the of the development plan policies of the local authority.

We are also proposing an amendment to section 75 of the bill to ensure that it is the local authority that is responsible for setting the appropriate percentage of land to be set aside for affordable housing in line with their local development plans, housing strategies, core strategies and population projections.

The LDA will be given compulsory purchase powers and provision needs to be made to exclude local authorities from the LDA's CPO powers by way of an amendment to section 59 of the bill. Provision should also be made that if the LDA are disposing of lands, originally acquired from a local authority, the local authority should have the option of acquiring back those public lands. We suggest an amendment to section 55 of the bill for this.

There are a number of other proposed amendments that we have detailed in our accompanying submission to the committee. In all AILG is proposing 14 amendments to the LDA Bill. These proposed amendments focus on our key concerns including protecting the reserved functions of the councillor in the disposal of council land, retaining the primacy of the County Development Plan, asserting the role of the Local Authority in deciding the amount of affordable housing needed on any LDA site in its jurisdiction, expanding the range of towns to benefit from LDA technical assistance, and amendments to strengthen transparency, ensure continued public ownership of LDA. We believe these amendments will strengthen the Bill.

We would like to thank you Chair and the committee members for listening to our submission and will be glad to take questions that the members may have.