Regulation of Lobbying

@mhclawyers

Thursday, 25 February 2016
Welcome

Kevin Hoy
Partner, Head of Real Estate
Mason Hayes & Curran
Speakers and topics

Sherry Perreault
Head of Lobbying Regulation
Regulation of Lobbying Act 2015 – The Story so Far

Catherine Allen
Partner
Regulation of Lobbying Act 2015
Regulation of Lobbying Act 2015

Catherine Allen
Partner,
Mason Hayes & Curran
Regulation of Lobbying Act 2015

• What does the 2015 Act require – a brief overview

• When might lobbying arise during the planning process?

• What type of “planning & development” returns have been made?

• So what do I do now?
Zoning and Development

- Lobbying activities = relevant communications re development / zoning of land
- Zoning = development plans and local area plans
- Development = “carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land”
Designated Public Officials

- So what is a relevant communication?
- Communication => Designated Public Official re a relevant matter
- Who is a Designated Public Official?
- What is a relevant matter?
Designated Public Officials

- Ministers of the Government & Ministers of State
- Members of Dáil / Seanad Éireann
- Members of the European Parliament (Irish constituencies)
- Members of local authorities
- Special advisers
- Public servants / office holders specified by Minister (see SI 367 of 2015)
- BUT not members of An Bord Pleanála (currently)
Relevant matters

• Initiation, development or modification of any public policy or programme

• The preparation or amendment of legislation

• The award of any grant, loan, other financial support, licence or authorisation involving public funds

Excludes implementation matters or matters of a technical nature
So what does this mean for planning?

- Preparation of development / local area plans
- Applications for planning permission
- Enforcement of planning decisions
- Major infrastructural projects
- Pre-Planning meetings
**Any exceptions?**

Yes – known as “excepted communications”, eg:

- Principal Private Residence
- Factual Information
- Published submissions
- Communications by DPOs or Public Servants
Search

Enter organisation, DPO or subject

Dates
Relevant Matter

☐ Legislation
☐ Matters involving public funds
☐ Public policy or programme
☒ Zoning or development

Public Policy Area
Lobbying Organisation
Designated Public Official

Search

174 Returns

[15 milliseconds]

Relevant Matter: Zoning or development

Cynthia Branigan

lobbying.ie/return/4239/cynthia-branigan

Published 04 Feb, 2016

SPECIFIC DETAILS
I lobbied on behalf of my family and neighbours in relation to the urgency of long overdue fundamental infrastructure, namely the Re-alignment of the Knocklyon Road (Draft Development Plan 2010-2016).

RESULTS YOU INTENDED TO SECURE
The intended result is to secure very long awaited funding for the construction of the Knocklyon Road Re-alignment.

Niall Martin

lobbying.ie/return/2603/niall-martin

Published 03 Feb, 2016

SPECIFIC DETAILS

PUBLIC POLICY AREA
Development and Zoning

RELEVANT MATTER
Zoning or development

Search
Lobbying Register

Types of Lobbyists

- Builders - 19
- Investor/Property Developers - 15
- Chambers of Commerce - 8
- Government bodies - 7
- Other - 34

Total Lobbying Activities Registered - 174
Examples

Bridgedale M & D

Obtain a site specific objective for an Integrated Tourism & Recreation Complex (ITRC) on land in Castleknock.
## Bridgedale M & D

**Lobbying Organisation**
Bridgedale M & D

**Relevant Matter**
Zoning or development

**Public Policy Area**
Development and Zoning

**Period**
1 Sep, 2015 to 31 Dec, 2015

**Date published**
15 Jan, 2016

**Last modified**
15 Jan, 2016

**Name of person primarily responsible for lobbying on this activity**
Aidan McLernon

**Intended results**
Obtain a site specific objective for an Integrated Tourism & Recreation Complex (ITRC) on land in Castleknock.

**Is or was there any Designated Public Officials or former Designated Public Officials who carried out lobbying activities related to this return on your behalf?** ([What is a Designated Public Official?](#))
No

**Did you manage or direct a grassroots campaign?**
No

**Was this lobbying done on behalf of a client?**
Yes
## Examples

**Client(s)**

**Client 1**

<table>
<thead>
<tr>
<th>Company name</th>
<th>CRO number (if applicable)</th>
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<tbody>
<tr>
<td>TIO PLC</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Company address</th>
<th>Main business or activity</th>
<th>Company website</th>
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</thead>
<tbody>
<tr>
<td>25/28 North Wall Quay, Dublin 1</td>
<td></td>
<td></td>
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<table>
<thead>
<tr>
<th>Contact email address</th>
<th>Contact phone number</th>
<th>Contact address</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="mailto:aidan.mclernon@bridgedale.ie">aidan.mclernon@bridgedale.ie</a></td>
<td>n/a</td>
<td></td>
</tr>
</tbody>
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### Lobbying activity

*The following activities occurred for this specific Subject Matter Area.*

- Phone call (2-5) I contacted the local Councillors for the Castleknock area to discuss a pre-draft submission made to Fingal County Council which aims to improve the recreational and leisure facilities in the area. I spoke to Cllrs Eithne Loftus and Sandra Kavanagh.

### Designated public officials lobbied

*The following DPOs were lobbied during this return period on this specific Subject Matter Area. These DPOs were involved in at least one of the Lobbying Activities listed above, but not necessarily all of them. As returns are specific to a Subject Matter Area the above Lobbying Activities may be associated with multiple returns.*

<table>
<thead>
<tr>
<th>Sandra Kavanagh</th>
<th>Eithne Loftus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Councillor (Fingal County Council)</td>
<td>Councillor (Fingal County Council)</td>
</tr>
</tbody>
</table>
Examples

Bridgedale M & D

Contact information
Principal Address
Unit 11, Block F, Maynooth Business Campus, Straffan Road, Maynooth, Kildare
Country
Ireland

Contact phone number
016106546
Email
aidan.mclernon@bridgedale.ie
Organisation Website
N/A

Main activities of the organisation
Construction

CRO Information
Company Registration Number
N/A

Company Registration Name
Bridgedale Management & Development Limited

Company Registered Address
Unit 11 Block F, Maynooth Business Campus, Straffan Road, Maynooth Co Kildare
What you need to do

1. Register

2. Make returns x3 per year

3. Next return date is 21 May 2016
Further Guidance

• www.lobbying.ie:

• Guidelines on lobbying in relation to development and zoning of land

• Standards in Public Office Commission

• MHC!
Contact Details

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Thank you

For any queries on upcoming events, please contact events@mhc.ie

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