

LEGISLATIVE TRAINING PROGRAMME

A MODULAR TRAINING PROGRAMME TAILORED TO YOUR LOCAL AUTHORITY

The Legislative Training Programme addresses key legislation in the following areas: Governance and Reform, Housing, Planning, Environment, Water and Roads & Transportation Services. It looks at how legislation shapes Local Government structures and is suitable for middle to senior management levels.

The programme combines theory and practice with case studies and bespoke resources for each local authority. This is a modular learning programme, where participants will attend interactive sessions and have access to the course material and additional resources on Moodle. The course can be delivered in person or online.

This modular programme, delivered over six days, delves into legislation pertaining to the areas of Housing, Planning, Environment, Water and Roads & Transportation Services. It also looks at Local Government structures and the history of reform. The programme will also examine some general law issues such as injunctions, judicial review and court cases and the implications of these for Local Government from the perspective of an experienced legal professional.

Module Content

The six modules of the Legislative Training Programme are outlined below and overleaf:



Governance and Reform

- Current structures in Local Government: How we got here
- Key reforms set out in the 2014 Local Government Reform Act
- Governance powers of elected members
- Reserved functions of elected members
- Codes of good corporate governance
- Oversight of local government
- National Oversight Audit Commission (NOAC)
- Local Government Audit Service (LGAS)
- Audit Committees

General Law

- Introduction to the Irish legal system and structure of courts
- Types of cases a Council could be involved in
- Parties in litigation and the role of witnesses in a case
- Documentary evidence, discovery and Freedom of Information (FOI)
- Key legal proofs in a case
- Presenting evidence
- Effective communication in the witness box



Housing

- Current Government Policy
- Targets, roles and responsibilities for key stakeholders
- Housing Needs Assessment and regulations
- Housing Allocation Scheme and regulations
- Differential Rent Scheme and regulations
- Estate Management / Anti-Social Behaviour legislation
- Rental Accommodation Scheme (RAS)
- Housing Assistance Payment scheme (HAP)
- Housing Adaptation Grant
- Social Leasing scheme
- Approved Housing Bodies (AHBs)
- Housing loans
- Incremental tenant purchase scheme
- Housing standards for rented accommodation
- Traveller Accommodation
- Homelessness

Housing and the Law

- Negligence
- Nuisance
- Injunctions
- Non feasant V Mal feasant
- Anti-social behaviour and local authority powers
- Court Case Studies

Module Content Continued



Planning

- National Planning Framework (NPF 2040) implications for local authorities
- Links between the NPF and the Regional Spatial and Economic Strategies (RSES)
- Local Economic and Community Plans (LECPs)
- County/City Development Plans (CDPs) and local area plans
- Planning and Development Acts and regulations
- Development plan process
- Planning application process
- Planning appeals
- Exempted development
- Unauthorised development
- Protected structures
- Part V of Planning & Development Act 2000
- Local Authority Developments
- Strategic Infrastructure Developments (SIDs)
- Appropriate Assessment and Strategic Environmental Assessment (SEA)

Planning and the Law

- Introduction to judicial review
- Core Administrative law principles
- Legitimate expectation & implementing policy changes
- Consequences of the Local Authority losing in judicial review proceedings
- Good practice examples
- Court Case Studies



Roads and Transportation

- Overview of National Roads Policy
- Brief overview of Roads Acts
- Role of Transport Infrastructure Ireland, Department of Transport, National Transport Authority
- National Roads and Transportation programmes
- Financing of Roads
- Example of developing a major national roads scheme
- Traffic Management
- Road Safety
- Health and Safety at road works



Environment

- Overview of Environmental Policy
- Climate Action Plan
- Local Authority Climate Change adaptation strategies
- Low Carbon Development Act 2015 as amended
- Adaptation guidelines: implications and responsibilities
- Waste Management Framework
- National Waste Management Plan for Circular Economy 2024
- Litter Management
- Air Management
- Noise Management

Environment and the Law

- Sources of environmental law (EU policy)
- Fundamental principles of environmental protection
- Recent developments
- Environmental Permits and Environmental Impact Assessment Report (EIAR)
- Liability for environmental damage
- Contaminated land and remediation
- Enforcement
- Role of Local Authorities in the new climate action plan
- Court Case Studies

Roads, Transportation and the Law

- Health & Safety obligations
- Compulsory Purchase Orders (CPOs)
- Vicarious Liability for contractors
- Court Case Studies

Module Content Continued



Water Services

- Overview of water policy
- Water Services legislation
- Irish water and role of Local Authorities
- Transition framework until 2027
- Public Private Partnerships
- Water Framework Directive
- River Basin Management Plan
- Water pollution prevention and control
- Water conservation
- Water quality

Water and the Law

- Water pollution prevention measures
- Division of liability between LA and Irish Water
- Granting and monitoring discharge licences
- Damage to public property
- Liability arising from storm damage/Acts of God
- Court Case Studies

Course Leaders

Dr. Philip Byrne is an IPA Associate, Senior Local Government Specialist and Trainer, with over 30 years' experience of the Local Government sector in Ireland.

Alexandra Cowzer-Byrne LLB, BL, Dip Construction Law is a practising Barrister and an IPA Associate, Specialist and Trainer, delivering programmes in Courtroom Skills and Employment Law with the IPA, in addition to contributing to the Local Government Legislative Process Training.

Further Information

For a quote or to discuss this programme in greater detail, please contact Corinna Harte, Local Government Specialist on 01 240 3600 or using the contact information below.