

DRAFT

**Dublin (North Inner-City) Development Authority
Bill 2018**

BILL

Entitled

AN ACT TO MAKE PROVISION FOR THE REGENERATION OF THE AREA OF DUBLIN'S NORTH INNER CITY AND FOR THAT PURPOSE TO PROVIDE FOR THE ESTABLISHMENT OF A BODY TO BE KNOWN AS THE DUBLIN NORTH INNER CITY DEVELOPMENT AUTHORITY TO OVERSEE SAID REGENERATION, TO DEFINE THE FUNCTIONS OF SAID BODY AND TO PROVIDE FOR RELATED MATTERS.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

(citation)

1. (1) This Act may be cited as the Dublin (North Inner-City) Development Act 2018.

(2) This Act shall come into operation on such day or days as may be fixed by order or orders of the Minister.

(Interpretation)

2. In this Act, save where the context otherwise requires –

‘Dublin North Inner-City’ means the following electoral divisions; - Arran Quay A, Arran Quay B, Arran Quay C, Arran Quay D, Arran Quay E, Ballybough A, Ballybough B, Drumcondra South B, Inns Quay A, Inns Quay B, Inns Quay C, Mountjoy A, Mountjoy B, North City, North Dock A, North Dock B, North Dock C, Rotunda A and Rotunda B, as set out in S.I. No. 45/2014 - City of Dublin Local Electoral Areas Order 2014.

‘Minister’ means the Minister for Housing, Planning and Local Government

‘statutory body’ includes;-

- (a) a Government Department,
- (b) Enterprise Ireland
- (c) The Health Service Executive
- (d) The National Education Welfare Board
- (e) A City of Dublin Education and Training Board
- (f) A local authority

(Establishment of Dublin North Inner-City Development Authority)

3. (1) There shall stand established on the establishment day, for a period of not more than ten years from the date of enactment of this Act, a body to be known as the Dublin North Inner-City Development Authority (in this Bill referred to as the “Authority”), to perform the functions conferred on it by this Act.

(2) The Authority shall be a body corporate with perpetual succession, an official seal, and may sue, and be sued, in its corporate name, acquire, hold and dispose of land.

(3) Judicial notice shall be taken of the seal of the Authority and any document purporting to be an instrument made by the Authority, and to be sealed with the seal of the Authority shall, unless the contrary is shown, be received in evidence and be deemed to be such instrument without further proof thereof.

(Function of the Authority)

4. (1) The Authority shall provide for and on behalf of the Minister and Dublin City Council, the services as identified in subsection (3).

(2) In carrying out its function under subsection (1) the Authority shall deliver for the North Inner-City Area, (to be referred to in this Act as ‘the Area’);-

- (a) social and economic regeneration,
- (b) improvements in the area’s physical environment, and
- (c) the implementation of the recommendations of the 2017 Kieran Mulvey report entitled “Dublin North East Inner City Creating a Brighter Future” .

(3) The services, as referred to in subsection (1) to be provided by the Authority, shall include;-

(a) identifying the bodies, both statutory and other, which, in the opinion of the Authority, may contribute to the regeneration of the Area, taking into account strategies of relevant statutory and other relevant bodies operating within the Area,

(b) the preparation of a strategy for the regeneration of the Area and the promotion of the implementation of that strategy,

(c) the promotion of investment in the Area by statutory bodies,

(d) the promotion and co-ordination of relevant programmes and other activities of statutory bodies and other persons concerned with the regeneration of the Area and the promotion of co-operation between such bodies and persons,

and,

(e) undertaking, at the request of the Minister, any other task relevant to the regeneration of the Area.

(Additional functions of the Authority)

5. (1) The Authority may, in respect of the Area;-

(a) prepare detailed proposals and plans for the development, redevelopment, renewal or conservation of land in the Area,

(b) acquire, hold and manage land in the Area for its development, redevelopment, renewal or conservation, either by the Authority or by any other person,

(c) secure the development, redevelopment, renewal or conservation of, any land in the Area or otherwise to secure the best use of any such land,

(d) dispose of land on completion of its development, redevelopment, renewal or conservation,

(e) provide such infrastructure and carry out of such works of amenity development or environmental improvement as, in the opinion of the Authority, may be required to encourage people to work, shop or reside in the Area or otherwise to use the facilities provided in the Area,

and,

(f) promote development of existing and new residential communities in the Area.

(2) In carrying out its function under this section, the Authority shall consult, as appropriate, with the Local Enterprise Office of Dublin City Council.

(3) The Authority may, in consultation with the Minister and the consent of the Minister for Finance, Expenditure and Reform, do all such things, including the incurring of expenditure and the borrowing of money, to facilitate the performance of its functions.

(4) The Minister may, from time to time, issue to the Authority, such guidelines in relation to the performance of its functions as he or she considers appropriate and the Authority shall have regard to such guidelines in the performance of its functions.

(5) The Minister may amend or revoke guidelines issued under this section.

(6) The Minister shall, having regard to the functions to be performed by the Authority, make regulations pursuant to section 13, prescribing the arrangements in respect of meetings of the Authority and such other matters as the Minister considers necessary for the operation and administration of the Authority.

(Board of Directors of the Authority)

5. (1) The business of the Authority shall be overseen by a Board of Directors appointed by the Minister and shall comprise of the following;

(a) a serving officer of each of the following Government Departments, nominated by the respective Minister of each such Department;-

- (i) the Department of Employment Affairs and Social Protection,
- (ii) the Department of Education and Skills,
- (iii) the Department of Justice and Equality,
- (iv) the Department of Housing Planning and Local Government,
- (v) the Department of Finance, Public Expenditure and Reform, and
- (vi) the Department of Health;

(b) the Chief Executive Officer of Dublin City Council,

(c) a serving officer of An Garda Síochána nominated by the Minister,

(d) a member of staff of the Health Services Executive nominated by the Minister,

(e) three persons from the North Inner- City Community Coalition nominated by the Minister,

and

(f) three persons from the business community of the Area nominated by the Minister.

(2) In appointing members of the Board of Directors, the Minister shall, to the extent practicable, ensure an appropriate balance between men and women in the membership.

(3) The Minister shall appoint one of its members to be Chairperson of the Board of Directors.

(4) Any appointments made pursuant to this section shall be made in accordance with the most recently issued Guidelines on Appointments to State Boards issued by the Department Public Expenditure and Reform.

(Resignation and removal of a member from the Board)

6. (1) A member of the Board may at any time resign from the Board and shall notify the Minister by way of letter. The resignation shall take effect from the date specified in said letter.

(2) The Minister may remove a member from the Board, if, in the opinion of the Minister;-

(a) the member has become incapable through ill-health, of effectively performing the functions of the office,

(b) the member has a conflict of interest of such significance that, in the opinion of the Minister, the member should cease to hold the office, or

(c) the removal of the member appears to be necessary for the effective performance by the Board, of its functions.

(3) A member shall cease to be member of the Board if he or she-

(a) is adjudicated bankrupt, or

(b) is convicted of an offence.

(Terms and conditions of office of the Board)

7. (1) Each member of the Board shall be a member on such terms as may be determined by the Minister and may include such remuneration, expenses and other financial resources required, as may be determined by the Minister.

(2) A member of the Board shall cease to be a member of the Board if he or she becomes an elected member of;-

(a) either House of the Oireachtas,

(b) the European Parliament,

(c) a local authority.

(Staff of the Authority)

8. (1) The Authority may employ persons to be employees of the Authority, including a Chief Executive, subject to the consent of the Minister and the Minister for Finance, Public Expenditure and Reform, as to numbers and grades, on such terms and conditions as may be determined by the Authority.

(2) A Chief Executive Officer shall hold office for such period and upon such terms and conditions (including terms and conditions relating to remuneration) as the Minister, with the consent of the Minister for Finance, Public Expenditure and Reform, may determine.

(3) An employee of the Authority shall be paid, out of monies at the disposal of the Authority, such remuneration and allowances as the Authority, with the consent of the Minister and the Minister for Finance, Public Expenditure and Reform, may determine.

(3) For the purposes of enabling the Authority to perform its functions, as and from the establishment day, Dublin City Council may, for such period as it thinks fit, supply to the Authority, any services, including services of staff required by the Authority, and the Authority may avail of such services.

(4) The supply of services under subsection (3) may include the services of a person to perform the functions of a Chief Executive Officer.

(Reporting to the Minister)

9. (1) The Authority shall furnish to the Minister, such information regarding the performance of its functions, as the Minister may, from time to time require.

(2) The Authority shall, in accordance with any direction, which may from time to time be given to it by the Minister, submit an annual programme of activities for the following year and an estimate of the expenditure to be incurred on such activities.

(3) The Authority shall produce and publish an annual report in the first quarter of each year detailing progress made in the delivery of performance of its functions and delivery of services in the previous year.

(Accounts)

10. (1) The Authority shall keep, in such form as may be approved of by the Minister, with the consent of the Minister for Finance, Public Expenditure and Reform, all proper and usual accounts of moneys received or expended by it and, in particular, shall keep in such form as aforesaid, all such special accounts as the Minister, with the consent of the Minister for Finance, Public Expenditure and Reform, may from time to time direct.

(2) Accounts kept under subsection (1) shall, on or before such date as the Minister shall direct, be submitted annually by the Authority, to the Comptroller and Auditor General for audit and immediately after such audit a copy of the accounts and a copy of the auditor's report on the accounts shall be presented to the Minister who shall cause copies of such accounts and report to be laid before both House of the Oireachtas.

(Grants to the Authority)

11. The Minister may provide grants of such amounts as may be sanctioned by the Minister for Finance, Public Expenditure and Reform, out of monies to be provided by the Oireachtas, towards the expenses of the Authority.

(Establishment day)

12. The Minister shall by order appoint a day to be the establishment day for the purposes of this Act.

(Regulations)

13. (1) The Minister may make regulations for the general purpose of this Act and may, by regulation, provide for any matter referred to in this Act as prescribed or to be prescribed.

(2) Every regulation under this Act shall be laid before both Houses of the Oireachtas as soon as may be after it is made and, if a resolution annulling the regulation is passed by either such House within the next 21 days on which that House has sat after the regulation is laid before it, the regulation shall be annulled accordingly but without prejudice to the validity of anything previously done under the regulation.

(3) Regulations under this Act may contain such incidental, supplementary and consequential provisions as appear to the Minister to be necessary or expedient for the purposes of the regulations.

Introduced by: Deputy John Lahart