

Local Government Reform Act 2014

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SCHEDULE 3

Reserved Functions

[Section 21 \(4\)](#)

“SCHEDULE 14A

Section 131 and 131A

PART 1

Reserved Functions to be Performed, Subject to Section 131A(4), by Municipal District Members

Ref Description of reserved function

ere

nce (2)

No.

(1)

- 1 Adopting or reverting to the title “Cathaoirleach” and “Leas-Chathaoirleach” and giving to the office of Cathaoirleach or Leas-Chathaoirleach alternative titles.
- 2 Removal from office of the Cathaoirleach or Leas-Chathaoirleach.
- 3 Deciding to hold special meetings; appointing days and times of meetings; appointing a regular schedule for the holding of ordinary meetings; appointing different days, times and places for different meetings; appointing the day for holding the annual meeting other than in a year in which a local election is held; making additional arrangements for the giving of public notice of meetings; resolving that a member leave a meeting; making, amending or revoking standing orders; making rules for the purpose of ensuring that appointments to bodies are made fairly and equitably.

- 4 Deciding to meet in committee for whole or part of a meeting where the municipal district members consider that such action is not contrary to the overall public interest.
- 5 Establishing a committee to consider matters connected with the functions of the local authority and to assist and advise the authority on those matters; appointing the members of a committee; and dissolving a committee.
- 6 Adoption of statements regarding the economic elements of the local economic and community plan for the consideration of the elected council of the local authority.
- 7 Adoption of statements regarding the community elements of the local economic and community plan for the consideration of the elected council of the local authority.
- 8 Consideration of and making amendments to a draft budgetary plan.
- 9 Consideration and adoption of an annual schedule of proposed works to be carried out in the district.
- 10 Establishing a community fund for the purposes of supporting community initiatives.
- 11 Adopting a scheme for the making of an annual contribution by the occupier of each dwelling in the area to which the scheme applies towards particular community initiatives specified in the scheme.
- 12 Deciding, subject to the approval of the Minister, that a particular function of the municipal district members should be performed only by the local authority.
- 13 A decision to pay an allowance for reasonable expenses of Cathaoirleach and Leas-Chathaoirleach and the determination of the amount of the allowance.
- 14 The approval of information to be included in an annual report in relation to the performance of functions by the municipal district members.
- 15 Deciding that a named member leave a meeting or that the member was the cause of the meeting being adjourned.
- 16 Deciding to pay certain expenses to non-members of a local authority for attendance at committees or joint committees.
- 17 The delegation to a designated body of a function (including maintenance) in respect of the management and control of any specified dwellings or the revocation of any such delegation.
- 18 The delegation to a designated body of a function (including maintenance) in respect of the management and control of a dwelling or the revocation of any such delegation.
- 19 Making representations to the Minister in relation to an order made by the Minister closing particular roads to vehicles.

- 20 The making of arrangements in relation to school wardens.
- 21 Entry into an agreement for the exercise of power under the [Local Authorities \(Traffic Wardens\) Act 1975](#) by another local authority.
- 22 The making of an order declaring a road to be a public road and consideration of objections or representations in relation to such declaration.
- 23 The making of an order abandoning a public road and the consideration of objections or representations in relation to a proposal to abandon a public road and the report and any recommendations of a person appointed to conduct an oral hearing.
- 24 The making of an order extinguishing a public right of way and the consideration of objections or representations in relation to a proposal to extinguish a public right of way and the report and any recommendations of a person appointed to conduct an oral hearing.
- 25 The making of a resolution (pursuant to regulations under [section 35 \(2\) \(l\) of the Road Traffic Act 1994](#)) specifying the places in which vehicles may be parked either indefinitely or for any period not exceeding a specified period.
- 26 Making of bye-laws for the control and regulation of the parking of vehicles in specified places on public roads (including provision for the payment of fees for parking) and the consideration of observations or representations in relation to draft bye-laws.
- 27 Making of a resolution to determine the manner in which fees in respect of parking shall be disposed of.
- 28 The making of a decision to provide or remove prescribed traffic calming measures and the consideration of observations or representations in relation to a proposal to provide or remove such measures.
- 29 The making of bye-laws in relation to stands for taxis.
- 30 Making, or refusing to make, or revocation or amendment of, a tree preservation order.
- 31 Making of bye-laws in relation to the control, regulation, supervision and administration of casual trading.
- 32 The extinguishment of a market right.
- 33 The making, review, amendment or replacement of a litter management plan.
- 34 Making bye-laws for the purposes of preventing the creation of, and controlling, litter.
- 35 The making of submissions to a fire authority regarding a proposed indoor event that requires a licence.
- 36 The approval of a draft bye-law, the consideration of submissions in relation to such draft

bye-law and the making, amendment or revocation of a bye-law.

- 37 Adopting, amending or rescinding a resolution concerning the expiry times of a special exemption order.
- 38 Making of bye-laws in respect of the use of temporary dwellings.
- 39 Making an order prohibiting the erection or retention of temporary dwellings.
- 40 Making bye-laws in relation to any national monument of which the local authority is the owner or the guardian.
- 41 Adopting a proposal to substitute a new placename in respect of a place.
- 42 Deciding to hold a ballot in respect of a proposal to change a placename or deciding not to proceed with the proposal.
- 43 Adopting or rescinding Part III (Licensing for Gaming of Amusement Halls and Funfairs) of [Gaming and Lotteries Act 1956](#) .
- 44 Decision to make a charge in relation to amenities, facilities, services or any other thing provided by a local authority under section 66 of the [Local Government Act 2001](#) .
- 45 Making of rules in relation to arrangements for attendance and raising of issues by interested persons at meetings.

PART 2

Reserved Functions that May be Performed under Section 131A(1) (b) in Respect of a Municipal District by Municipal District Members or the Local Authority

Ref Description of reserved function

ere

nce (2)

No.

(1)

- 1 A decision of a local authority to confer a civic honour on a person.
- 2 A decision to enter into arrangements for twinning with any other area.
- 3 A decision to incur reasonable expenditure for or in connection with the provision of receptions and entertainment and the making of presentations.
- 4 Requiring that specified action be taken in accordance with section 127 for the purpose of consultation with the local community.

- 5 Determining the policy of the local authority or the municipal district members.
- 6 Directing that a second legal opinion be obtained by the local authority in relation to the exercise or performance of a reserved function.
- 7 Deciding that a report on the capital programme may be considered at a meeting other than the local authority budget meeting.
- 8 Requiring a chief executive to prepare and submit plans, specifications and an estimate of cost of any particular work specified in a resolution.
- 9 Directing a chief executive to inform the council of the manner in which he or she proposes to perform any specified executive function of the local authority.
- 10 Requesting a member of a local authority to present a report on the activities and operation of another body to which the member is elected, appointed or nominated by that authority.
- 11 Approving a proposal of the chief executive to grant permission for the development of land which would contravene materially the development plan or local area plan.
- 12 A decision in relation to the making, amendment or revocation of a local area plan within the meaning of the Act of 2000.
- 13 The making of an addition to, or a deletion from, a record of protected structures to which Part IV of the Act of 2000 relates.
- 14 Approving, amending or revoking a special planning control scheme.
- 15 Deciding to vary or modify a proposed local authority own development, or deciding not to proceed with the development.
- 16 Making, or refusing to make an order creating a public right of way over any land.
- 17 Deciding to vary or modify, or not to proceed with, an event proposed to be carried out by a local authority.
- 18 The preparation, making, adoption or variation of a housing services plan, or draft plan.
- 19 The making of a decision in relation to the representation of the views of the local community.
- 20 A decision by a local authority to provide assistance in money or in kind under section 66 for promotion of the interests of the local community.
- 21 A declaration that a body be a recognised association for the purposes of section 128.
- 22 Observations in regard to a preliminary flood risk assessments, a flood hazard map, a flood risk map, or both such maps, a flood risk management plan, and a flood risk management

scheme, prepared by the Commissioners of Public Works in Ireland; deciding whether to adopt or otherwise a flood risk management plan; and objection to the issue of a certificate of completion of flood risk management works.

- 23 Consideration of and observations in regard to a drainage scheme prepared by the Commissioners of Public Works in Ireland.
- 24 Objection to the issue of a certificate of completion of drainage works.

PART 3

Reserved Functions to be Performed by the Local Authority

Ref Description of reserved function
ere
nce (2)
No.

(1)

- 1 Extending the period of permitted absence from attendance at local authority meetings.
- 2 Adopting a proposal for the alteration of the number of members of certain local authorities.
- 3 Adopting or reverting to the title “Cathaoirleach” and “Leas-Chathaoirleach” and giving to the office of Cathaoirleach or Leas-Chathaoirleach alternative titles.
- 4 Removal from office of the Cathaoirleach or Leas-Chathaoirleach or the chairperson of any strategic policy committee.
- 5 Deciding to fix the day or days for the first meetings of the municipal district members for each of the municipal districts within the functional area of the local authority.
- 6 Deciding to hold special meetings; appointing days and times of meetings; appointing a regular schedule for the holding of ordinary meetings; appointing different days, times and places for different meetings; appointing the day for holding the annual meeting other than in a year in which a local election is held; making additional arrangements for the giving of public notice of meetings; resolving that a member leave a meeting; making, amending or revoking standing orders; and making rules for the purpose of ensuring that appointments to bodies are made fairly and equitably.
- 7 Deciding to meet in committee for whole or part of a meeting where the authority considers that such action is not contrary to the overall public interest.
- 8 Establishing a committee to consider matters connected with the functions of the local authority and to assist and advise the authority on those matters or to perform functions of the authority; appointing the members of a committee; and dissolving a committee.

- 9 Establishing a joint committee of 2 or more local authorities to consider and advise on specified matters, or to perform functions delegated to it, delegating reserved functions to a joint committee and dissolving such a committee.
- 10 Making the integrated local economic and community plan.
- 11 Preparing, reviewing and updating the implementation strategy for the economic elements of the local economic and community plan.
- 12 Entering into an agreement with another local or public authority for the performance by one of the authorities concerned of any function of the other.
- 13 Adopting the draft local authority budget.
- 14 Determining the annual rate on valuation to be levied.
- 15 Specifying a local electoral area or local electoral areas within the administrative area of the local authority where owners of vacant premises shall be entitled to claim and receive a refund of differing proportion of such rate to that that would otherwise apply to the rest of the administrative area and deciding what proportion of refund shall apply in respect of each of those specified electoral districts.
- 16 Adoption of a schedule of proposed works of maintenance and repair to be carried out in a municipal district, if the schedule is not adopted by the municipal district members.
- 17 Authorising the incurring of additional expenditure and adopting and amending a scheme authorising the chief executive to incur additional expenditure without prior approval of the elected council.
- 18 Requiring the preparation and submission to the local authority members of financial statements.
- 19 A decision to borrow money or to lend money to another local authority.
- 20 Delegation of additional functions to municipal district members or revocation of such delegation.
- 21 Performing, in accordance with regulations, a specified function in place of municipal district members in a particular case or occasion.
- 22 Extending a direction by the Cathaoirleach of a county council, a city council or a city and county council requiring the chief executive to refrain from doing a particular act, matter or thing.
- 23 Approving the corporate plan with or without amendment.
- 24 Adopting the draft local authority service delivery plan.

- 25 Directing that certain works shall not proceed.
- 26 Requiring a particular act, matter or thing to be done or effected in the performance of executive functions of the local authority, other than certain prescribed matters.
- 27 Authorisation by an elected council of one or more of its members to avail of training or attend training events.
- 28 Authorising representation of the authority by councillors at a conference, seminar or other meeting or event, or to avail of training or attend training events.
- 29 A decision to pay an allowance for reasonable expenses of Cathaoirleach and Leas-Chathaoirleach and the determination of the amount of the allowance.
- 30 The appointment, suspension or removal of a chief executive by a county council, a city council, or city and county council.
- 31 Resolving that disposal of land which is held by a local authority shall be carried out in accordance with terms specified in the resolution, or that it shall not be carried out.
- 32 Making an order to declare an area to be an area of special amenity.
- 33 Making, or refusing to make, or revocation or amendment of, an order designating any area or place as a landscape conservation area.
- 34 The adoption of an annual report under section 221.
- 35 Deciding to hold or to cease to hold membership of an association of local authorities.
- 36 Declaring that another local authority shall be the successor of a specified joint burial board or cemetery joint committee which is to be dissolved.
- 37 Deciding that a named member leave a meeting of a local authority.
- 38 Deciding that a named member was the cause of a meeting being adjourned, with a consequential reduction in remuneration and expenses.
- 39 Deciding that a named member was the cause of a meeting being adjourned and should be suspended from attendance at meetings, with a consequential cessation of payment of remuneration and expenses for the suspension period imposed, and the early lifting of the suspension.
- 40 Deciding to pay certain expenses to non-members of a local authority for attendance at committees or joint committees.
- 41 Applying to the Minister to make an order under *subsection (8)* of [section 29](#) of the *Local Government Reform Act 2014* that the adjustment period, referred to in that section and applicable to a specified area within the administrative area of the local authority, may be

extended by a period not greater than 10 years and stating the length of extension being sought.

- 42 Making or amendment of a scheme for the waiver of rates and determination of classes of property in respect of which rates may be paid by instalments.
- 43 Proposing that the boundary of a county, a city, or a city and county be altered, making a statement of response to such proposal, amending the proposal and deciding to make an application to the Minister for the making of an order altering the boundary.
- 44 Nominating a person to be a candidate at a presidential election.
- 45 Adopting a purchase scheme applying to the sale of dwellings.
- 46 The making of an agreement between authorities to enable a housing authority to perform any of its housing functions outside its functional area.
- 47 The determination of the terms and conditions under which assistance is provided to another housing authority or an approved body.
- 48 Adoption of a policy for the effective performance of functions under section 58(1) of the [Housing Act 1966](#) or an amendment to such a policy.
- 49 The transfer, sale or assignment of mortgages, unless it is the subject of a direction by the Minister.
- 50 The adoption of a traveller accommodation programme or an amendment to, or replacement of, the programme.
- 51 The making of an appointment to a local traveller accommodation consultative committee.
- 52 The making and amending of a scheme which determines the order of priority for allocation of affordable houses provided under Part V of the [Planning and Development Act 2000](#) .
- 53 Making and amending a scheme that determines the order of priorities for allocation of affordable houses made available for sale under Part 2 of the [Housing \(Miscellaneous Provisions\) Act 2002](#) .
- 54 The making or amendment of an allocation scheme determining the order of priority to be accorded in the allocation of dwellings.
- 55 The making and revocation of a rent scheme providing for the manner in which rents and other charges in respect of dwellings shall be determined.
- 56 The drawing up and adoption of, and the amendment of, an anti-social behaviour strategy.
- 57 The adoption or amendment of a Homelessness Action Plan.

- 58 The adoption of a proposal to designate an apartment complex for the purpose of making the apartments available for sale to the tenants.
- 59 The designation of an apartment complex in accordance with a section 53 proposal.
- 60 The extension of the initial selling period for apartments in a designated apartment complex.
- 61 Functions of a road authority in relation to abandonment of a railway line.
- 62 The making of representations by a road authority to the National Roads Authority and to the Minister for Transport regarding a proposed national road alignment.
- 63 The making of a scheme for the establishment of a system of tolls in relation to a regional road or a local road, the making of representations to the National Roads Authority in relation to a toll scheme in relation to a national road and the making of an order revoking a toll scheme in relation to a regional road or a local road.
- 64 The making of toll bye-laws in relation to a regional road or a local road.
- 65 Entering into an agreement for financing, maintenance, construction and operation of toll roads in relation to a regional road or a local road.
- 66 The making of special speed limit bye-laws.
- 67 The making of bye-laws to regulate and control skips on public roads and the consideration of objections or representations in relation to the draft bye-laws.
- 68 Entering into an agreement with the Commissioners for Public Works in Ireland for the transfer of a bridge over a canal.
- 69 The making of a development plan and making or refusing to make a variation of a development plan which for the time being is in force.
- 70 The revocation or modification of a permission to develop land if the development to which the permission relates no longer conforms with the provisions of the development plan.
- 71 Making a development contribution scheme.
- 72 Making or amending a supplementary development contribution scheme.
- 73 Deciding to make, subject to variations and modifications, or deciding not to make a draft planning scheme for strategic development zones.
- 74 Amending or revoking a planning scheme for strategic development zones.
- 75 Adoption by a planning authority of a code of conduct for dealing with conflicts of interest and promoting public confidence in the integrity of the conduct of its business.

- 76 Making or terminating of an agreement by two or more planning authorities for sharing the cost of performing functions under the [Planning and Development Act 2000](#) .
- 77 Directing the manner in which a list of the planning applications received shall be made available to the members of a planning authority.
- 78 Directing the manner in which a list of planning applications in respect of which decisions were given shall be made available to the members of a planning authority.
- 79 Examining and considering a drainage scheme sent to a county council by the Commissioners of Public Works and providing observations to the Commissioners in regard to such scheme.
- 80 The consideration of a report on proposed coast protection works and the making of a declaration for the promotion of a coast protection scheme, the consideration of a report by the Commissioners of Public Works and the making of a declaration on the preparation and execution of a coast protection scheme, the making of a declaration that a coast protection scheme is or is not to be proceeded with and the making of an objection to the issue of a certificate of completion.
- 81 The making of an agreement by a fire authority to provide services for, or avail of the services of, any body or person other than a fire authority and the making of an agreement between fire authorities for the purpose of any of their functions.
- 82 The making and revision by a fire authority of a plan for fire and emergency operations.
- 83 The making of a financial contribution by a local authority to support or assist any person, or body of persons, engaged, or proposing to engage, in any research, survey or investigation into the nature and extent, the cause and effect, and the prevention or limitation, of air pollution or in any educational programme relating to such matters.
- 84 The making, revoking or amending by a local authority of a special control area order to prevent or limit air pollution and the giving of consent to the making of such an order by any other local authority.
- 85 Entry into an agreement with the Environmental Protection Agency to exercise or perform any function or service on behalf of the Agency.
- 86 The making, review, variation or replacement by a local authority of an air quality management plan.
- 87 The making, revision or replacement by a local authority of a water quality management plan.
- 88 The making by a local authority of a contribution to the funds of a person engaged in or proposing to engage in research, surveys or investigations in relation to water pollution.
- 89 The making by a local authority of bye-laws in relation to a harbour under its control or management, including bye-laws with respect to the use of, and the safety of navigation

within, a harbour and generally with respect to the regulation of a harbour, and for the purpose of enabling it to impose charges.

- 90 The making by a local authority of bye-laws declaring all or any part of its functional area to be a control area where it is satisfied that horses in that area should be licensed.
- 91 The making of bye-laws providing certain exemptions in relation to a horse licence.
- 92 The entering by a local authority into arrangements with another local authority, or any termination thereof, in relation to the application for and the granting of horse licences on its behalf.
- 93 The making, replacement or revision of a water services strategic plan, an application to the Minister for an extension of not more than 3 months after the latest date for the making of a water services strategic plan, and approving a joint plan, by a water services authority.
- 94 The making of bye-laws, for the purpose of preventing or eliminating the entry of polluting matter to waters, prohibiting the carrying on of a specified activity.
- 95 The establishment of environmental objectives and the establishment of a programme of measures in order to achieve those objectives in relation to each river basin district.
- 96 The making and updating of a river basin management plan.
- 97 The making of bye-laws in relation to presentation of waste for collection.
- 98 The adoption of a library development programme.
- 99 Entry by a local authority into an agreement for the Health Service Executive to perform a function on the authority's behalf.
- 100 The making or revoking of a determination for the provision of meals for children attending a national school situated outside the authority's functional area.
- 101 The making by a city council of a scheme in relation to the provision of meals (other than meals in national schools).
- 102 The making of a decision to provide a public abattoir.
- 103 The making of a scheme dividing a county or city into polling districts and appointing a polling place for each polling district and an appointment of an alternative polling place for a polling district in a scheme for the time being in force.
- 104 Entry into arrangements under [section 15](#) (2) or 15(3) of the [Control of Dogs Act 1986](#) and the granting of assistance (other than the provision of services of staff) under section 15(4) of that Act.
- 105 The making of bye-laws relating to control of dogs.

- 106 Where regulations provide for the issue of polling information cards by a local authority, a decision to issue them.
- 107 The passing by a local authority of a resolution that the basic rate of local property tax should stand varied (either upwards or downwards) by a specified percentage in respect of relevant residential properties situated in the local authority's functional area.
- 108 Establishing, dissolving or replacing a local community development committee.
- 109 Appointment of members of a local community development committee.
- 110 Approving a local and community development programme.
- 111 Adoption of an implementation plan setting out the steps to be taken in respect of a report of the National Oversight and Audit Commission.
- 112 Adoption of a statement indicating the actions already taken or planned to be taken by the chief executive to carry out the directions of the council in relation to the exercise and performance of the reserved functions are not sufficient, stating the reasons for such opinion.
- 113 The adoption of a Framework for Public Participation in Local Government.