

# DIPLOMA CENTRE

## Diploma in Environmental & Planning Law



### MODULE 1: ENVIRONMENTAL LAW

#### SESSION 1

#### TIME

#### DELIVERY

Tuesday 05 October 2021

6:00pm – 8:00pm

Online Only

#### 1 Introduction to Environmental and Planning Law I:

Environmental and planning law in context – including international and EU dimension; The Aarhus Convention; environmental principles; sustainable development; environmental governance; the regulatory landscape.

#### 2 Introduction to Environmental and Planning Law II:

Impact of EU environmental law and policy; current issues in environmental and planning law; emerging challenges for environmental law and policy

2 hrs. Gen. CPD

#### SESSION 2

#### TIME

#### DELIVERY

Tuesday 12 October 2021

6:00pm – 8:00pm

Online Only

1 **The Environmental Protection Agency (EPA):** mandate, functions and structure, interface with other agencies and authorities including local authorities. IED and waste licensing – issues with compliance, transfer and surrender of such licences. Financial provision.

2 **The role of the Local Authority:** permitting and licensing waste, water, air and noise.

2 hrs. Gen. CPD

#### SESSION 3

#### TIME

#### DELIVERY

Tuesday 19 October 2021

6:00pm – 8:00pm

Online Only

1 **Waste management law:** policy and practice, Waste Framework Directive, waste licences/permits, personal liability, clean-up criteria, ownership and definition of waste, end of waste criteria.

2 **Waste management and contaminated land, Landfill Directive:** Producer responsibility, food waste, bio-waste, landfill levies, WEEE & RoHS. Transfrontier Shipment of Waste. The circular economy.

2 hrs. Gen. CPD

#### SESSION 4

#### TIME

#### DELIVERY

Tuesday 02 November 2021

6:00pm – 8:00pm

Online Only

1 **Water:** legislative regimes, pollution protection and enforcement. Water Services legislation.

2 **An Overview of Irish Water** - Duties, functions and structure.

2 hrs. Gen. CPD

#### SESSION 5

#### TIME

#### DELIVERY

Tuesday 09 November 2021

6:00pm – 9:00pm

Online Only

1 **Climate change:** legal requirements, future commitments, emissions trading regime. Scheme for a Climate Action and Low Carbon Development Act 2015.

2 **Green energy:** New and emerging forms of renewable energy; solar, wind, planning related issues arising eg grid connection and road ownership.

3 **Air and noise:** legislative regimes, pollution protection and enforcement, current trends in litigation.

3 hrs. Gen. CPD

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SESSION 6	TIME	DELIVERY
Tuesday 16 November 2021	6:00pm – 8:00pm	Online Only

- Recent developments in environmental enforcement:** the detection and prosecution of environmental crime.
- Recent developments in environmental enforcement 2:**  
Local Authority enforcement – Waste Enforcement Regional Lead Authorities (WERLAs), enforcement powers available

2 hrs. Gen. CPD

SESSION 7	TIME	DELIVERY
Tuesday 23 November 2021	6:00pm – 8:00pm	Online Only

- Workshop 1:**

1.5 hrs Gen. CPD & 1 hr M&PD

### MODULE 2: PLANNING LAW

SESSION 8	TIME	DELIVERY
Tuesday 30 November 2021	6:00pm – 9:00pm	Online Only

- The legislative framework governing Planning Law in Ireland:** National and regional planning policy and guidelines. The Development Plan, local area plans, ministerial directions. An overview of developments in planning law in Ireland.
- The Planning Application procedure I:** Outline planning permission, default planning permission, retention and substituted consent, protected structures, architectural and archaeological protection, derelict sites, compensation and compulsory acquisition.
- The Planning Application procedure II:** Strategic infrastructure development, Strategic Housing Development.

3 hrs. Gen. CPD

SESSION 09	TIME	DELIVERY
Tuesday 07 December 2021	6:00pm – 9:00pm	Online Only

- The nature of development:** material change of use- intensification of use abandonment of use- overview exempted development. Section 5 References. Development by a local authority or by/on behalf of State Authorities.
- Determination of planning application:** Grant of planning permission, planning contributions, conditions, planning bonds, procedure for taking in charge of estates, the role of developers, the role of the local authority, unfinished estates; and social and social and affordable housing (Part V of the Planning Act).
- Planning Appeals:** An Bord Pleanala and the appeal procedure.

3 hrs. Gen. CPD

SESSION 10	TIME	DELIVERY
Tuesday 14 December 2021	6:00pm – 8:00pm	Online Only

- Environmental Impact Assessment:** EIA Directive and review of changes introduced by 2014 revised EIA Directive; projects which require EIA; scope of EIS and assessment; EIA process, public participation and duty to record and give reasons; local authority development; Strategic Environmental Assessment distinguished.
- Habitats Directive in the Planning Process:** Articles 6(2) to (4) and implementing legislation, screening

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and Appropriate Assessment, review of recent national and CJEU decisions on e.g. mitigation v compensatory measures, tests for screening and AA, recording obligations.

- 3 Nature Conservation Legislation:** Habitats Directive - site and species protections (not covered in Session 2), EC (Birds and Natural Habitats) Regulations 2011 and Wildlife Acts, Natural Heritage Areas.

**3 hrs. Gen. CPD**

SESSION 11	TIME	DELIVERY
Tuesday 11 January 2022	6:00pm – 8:00pm	Online Only

- 1 Impact of environmental law developments on planning:** Planning enforcement: warning notices, prosecutions, S.160 Planning injunctions: criteria/reliefs available.
- 2 Strategic Development Zones (SDZ):** A case study. Applications to the board, pre-planning and public consultation, strategic development zones under Part IX of the Planning and Development Act 2000

**2 hrs. Gen. CPD**

SESSION 12	TIME	DELIVERY
Tuesday 18 January 2022	6:00pm – 8:00pm	Online Only

- 1 Workshop 2:**

**1.5 hrs Gen. CPD & 1 hr M&PD**

### MODULE 3: LITIGATION & INTERFACE OF ENVIRONMENTAL AND PLANNING

SESSION 13	TIME	DELIVERY
Tuesday 25 January 2022	6:00pm – 8:00pm	Online Only

- 1 Environmental issues in corporate and property transactions, and in insolvency:**
- 2 The interface between Planning and Environmental Law:** Advising clients in a commercial world.

**2 hrs. Gen. CPD**

SESSION 14	TIME	DELIVERY
Tuesday 01 February 2022	6:00pm – 8:00pm	Online Only

- 1 Judicial review of decisions of An Bord Pleanála and EPA:** Criteria, time scales, standard of review.
- 2 Preparation for and attendance at oral hearings held by An Bord Pleanála and EPA:**
- 3 Case study:** Anatomy of a planning case in the context of Judicial Review

**3 hrs. Gen. CPD**

SESSION 15	TIME	DELIVERY
Tuesday 08 February 2022	6:00pm – 8:00pm	Online Only

- 1 Environmental Liability:** Overview of the general principles governing Civil & Criminal liability, under planning and environmental legislation including consideration of the EU
- 2 Transposition of EU Environmental Law and Costs in Judicial Review proceedings:** Sources of EU law; transposition of EU law; preliminary reference procedure; costs in judicial review proceedings; special regimes for environmental cases; the role of the Commercial Court in judicial review proceedings

**2 hrs. Gen. CPD**

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SESSION 16	TIME	DELIVERY
Tuesday 22 February 2022	6:00pm – 8:00pm	Online Only

1 **Workshop 3:**

1.5 hrs. Gen. CPD & 1 hr M&PD

SESSION 17	TIME	DELIVERY
Tuesday 01 March 2022	6:00pm – 8:00pm	Online Only

1 **Workshop 4:**

**Exam Preparation**

1.5 hrs. Gen. CPD & 1 hr M&PD

**Please note that topics & dates may be subject to change. Draft timetable as of March 2021**

\* Gen = General, M&PD = Management and Professional Development, Reg = Regulatory and eLearning = eLearning CPD credits. **CPD Note:** The number of hours of CPD that you may claim in relation to your diploma/certificate course will depend on the way in which you access each of the individual sessions. For further information please visit the course homepage on our website: [www.lawsociety.ie/diplomacentre](http://www.lawsociety.ie/diplomacentre)