

**An Bord Pleanála Policy in relation to claims for observer costs under sections 37H, 182B and 182D of the Planning and Development Act, 2000 as amended and Section 47DD of the Transport (Railway Infrastructure) Act, 2001 as amended.**

The following general principles have been adopted by the Board in respect of claims for costs made under the statutory provisions set out above subject to the proviso that the Board reserves the right to depart from the policy in the exercise of its absolute discretion where it considers that the particular circumstances warrant a different approach in any case.

**Principles**

1. Observers in the Irish planning process typically carry their own costs. It is not intended to depart from this general principle, although limited circumstances may arise where an award of costs to observers is made.
2. A substantive decision made by the Board on a planning case being in alignment with the position of an observer in that case will not necessarily result in an award of costs to that observer.
3. Any claim for costs will be considered on its merits. There may be circumstances where An Bord Pleanála considers it appropriate to award some costs to observers, for example, where the observer's claim relates to a particular submission made either in writing or at oral hearing (including a submission in relation to specialised technical or scientific matters) that the Board considered was of particular assistance to the Board in its understanding of the case and/or the making of its decision on the case.
4. Where the Board considers that in principle an award of costs is appropriate, it will then consider the level of the award. This may result in a full or part-award of the costs claimed, at the discretion of the Board, having considered the details of the claim and the circumstances of the case.
5. The Board may, at its own discretion, seek the views of the reporting inspector, before deciding on whether or not to award costs.
6. The Board will give reason(s) in relation to its decision to award or not award costs in relation to claims for costs under the above statutory provisions.

June, 2016.