



APPLICATION FOR LICENSING OF SIGNS, APPLIANCES, STRUCTURES ETC UNDER SECTION 254

PLANNING AND DEVELOPMENT ACT 2000, as amended (Section 254)

&

PLANNING AND DEVELOPMENT REGULATIONS 2001, as amended (Article 201)

DO NOT ENCLOSE PAYMENT WITH THIS APPLICATION

| | | |
|----|--|---|
| 1. | Name of Applicant | |
| 2. | Address of Applicant | |
| 3. | Telephone No. & E-mail Address | |
| 4. | Address for Correspondence | |
| 5. | Does the applicant agree to receive correspondence via e-mail. If yes, please provide e-mail address | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 6. | Location of proposed structure (i.e. road number, street name, townland etc.) | |
| 7. | Proposed structure | <input type="checkbox"/> Scaffolding / Hoarding / Fence <input type="checkbox"/> Fingerpost Sign (not exceeding 1 metre in length) <input type="checkbox"/> Advertising Structure <input type="checkbox"/> Tables & Chairs outside a hotel, restaurant, public house or other establishment where food is sold for consumption on the premises <input type="checkbox"/> Any other appliance, apparatus or structure (provide details) |
| 8. | Purpose of proposed structure | |
| 9. | Street space of proposed licence area (metres or part thereof) | Length _____ m Depth _____ m Total Area _____ m ² Number of: Tables _____ Chairs _____ Table Dimensions _____ |

| | | |
|-----|---|--|
| 10. | Fingerpost Sign & Advertising Structure –provide details of measurements, wording etc. A demonstrative need must also be provided (<i>see note below</i>) | |
| 11. | Duration of licence | |
| 12. | If applying for renewal of existing licence please quote previous Licence No. | |
| 13. | List of documents to be enclosed with application | <ul style="list-style-type: none"> - Site Location Map (1/2500 scale) - Photograph of premises - Site Layout Plan showing location of proposed appliance / apparatus / structure - Drawing to scale of proposed appliance / apparatus / structure <p><i>Failure to provide these documents may result in the application been deemed invalid and returned</i></p> |

GENERAL CONDITIONS FOR FINGERPOST SIGNS

- Applications will be considered in accordance with Kildare County Council’s Signage Policy and the Kildare County Development Plan 2017-2023.
- Signs will not be permitted along motorways / interchanges or national routes.
- Commercial Premises – individual premises will not generally be signed along a route. Priority will be given to destinations attracting a high volume of visitors and those which cannot be reached by following directional traffic signs.
- Signs shall only be permitted if there is a demonstrative need.
- Generally, only one sign per establishment will be permitted (primary route).
- Signs shall include the distance, in kilometres
- The applicant will be responsible for the cost of the provision and replacement of any signage approved under this application. Signage which is damaged or considered to be in poor condition will be removed.

Signature of Applicant
(or Agent): _____

Date: _____

For office Use Only:

Licence Application Number:..... History.....

Licence Fee ReceivedReceipt No:.....

Checked.....

Details of the requirements for a Licence under Section 254 of the Planning & Development Act 2000, as amended, including details of Fees payable, are set out hereunder.

**Licensing of applications and cables etc. on public roads
Section 254, of the Planning & Development Act 2000, as amended, and Part 17
Article 201 of the Planning & Development Regulations 2001, as amended**

(1) Subject to *subsection (2)*, a person shall not erect, construct, place or maintain –

- (a) a vending machine
- (b) a town or landscape map for indicating directions or places,
- (c) a hoarding, fence or scaffold,
- (d) an advertisement structure,
- (e) a cable, wire or pipeline,
- (f) a telephone kiosk or pedestal, or
- (g) any other appliance, apparatus or structure, which may be prescribed as requiring a licence under this section,

on, under, over or along a public road save in accordance with a licence granted by a planning authority under this section.

(2) This section shall not apply to the following –

- (a) an appliance, apparatus or structure which is authorised in accordance with a planning permission granted under *Part III*;
- (b) a temporary hoarding, fence or scaffold erected in accordance with a condition of planning permission granted under *Part III*;
- (c) the erection, construction, placing or maintenance under a public road of a cable, wire or pipeline by a statutory undertaker

(3) A person applying for a licence under this section shall furnish to the planning authority such plans and other information concerning the position, design and capacity of the appliance, apparatus or structure as the authority may require.

(4) A licence may be granted under this section by the planning authority for such period and upon such conditions as the authority may specify, including conditions in relation to location and design, and where in the opinion of the planning authority by reason of the increase or alteration of traffic on the road or of the widening of the road or of any improvement of or relating to the road, the appliance, apparatus or structure causes an obstruction or becomes dangerous, the authority may by notice in writing withdraw the licence and require the licensee to remove the appliance, apparatus or structure at his or her own expense.

(5) In considering an application for a licence under this section a planning authority, or the Board on appeal, shall have regard to -

- (a) the proper planning and sustainable development of the area,
- (b) any relevant provisions of the development plan, or a local area plan,
- (c) the number and location of existing appliances, apparatuses or structures on, under, over or along the public road, and
- (d) the convenience and safety of road users including pedestrians.

(6) (a) Any person may, in relation to the granting, refusing withdrawing or continuing of a licence under this section or the conditions specified by the planning authority for such a licence, appeal to the Board

(b) Where an appeal under this section is allowed, the Board shall give such directions with respect to the withdrawing, granting or altering of a licence under this section as may be appropriate, and the planning authority shall comply therewith.

(7) Development carried out in accordance with a licence under this section shall be exempted development for the purposes of this Act.

(8) A person shall not be entitled solely by reason of a licence under this section to erect, construct, place or maintain on, under, over or along a public road any appliance, apparatus or structure.

(9) Subject to *subsection (10)*, any person who –

(a) erects, constructs, places or maintains an appliance, apparatus or structure referred to in subsection (1) on, under, over or along any public road without having a licence under this section to do so,

(b) erects, constructs, places or maintains such an appliance, apparatus or structure on, under, over or along any public road otherwise than in accordance with a licence under this section, or

(c) contravenes any condition subject to which a licence has been granted to him or her under this section,

shall be guilty of an offence.

(10) (a) A planning authority may, by virtue of his subsection, itself erect, construct, place or maintain, on, under, over or along a public road any appliance, apparatus or structure referred to in *subsection (1)*, and it shall not be necessary for the planning authority to have a licence under this section.

(b) Nothing in this subsection shall be constructed as empowering a planning authority to hinder the reasonable use of a public road by the public or any person entitled to use it or as empowering a planning authority to create a nuisance to the owner or occupier of premises adjacent to the public road.

(11) Where a planning authority is not the road authority for the purposes of national or regional roads in its area, it shall not grant a licence under this section in respect of any appliance, apparatus or structure on, under, over or along a national or regional road or erect, construct or place any appliance, apparatus or structure on, under, over or along a national or regional road except after consultation with the authority which is the road authority for those purposes.

**LICENCE FEES UNDER SECTION 254 OF THE ACT IN RESPECT OF SPECIFIED
APPLIANCES, APPARATUS AND STRUCTURES**

Schedule 12

| <i>Column 1</i> Appliance, Apparatus or Structure | <i>Column 2</i> Licence Fee |
|---|---|
| PART 1 | |
| Appliances, apparatus and structures: | |
| (a) A vending machine or coin operated machine (not being a weighing machine). | €125 |
| (b) A town or landscaping map for indicating directions or places | €25 |
| (c) A hoarding, fence or scaffold (not being a hoarding, fence or scaffold bounding a public road) | €1,250 |
| (d) An advertisement structure (other than an advertisement structure specified in paragraph (dd)) | €630 |
| (dd) An advertisement structure (being of a fingerpost type not exceeding 1 metre in length) consisting of a direction sign | €50 |
| (e) A cable, wire or pipeline (not being a cable for conducting electricity for domestic or agricultural purposes or a drain or waterpipe) | €25 per 100 metres length or part thereof |
| (f) A telephone kiosk or pedestal | €630 |
| (g) A case, rack, shelf or other appliance, apparatus or structure for displaying articles, whether or not for the purpose of advertisement or sale in or in connection with any adjacent business premises | €125 |
| (h) Tables and chairs outside a hotel, restaurant, public house or other establishment where food is sold for consumption on the premises | €125 per table |
| (i) An advertisement consisting of any text, symbol, emblem, model, device or logo | €630 |
| (j) A pipe or an appliance with a pipe attachment for dispensing air or water, not being a pipe or appliance attached to a petrol or oil pump | €25 |
| (k) A weighing machine | €63 |
| (l) A bring facility | €25 |

| PART 2 | |
|---|------|
| (a) A cabinet used as part of a wired broadcast relay system by a person licenced under the Wireless Telegraphy (Wired Broadcast Relay Licence) regulations, 1974 | €125 |
| (b) A lamp post | €25 |
| (c) A bridge, arch, tunnel, passage or other similar structure used or intended for use other than by the public and constructed on or after 1 st October 1964 | €125 |
| (d) A cellar or other underground structure constructed on or after 1 st October 1964 | €125 |
| (e) A cable for conducting electricity for domestic or agricultural purposes | €125 |

Article 202 – Fees for Licences under Section 254 of the Act

Where a licence is granted by a Planning Authority under Section 254 of the Act -

- (a) to erect, construct, place and maintain, or
- (b) to maintain

a specified appliance, apparatus or structure referred to in Part 1 of Schedule 12 (above), the amount of the fee to be paid to the Planning authority shall be

- (i) where the licence is for a period of 1 year, the appropriate amount indicated in Column 2 of that Schedule opposite the reference in Column 1 of that Schedule to the specified appliance, apparatus or structure
- (ii) where the licence is for a period of more than one year, an amount equal to the fee for one year for each year or part of a year for which the licence is granted
- (iii) where the licence is for a period of less than one year, an amount equal to one tenth of the fee for one year for each month or part of a month for which the licence is granted

Where a licence is granted by a Planning Authority under Section 254 of the Act to erect, construct, place and maintain a specified appliance, apparatus or structure referred to in Part 2 of Schedule 12 (above), the amount of the fee to be paid to the Planning authority shall be the amount indicated in Column 2 of that Schedule opposite the reference in Column 1 of that Schedule to the specified appliance, apparatus or structure, and no fee shall be payable in respect of any renewal of a licence for such an appliance, apparatus or structure.

NOTE: APPLICATION FEES ARE PAYABLE ON APPROVAL OF THE LICENCE NOT ON MAKING THE APPLICATION TO THE PLANNING AUTHORITY.