 

**KILDARE COUNTY COUNCIL**

**LOCAL IMPROVEMENT SCHEME**

**ALL QUESTIONS MUST BE ANSWERED**

1 We, the undersigned, each being the owner/occupier of land in the townland(s) referred to at (i) overleaf, hereby apply to Kildare County Council for a grant towards the cost of work described in (i) - (xii) of Part 1overleaf, and if the grant is made available, we apply to have said works carried out by the County Council as Agent on our behalf and not in their capacity as a Road Authority. Any work which consists of making or improving a road, shall, when completed, not be regarded as a public road and will not subsequently be taken in charge by the Roads Authority. We and each of us hereby agree to be bound in all respects by each and every condition of the scheme as set forth in Part II of the Schedule hereto.

2 We, hereby appoint and delegate full power to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Appointed Representative) of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to act for all of us in all correspondence and other business arising out of this application and we and each of us agree to be bound by such correspondence and actions of the said \_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Name of Property Owner (PRINT)** | **Signature of Property Owner** | **Property Address & Eircode** | **Contributing financially to the Scheme**  **Yes/No** |
| 1 |  |  |  |  |
| 2 |  |  |  |  |
| 3 |  |  |  |  |
| 4 |  |  |  |  |
| 5 |  |  |  |  |
| 6 |  |  |  |  |
| 7 |  |  |  |  |
| 8 |  |  |  |  |
| 9 |  |  |  |  |

# *Further signatures may be written on separate sheet if necessary.*

**4. Applicants’ Representative**

I certify that List 1 above contains the names of all landowners and others whose land, houses or other property would be served by this scheme. I will act as the Applicants’ Representative.

**Signature of Applicants Representative : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**(Nominated at paragraph 2 above)**

**Postal Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Eircode: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Email Address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Telephone Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Date : \_\_\_/\_\_\_/20\_\_**

**PART 1**

**Particulars of Work for Which Application is Made. Please answer all questions. Incomplete Applications will be returned.**

(i) County: Electoral Division\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Townland(s): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(ii) Type of Work: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(iii) Approximate Length of Road \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(iv) Approximate Width of Road \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(v) Approximate Area of Road in m2\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(vi) Exact Location of Work (describe where it starts and ends and include a map showing location) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(vii) Insert Road Co-ordinates in ITM (Irish Transverse Mercator) Format

Start: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Finish \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(viii) Is the Road in an Amenity Area:YES/NO \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Amenity roads are non-public roads leading to important community amenities such as graveyards, beaches, piers, mountain access points or other tourist / heritage sites)

(viv) Has the proposed work ever been maintained by or repaired by the County Council – If so give the relevant details? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(vi) Does the proposal serve any outside families, or the public generally, and if so what purposes? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(vi) Number of houses which would benefit from the works? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(viii) Number of parcels of land (Non-Residential) which would benefit from the works? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |
| --- | --- | --- |
| (ix) | Name of Landowner (persons engaged in Agri Activities) | Folio Number. **Please attach copy of folios and/or lease agreements where applicable** |
|  |  |  |
|  |  |  |
|  |  |  |

(x) Is the road open to the public? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(xi) Are all persons whose land or interests would be affected in any way by the proposed work, if carried out, prepared to give the necessary consent to the execution of the work? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(xii) Are there any special circumstance to be considered? eg wheelchair user, elderly,

special needs (please supply documentary evidence) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(xii) **List 2:** The signatures of all other persons whose lands would benefit by the proposed work, but who would not have joined in this application are required below indicating that they have no objection to the proposed works outlined above.

**If there are no beneficiaries other than those who have signed at List 1 the word “None” should be written here**

|  |  |
| --- | --- |
| **Name** | Postal Address |
|  |  |
|  |  |
|  |  |

**SCHEDULE 1**

**Eligibility**

1. Local Improvement Schemes relate to assistance by Local Authorities towards the construction or improvement of **non public road.**

2 The project must be of benefit to agricultural production and benefit two or more parcels of land owned or occupied by different persons engaged in separate agricultural activities

3 Provides access for harvesting purposes (including turf or seaweed) for two or more persons separately engaged in such activities

4. There must be more than one landholder on an LIS road

**The following projects DO NOT COMPLY with the conditions of the scheme**

1. Roads serving only houses or buildings occupied or used by persons not engaged in agriculture.
2. Roads serving only Council cottages i.e. non-vested cottages
3. Roads or drains on bogs being developed commercially for large scale turf production for sale
4. Drainage Only works
5. A road leading to commercial enterprises.
6. A road involving minor works which is within the competence of the applicants to do themselves.
7. A road which, because of its small size would involve work which the Local Authority would consider as being uneconomical to carry out

**SCHEDULE 2**

**Documentation**

All applications must be accompanied by:-

1. **An ordnance survey sheet with the road, subject of the application, marked clearly thereon in different coloured ink.**
2. **Applicants to provide documentation to verify they are engaged in Agricultural activity on the parcels of land accessed by the road project (land registry documents/herd numbers etc). The onus will be on the applicants to submit the required documentation in support of the application.**

**Further Information on any application may be requested by the Council in due course.**

Failure to provide all required documentation will result in the application being rejected

**SCHEDULE 3**

Terms & Conditions

1. The level of local contribution will be determined in accordance with Department instructions and scheme criteria in place at that time. As of October 2017, the local contribution was calculated at 10%in respect of eligible road with up to and including 5 residents and 15% for those with 6 or more residents.

2. The standard of work undertaken is a matter for the Council to decide but the benefits derived must reasonably commensurate with the cost.

3. The work must be strictly necessary and not merely ordinary maintenance of a kind which the applicant could reasonably be expected to do for themselves.

4. Contributors or any other persons whose land or interests appear to be affected by the proposed work must, when required, prior to commencement of operation, sign the prescribed form giving their full consent to the execution of the work including entry to their land.

5. The applicants must arrange amongst themselves for the provision without cost to the Kildare County Council of any lands which may be required for the construction or widening of the roadway or drain as the case may be.

6 Landholders contribution is payable in advance of starting the work. The balance of funding is provided by Department of Rural & Community Development under Project Ireland 2040

**Free labour and materials are not acceptable as a contribution.**

**Contribution is to be paid as a single sum by the contact person, i.e. the amount payable by each beneficiary is to be arranged between the beneficiaries themselves.**

7 The provision of assistance by a road authority under this section does not make the authority liable for the maintenance of the non-public road in question nor impose any other duties or liabilities on the authority in respect of such a road.

8. The Council undertakes only to expend the estimate sum. In event of the sum being insufficient to complete the work, the Council will not have any liability to expend any further sum.

9. Kildare County Council will employ the necessary labour and will arrange to carry out the work subject to the conditions that (1) The Ganger in charge of the work will be appoint by the Council or their Agent, (2) No person whether a contributor or not will impede the execution of the work by making unreasonable demands on the Ganger or official in charge.

10. Kildare County Council in their discretion will decide on the specification of the work to be done and the best manner of carrying it out. The applicants shall not have any claim against the Kildare County Council for any imperfections which may exist in the finished work nor for any failure to complete the full amount of the work which was envisaged.

11. When the work has been carried out, the applicants shall maintain it in good order and repair at their own charge and expense, and Kildare County Council will not have any liability for the maintenance of the work.

12. On completion of a project, the beneficiaries should be notified that the responsibility of the Local Authority has ended, and all future maintenance of the works is their responsibility. Roads where LIS works are completed will not subsequently be taken in charge by the Local Authority.

13. Roads where LIS works are completed may not subsequently be taken in charge by the Council.

**All forms to be returned to the following address**

**Kildare County Council, Roads Department, Áras Chill Dara, Devoy Park, Naas, Co. Kildare**

**General Data Protection Regulation Notice**

As part of the application process, Kildare County Council will be required to collect, process and use certain types of information about people and organisations. Depending on the service being offered, information sought may include ‘personal data’ as defined by the Data Protection Acts and the General Data Protection Regulation (GDPR) and may relate to current, past and future service users; past; current and prospective employees; suppliers; and members of the public who may engage in communications with our staff. In addition, staff may be required, from time to time, to collect process and use certain types of personal data to comply with regulatory or legislative requirements or to carry out functions in the public interest. The Council has created Privacy Statements to demonstrate the Council’s commitment that personal data you may be required to supply to us, to process your application is;

* Obtained lawfully, fairly and in a transparent manner
* Obtained for only specified, identified and legitimate purposes
* Processed for purposes which we have identified or purposes compatible with the purposes that we have identified.
* Adequate, relevant and limited to what is necessary for purpose for which it was obtained
* Personal data collected and processed must be accurate and (where necessary) kept up to-date.
* Kept only for as long as is necessary for the purposes for which it was obtained.
* Processed in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

To view the detailed Privacy Statement please go to the Council’s website at

<http://kildare.ie/CountyCouncil/RoadsandTransportation/GDPRPrivacyStatement/>