

CARRICK ON SUIR TOWN COUNCIL



**DEVELOPMENT
CONTRIBUTION SCHEME
2009-2015**

Adopted by Resolution of Council 23rd February 2009

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Draft Development Contribution Scheme 2009-2015

Table of Contents

	Page
1. Legislative Background	3
2. Contribution Schemes	3
3. Overview of 2004-2009 Development Contribution Scheme	5
4. Classes of Public Infrastructure and Facilities	7
5. Classes of Development	11
6. Amount of Development Contributions	13
7. General Arrangements Regarding Payment of Development Contributions	29
8. Basis for Determining Development Contributions	32
9. Implementation of Scheme	42
<i>Appendix A Recreational and Community Facilities and Amenities Grant Scheme</i>	45

1.0 Legislative Background.

1.1 Introduction

The Planning and Development Acts 2000-2007 (hereinafter referred to as “the Acts”) provides for a Development Contribution Scheme (hereinafter referred to as “the Scheme”) whereby Planning Authorities may, on granting planning permission under Section 34 of the Acts, include conditions requiring the payment of a contribution in respect of public infrastructure and facilities benefiting the development in the area of the Planning Authority and that is provided, or intended to be provided, by or on behalf of the Local Authority, regardless of other sources of funding for the infrastructure and facilities.

Section 48 of the Acts sets out that the Scheme;

- Shall set out the basis for the determination of a contribution,
- Make provision for payment of different contributions in respect of different classes or descriptions of development,
- Shall indicate the contribution to be paid in respect of the different classes of public infrastructure and facilities which are to be provided having regard to the actual estimated cost of providing the classes of public infrastructure and facilities, except that any benefit which accrues in respect of existing development may not be included in any such determination,
- May allow for the payment of a reduced contribution or no contribution in certain circumstances, in accordance with the provision of the scheme.

This Scheme has been prepared in accordance with Section 48 of the Planning and Development Acts 2000-2007. The making of the Carrick on Suir Town Council Development Contribution Scheme is a reserved function of the Members of Carrick on Suir Town Council as set out in Section 48(8) of the Acts.

2.0 Contribution Schemes

2.1 General Development Contribution Schemes

These contributions schemes apply in respect of public infrastructure and facilities provided by, or on behalf of, the Local Authority that benefit the development in the area. Under a general development contribution scheme, the Planning Authority does not need to show a direct connection between the development contribution paid and works done which facilitate the development. However, it will be important that the Planning Authority is satisfied that the basis for determining the contribution levels can be adequately justified and supported.

The types of public infrastructure and facilities that can be funded by this mechanism are:

- The acquisition of land,
- The provision of open spaces, recreational and community facilities and amenities and landscaping works,
- The provision of roads, car parks, car parking places, sewers, waste water and water treatment facilities, drains and watermains,
- The provision of bus corridors and lanes, bus interchanges facilities (car parks for those facilities), infrastructure to facilitate public transport, cycle and pedestrian facilities and traffic calming measures,
- The refurbishment, upgrading, enlargement or replacement of roads, car parks, car parking places, sewers, waste water and water facilities, drains or water mains and
- Any matters ancillary to the above.

Development contributions can only be levied as capital funding for public infrastructure and facilities and as such cannot be used to pay current costs.

In relation to water and wastewater infrastructure, Planning Authorities shall exclude costs recovered from developers in accordance with the Government Water Pricing Framework. However, pending the full recovery of capital and operational costs through Water Pricing, the levy on commercial/industrial developments for water, wastewater and surface water shall continue where provided.

The period of this General Development Contribution Scheme shall be from 1st March 2009 to 28th February 2015 inclusive unless amended, extended or replaced with a new scheme by the Members of Carrick on Suir Town Council.

No appeal shall lie to the Board in relation to a condition requiring a contribution to be paid in accordance with this Scheme¹. However, an appeal may be brought to the Board where an applicant for permission under Section 34 of the Acts considers that the terms of the Scheme have not been properly applied in respect of any condition laid down by the Planning Authority².

2.2 Special Contribution

A Special Contribution may be imposed on a development where exceptional costs not covered by the General Development Contribution Scheme are incurred by the Local Authority in the provision of a specific public infrastructure and facilities which benefit the proposed development. Any works not commenced within five years or completed within seven years of

¹ Section 48(10)(b) of the Planning and Development Acts

² Section 48(10)(c) of the Planning and Development Acts

receipt of payment will result in the applicant being refunded, in full or part, the Special Contribution levy³.

2.3 Supplementary Development Contribution Scheme

This scheme refers to the provision of a particular public infrastructure service or project which will directly benefit the development(s) concerned and is not covered by the General Development Contribution Scheme. This scheme may only be applied to a specified area within the functional area of the Planning Authority and the making of a Supplementary Development Contribution Scheme is a reserved function of the Members of the Local Authority⁴.

3.0 **Overview of 2004-2009 Development Contribution Scheme**

3.1 Introduction

The 2004-2009 Development Contribution Scheme was adopted by Carrick on Suir Town Council on 1st December 2003 pursuant to Section 48(8) of the Planning and Development Acts. The Scheme applied to conditions attached to Planning Permissions granted under Section 34 of the Acts for the period from 1st March 2004 to 28th February 2009 inclusive with amounts revised in accordance with increases in the Wholesale Price Index – Building and Construction Materials (reference WPAA201) as published by the Central Statistics Office.

3.2 Contributions Collected

A total of **€1,787,265.66** has been collected through the general development contribution scheme between 20th April 2004 and 20th August 2009

The collection of the contributions has arisen from one of the 16 development classes as set out in the Development Contribution Scheme which can be categorised into five different types of development. Table 2 below sets out the amounts contributed by development type.

Contribution Type	Amount Collected
Public Water Supply	313,527.36
Public Waste Water	318,401.47
Public Infrastructure	488,672.61
Amenity and Environment	437,521.95
Car Parks	229,142.27

³ Section 48(12) of the Planning and Development Acts

⁴ Section 49 of the Planning and Development Acts.

Of the €1,787,265.66 collected to date, approximately €823,624.02 has been spent on capital infrastructure projects throughout the Town. A further €621,255 has been committed to the projects as set out below. Contributions committed to current Service Area Investment Programmes but not yet spent can be a result of lengthy lead-in times which can take up to six years, land acquisition processes or in the case of Recreation and Community Facilities grant scheme can be a result of delayed draw down by the grant beneficiary.

Service Area	Contributions Spent	Contributions Committed
Public Water Supply	113,920.65	
Public Waste Water	18,653.50	
Public Infrastructure	141,530.96	490,612
Amenity and Environment	241,029.77	130,643
Car Parks	308,489.14	

3.3 Contributions Outstanding

There is approximately € 1 Million of development contributions outstanding. These charges relate to either development that has commenced but have not yet paid the charges in full or developments that have entered into a phasing arrangement for payment and as such it is anticipated that this full amount will be collected in agreement with the separate phasing arrangements. The Town Council is actively pursuing these unpaid contributions as failure to pay the contribution charge equates to non-compliance with the conditions attached to a planning permission.

4. CLASSES OF PUBLIC INFRASTRUCTURE AND FACILITIES

Development contributions shall be paid in respect of the following classes of public infrastructure and facilities benefiting development in the functional area of Carrick-on-Suir Town Council and that is provided, or that it is intended will be provided, by or on behalf of Carrick-on-Suir Town Council or other local authority:

(1) Public Water Supply Services

The sum levied is a contribution towards the cost of:-

- (a) The provision of water treatment facilities and water-mains;
- (b) The refurbishment, upgrading, enlargement or replacement of water treatment facilities or water-mains;
- (c) The acquisition of land in respect of (a) and (b) above; and
- (d) Any matters ancillary to (a) to (c) above.

(2) Public Waste Water Drainage Services

The sum levied is a contribution towards the cost of: -

- (a) The provision of sewers, waste water treatment facilities, and drains;
- (b) The refurbishment, upgrading, enlargement or replacement of sewers, waste water treatment facilities, and drains;
- (c) The acquisition of land in respect of (a) and (b) above; and
- (d) Any matters ancillary to (a) to (c) above.

(3) Road Infrastructure

The sum levied is a contribution towards the cost of: -

- (a) The provision of open spaces and landscaping works;
- (b) The provision of roads;
- (c) The provision of bus corridors and lanes, bus interchange facilities (including car parks for those facilities), infrastructure to facilitate public transport, cycle and pedestrian facilities, and traffic calming measures;
- (d) The refurbishment, upgrading, enlargement or replacement of roads;
- (e) The acquisition of land in respect of (a) to (d) above; and
- (f) Any matters ancillary to (a) to (e) above.

(4) Recreational and Community Facilities and Amenities

The sum levied is a contribution towards the cost of: -

- (a) The provision of recreational and community facilities and amenities;
- (b) The acquisition of land in respect of (a) above; and
- (c) Any matters ancillary to (a) to (b) above.

The sum levied under this heading (commonly called the “community development” contribution) will be expended to include:

- Undertaking environmental improvements in Carrick-on-Suir
- And in accordance with the Scheme of Capital Grants for the Provision of Recreational and Community Facilities and Amenities. This Scheme of Capital Grants was approved on an ad-hoc basis by Carrick-on-Suir Town Council at its meeting on 10th March 2003 and is now incorporated into this Development Contribution Scheme. The details of the Scheme, as modified to take cognisance of the requirements of this Development Contribution Scheme, are contained in Appendix A

(5) Car Parking Facilities

Carrick-on-Suir Town Council's requirements in relation to car parking standards are set out in Table 7 of Section 8.10 of the Town Development Plan 2008, which was adopted by resolution of the Council, dated 11th February 2008. The car parking standards are as follows:

Table 5.1: Car Parking Standards	
Land-use	Standards
Cinema	1 space per 3 seats
Bars/Restaurant/Hotel	1 space per 15 sq.m. public area
Clinics/Surgeries	2 spaces per consulting room
Caravan Park	1 space per unit of accommodation
Creches	1 space per 4 children plus 1 space per employee
Dance halls/Discos	1 space per 10 sq.m.
Dwelling (up to 3 bedrooms)	2 spaces per dwelling unit
Dwelling (4 bedrooms or more)	2 spaces per dwelling unit
Golf Courses	4 spaces per hole
Hotel/Motel/Guest House	1 space for every 2 bed spaces
Leisure Centre	1 space per 50 sq.m.
Light Industry	1 space per 35 sq.m.
Manufacturing	1 space per 35 sq.m.
Nursing Homes	1 space per 4 residents
Offices	1 space per 35 sq.m.
Retail Shops/ Supermarkets	1 space per 20 sq.m.
Retail Warehousing	1 space per 35 sq.m.
Science and Technology Based Enterprises/Business Park	1 space per 25 sq.m.
Warehousing	1 space per 100 sq.m.
Other	Individual assessment

Note: points 1-4 below apply.

1. Each car space shall be 4.8 metres x 2.5 metres with 6.1 metre wide circulation aisles.
2. Disabled spaces shall be 3 metres wide, with a one space per 20 provision.
3. Loading bays should be generally 9 metres x 5 metres (but at least 6 metres x 3 metres).
4. In the case of a use not specified in Table 5.1, the Council will determine the parking requirements.

In addition to the general car parking standards required, service bays may also be required. The number of service parking bays will depend on the nature and extent of the proposed development and will be determined by Carrick-on-Suir Town Council in each case.

Where the developer is unable to meet the requirements relating to car parking, a development contribution, commensurate with the shortfall in spaces, shall be paid to the planning authority to facilitate the provision of car parking spaces elsewhere.

The sum levied is a contribution towards the cost of: -

- (a) The provision of car parks and car parking places;
- (b) The refurbishment, upgrading, enlargement or replacement of car parks and car parking places;
- (c) The acquisition of land in respect of (a) and (b) above; and
- (d) Any matters ancillary to (a) to (c) above.

5. CLASSES OF DEVELOPMENT

Development contributions shall be paid in respect of the following different classes or descriptions of development:

Class	Description	Category
Class 1	(a) The provision of a business premises including: -any structure or other land which is normally used for the carrying on of any professional or commercial undertaking or any structure which is normally used for the provision therein of services to persons; ➤ a hotel, restaurant or public house; ➤ any structure or other land used for the purpose of, or in connection with, the functions of a state authority. (b) The provision of facilities for childminding. (c) The provision of a day centre. (d) The provision of any guest house or other premises providing overnight guest accommodation, club, boarding house or hostel. (e) The provision of a shop or supermarket. (f) The provision of a wholesale warehouse or repository. (g) The provision of a school or college. (h) The provision of a nursing home, hospital or health centre.	Commercial
Class 2	The provision of an industrial building or light industrial building.	Industrial
Class 3	The use of land for the minning and working of minerals, including the extraction of sand, gravel and stone.	Industrial
Class 4	The use of land for the deposit of refuse or waste.	Industrial
Class 5	The provision of buildings or other structures for the purpose of the keeping of horses.	Agricultural
Class 6	The provision of buildings or other structures for the purpose of agriculture, where the gross floor area, when measured internally, exceeds 600 square metres.	Agricultural
Class 7	The provision of a house in accordance with the policies of the Town Development Plan 2002.	Residential
Class 8	The provision of an extension to an existing house or the conversion for use as part of the house of any garage, store, shed or other structure, where the gross floor area of the works, when measured internally, exceeds 40 square metres.	Residential

Class 9	The use of land for – (a) the keeping or placing of any tents, campervans, caravans or other structures (whether or not movable or collapsible) for the purpose of caravanning or camping or the sale of goods, (b) the parking of motor vehicles, (c) the open storage of motor vehicles or other objects or substances.	Commercial
Class 10	The provision on, in, over or under land of plant or machinery, or of tanks or other structures (other than buildings) for storage purposes.	Industrial
Class 11	The provision of an advertisement structure or the use of an existing structure or other land for the exhibition of advertisements.	Commercial
Class 12	The provision of overhead transmission or distribution lines for conducting electricity, or overhead telecommunications lines.	Social and Public
Class 13	The use of land as a golf course or a pitch and putt course.	Amenity
Class 14	The use of land as a burial ground.	Social and Public
Class 15	The provision of a telecommunications mast.	Social and Public
Class 16	Development not coming within any of the foregoing classes.	Not applicable

The following definitions, as given in section 2(1) of the Planning and Development Act, 2000, apply:

“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the training of horses and the rearing of bloodstock, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and “agricultural” shall be construed accordingly;

“house” means a building or part of a building which is being or has been occupied as a dwelling or was provided for use as a dwelling but has not been occupied, and where appropriate, includes a building which was designed for use as 2 or more dwellings or a flat, an apartment or other dwelling within such a building.

6. AMOUNT OF DEVELOPMENT CONTRIBUTIONS

For the purposes of this Scheme the following tables detail the baseline development contributions applicable in respect of the classes of public infrastructure and facilities described in section 4.

Development contributions are payable in respect of a development which is the subject of an application for:

- (a) Permission or retention pursuant to the Planning and Development Act, 2000;
- (b) Permission consequent on a grant of outline permission pursuant to the Planning and Development Act, 2000;
- (c) Approval pursuant to the Local Government (Planning and Development) Acts, 1963-1999.

Development contributions are not payable in respect of a development, which is an exempted development within the meaning of the Planning and Development Act, 2000 or the Planning and Development Regulations, 2001, as amended.

1. Where the amount of the development contribution is to be calculated by reference to the site area or gross floor space to be provided and the relevant area is less than the unit of measurement specified in respect of the relevant class of development or is not an exact multiple of that unit, the fraction of a unit remaining after division of the total area by the unit of measurement shall be treated, for the purposes of calculating the development contribution payable in respect of the application, as a complete unit.

2. Where the amount of the development contribution is to be calculated by reference to the area of gross floor space, that area shall be ascertained by the internal measurement of the floor space on each floor of a building or buildings (including internal walls and partitions), disregarding any floor space provided for the parking of vehicles by persons occupying or using the building or buildings where such floor space is incidental to development to which the application primarily relates. Any attic or basement floor space which is capable of being developed for the same purpose as the main building, shall be included in the calculation of the gross floor space of the building.

Class 1(a) The provision of a business premises including:

- any structure or other land which is normally used for the carrying on of any professional or commercial undertaking or any structure which is normally used for the provision therein of services to persons;
 - a hotel, restaurant or public house;
 - any structure or other land used for the purpose of, or in connection with, the functions of a state authority.
- (b) The provision of facilities for childminding.**
- (c) The provision of a day centre.**
- (d) The provision of any guest house or other premises providing overnight guest accommodation, club, boarding house or hostel.**
- (e) The provision of a shop or supermarket.**
- (f) The provision of a wholesale warehouse or repository.**
- (g) The provision of a school or college.**
- (h) The provision of a nursing home, hospital or health centre.**

<i>Class of Infrastructure</i>	<i>Amount</i>
(i) public water supply services	€5.46 per square metre
(ii) public waste water drainage services	€8.86 per square metre
(iii) road infrastructure	€17.32 per square metre
(iv) recreational and community facilities and amenities	€4.80 per square metre
(v) car parking facilities (Please see Note (a) below)	€3,900 per space

- (a) The contribution at (v) above applies per car parking space. It will apply only in circumstances where the developer is unable to meet the requirements relating to car parking as set out under Part 8.10 of the Carrick on Suir Town Development Plan 2008

Class 2 The provision of an industrial building or light industrial building.

<i>Class of Infrastructure</i>		<i>Amount</i>
(i)	public water supply services	€5.77 per square metre
(ii)	public waste water drainage services	€10.03 per square metre
(iii)	road infrastructure	€19.25 per square metre
(iv)	recreational and community facilities and Amenities	€9.08 per square metre
(v)	car parking facilities (Please see note (a below))	€3,900 per space

- (a) The contribution at (v) above applies per car parking space. It will apply only in circumstances where the developer is unable to meet the requirements relating to car parking as set out under Part 8.10 of the Carrick on Suir Town Development Plan 2008

Class 3 The use of land for the mining and working of minerals, including the extraction of sand, gravel and stone.

<i>Class of Infrastructure</i>		<i>Amount</i>
(i)	public water supply services	NIL
(ii)	public waste water drainage services	NIL
(iii)	road infrastructure	€2.22 per square metre
(iv)	recreational and community facilities and Amenities	NIL
(v)	car parking facilities	NIL

(a) The contribution at (iii) above will be assessed solely on the surface area of extraction. The following areas will not be subject to this contribution:

- (i) any earthen embankments or bunds provided as buffer zones or screenings;
- (ii) access roads, car parking facilities and locations of buildings (see (b) below);
- (iii) surface water lagoons or attenuation ponds;
- (iv) plant or machinery;
- (v) other areas ancillary to the principal activity of extraction.

(b) The provision of any building or plant or machinery on the site will be assessed in accordance with Class 2.

Class 4 The use of land for the deposit of refuse or waste.

<i>Class of Infrastructure</i>		<i>Amount</i>
(i)	public water supply services	NIL
(ii)	public waste water drainage services	NIL
(iii)	road infrastructure	€2.22 per square metre
(iv)	recreational and community facilities and Amenities	NIL
(v)	car parking facilities	NIL

Aide Memoire:

- a) The contribution at (iii) above will be assessed solely on the area of deposit of refuse or waste. The following areas will not be subject to this contribution:
- (i) any earthen embankments or bunds provided as buffer zones or screenings;
 - (ii) access roads, car parking facilities and locations of buildings (see (b) below);
 - (iii) surface water lagoons or attenuation ponds;
 - (iv) plant or machinery;
 - (v) other areas ancillary to the principal activity of the deposit of refuse or waste.
- b) The provision of any building or plant or machinery on the site will be assessed in accordance with Class 2.

Class 5 The provision of buildings or other structures for the purpose of the keeping of horses.

<i>Class of Infrastructure</i>	<i>Amount</i>
(i) public water supply services	€8.91 per square metre
(ii) public waste water drainage services	NIL
(iii) road infrastructure	€9.63 per square metre
(iv) recreational and community facilities and Amenities	NIL
(v) car parking facilities	NIL

Class 6 The provision of buildings or other structures for the purpose of agriculture, where the gross floor area, when measured internally, exceeds 600 square metres.

<i>Class of Infrastructure</i>	<i>Amount</i>
(i) public water supply services	€8.91 per square metre
(ii) public waste water drainage services	NIL
(iii) road infrastructure	€9.63 per square metre
(iv) recreational and community facilities and Amenities	NIL
(v) car parking facilities	NIL

- (a) The above contributions apply only to each square metre in excess of 600 square metres. Where the planning authority is satisfied that the proposed development is being carried out for animal welfare reasons such that there will not be an increased demand on either public water supply services or road infrastructure, the appropriate contribution shall be reduced by 100%.

Class 7 The provision of a house (< 125 Sq Metres or 1345 Sq feet) in accordance with the policies of the Town Development Plan 2002.

<i>Class of Infrastructure</i>	<i>Amount</i>
(i) public water supply services	€8.01 per square metre
(ii) public waste water drainage services	€13.21 per square metre
(iii) road infrastructure	€14.42 per square metre
(iv) recreational and community facilities and amenities	€14.56 per square metre
(v) car parking facilities	€3,900 per space

Class 7 The provision of a house (>= 125 Sq Metres or 1345 Sq feet) in accordance with the policies of the Town Development Plan 2002.

<i>Class of Infrastructure</i>	<i>Amount</i>
(iii) public water supply services	€9.60 per square metre
(iv) public waste water drainage services	€15.85 per square metre
(iii) road infrastructure	€17.32 per square metre
(iv) recreational and community facilities and amenities	€17.47 per square metre
(v) car parking facilities	€3,900 per space

The contribution at (v) above applies per car parking space. It will apply only in circumstances where the developer is unable to meet the requirements relating to car parking as set out under Part 8.10 of the Carrick on Suir Town Development Plan 2008 and where the contribution is commensurate with the shortfall in spaces, to enable the planning authority to facilitate the provision of car parking spaces elsewhere.

Class 8 **The provision of an extension to an existing house or the conversion for use as part of the house of any garage, store, shed or other structure, where the gross floor area of the works, when measured internally, exceeds 40 square metres.**

<i>Class of Infrastructure</i>	<i>Amount</i>
(i) public water supply services	€9.60 per square metre
(ii) public waste water drainage services	€15.85 per square metre
(iii) road infrastructure	€17.32 per square metre
(iv) recreational and community facilities and amenities	€17.47 per square metre
(v) car parking facilities	€3,900 per space

(a) The contribution at (v) above applies per car parking space. It will apply only in circumstances where the developer is unable to meet the requirements relating to car parking as set out under Part 8.10 of the Carrick on Suir Town Development Plan 2008 and where the contribution is commensurate with the shortfall in spaces, to enable the planning authority to facilitate the provision of car parking spaces elsewhere.

(b) The above contributions apply only to each square metre in excess of 40 square metres

Class 9 The use of land for –

- (a) The keeping or placing of any tents, campervans, caravans or other structures (whether or not movable or collapsible) for the purpose of caravanning or camping or the sale of goods,**
- (b) The parking of motor vehicles,**
- (c) The open storage of motor vehicles or other objects or substances.**

<i>Class of Infrastructure</i>	<i>Amount</i>
(i) public water supply services	€54.58 per 0.1 hectare
(ii) public waste water drainage services	€88.55 per 0.1 hectare
(iii) road infrastructure	€173.20 per 0.1 hectare
(iv) recreational and community facilities and amenities	€46.65 per 0.1 hectare
(v) car parking facilities	NIL

- (a) The contribution at (i) above applies only where public water supply services are being availed of. The contribution will be assessed on the site area of the development to which the application relates.
- (b) The contribution at (ii) above applies only where public wastewater drainage services are being availed of. The contribution will be assessed on the site area of the development to which the application relates.
- (c) The contribution at (iii) above will be assessed on the site area of the development to which the application relates.
- (d) The contribution at (iv) above will be assessed on the site area of the development to which the application relates.

Class 10 **The provision on, in, over or under land of plant or machinery, or of tanks or other structures (other than buildings) for storage purposes.**

<i>Class of Infrastructure</i>	<i>Amount</i>
(i) public water supply services	NIL
(ii) public waste water drainage services	NIL
(iii) road infrastructure	€9.63 per square metre
(iv) recreational and community facilities and amenities	NIL
(v) car parking facilities	NIL

- (a) The contribution at (iii) above will be assessed on the gross floor area of the tanks or structures to be provided.

Class 11 The provision of an advertisement structure or the use of an existing structure or other land for the exhibition of advertisements.

<i>Class of Infrastructure</i>	<i>Amount</i>
(i) public water supply services	NIL
(ii) public waste water drainage services	NIL
(iii) road infrastructure	€1.74 per square metre
(iv) recreational and community facilities and amenities	NIL
(v) car parking facilities	NIL

- (a) The contribution at (iii) above will be assessed on the area of advertising space to be provided.

Class 12 The provision of overhead transmission or distribution lines for conducting electricity, or overhead telecommunications lines.

<i>Class of Infrastructure</i>	<i>Amount</i>
(i) public water supply services	NIL
(ii) public waste water drainage services	NIL
(iii) road infrastructure	€1.74 per metre length
(iv) recreational and community facilities and amenities	NIL
(v) car parking facilities	NIL

Class 13 The use of land as a golf course or a pitch and putt course.

<i>Class of Infrastructure</i>	<i>Amount</i>
(i) public water supply services	NIL
(ii) public waste water drainage services	NIL
(iii) road infrastructure	€86.61 per 0.1 hectare
(iv) recreational and community facilities and amenities	NIL
(v) car parking facilities	NIL

(a) The following areas will not be subject to the contribution:

- (i) access roads, car parking facilities and locations of buildings (see (b) below);
- (ii) other areas ancillary to the principal activity of the golf course or pitch and putt course.

(b) The provision of any building on the site will be assessed in accordance with Class 1

Class 14 The use of land as a burial ground.

<i>Class of Infrastructure</i>	<i>Amount</i>
(i) public water supply services	NIL
(ii) public waste water drainage services	NIL
(iii) road infrastructure	€962.81 per 0.1 hectare
(iv) recreational and community facilities and amenities	NIL
(v) car parking facilities	NIL

Class 15 The provision of a telecommunications mast.

<i>Class of Infrastructure</i>	<i>Amount</i>
(i) public water supply services	NIL
(ii) public waste water drainage services	NIL
(iii) road infrastructure	€2,224.38 per mast
(iv) recreational and community facilities and Amenities	€9,082.88 per mast
(v) car parking facilities	NIL

Class 16 Development not coming within any of the foregoing classes.

<i>Class of Infrastructure</i>	<i>Amount</i>
(i) public water supply services	€6.08 per square metre
(ii) public waste water drainage services	€9.84 per square metre
(iii) road infrastructure	€19.25 per square metre
(iv) recreational and community facilities and Amenities	€5.34 per square metre
(v) car parking facilities	€3,900 per space

Aide Memoire:

- (a) The contribution at (i) above applies only where public water supply services are being availed of.
- (b) The contribution at (ii) above applies only where public wastewater drainage services are being availed of.
- (c) The contribution at (v) above applies per car parking space. It will apply only in circumstances where the developer is unable to meet the requirements relating to car parking as set out under Part 8.10 of the Carrick on Suir Town Development Plan 2008 and where the contribution is commensurate with the shortfall in spaces, to enable the planning authority to facilitate the provision of car parking spaces elsewhere.

7. GENERAL PAYMENT ARRANGEMENTS:

The following general arrangements will apply in respect of the payment of development contributions:

- 1(a) The contribution payable will be based on the rate of contribution applicable at the date of payment and not on the rate of contribution in existence at the date of issue of the grant of permission. A review of the scheme shall be undertaken two years from the date on which it comes in to effect.
- 1(b) Where a contribution is not paid in accordance with the terms of the appropriate condition as laid down by Carrick-on-Suir Town Council, as planning authority, (or, as appropriate, by An Bord Pleanala, on appeal) any outstanding amounts due to Carrick-on-Suir Town Council shall be paid together with interest that may have accrued for the period withheld. Interest shall be calculated in accordance with the overdraft rate of interest applicable at the time.
2. Carrick-on-Suir Town Council may facilitate the phased payment of contributions due in accordance with the terms of this Scheme, and may require the giving of security to ensure the payment of contributions. The payment of contributions on a phased basis will be assessed on a case by case basis. The prior written consent of Carrick-on-Suir Town Council will be required for the payment of contributions on a phased basis. The contribution payable upon each phase will be based on the rate of contribution applicable at the date of payment and not on the rate of contribution in existence at the date of issue of the grant of permission
3. Carrick-on-Suir Town Council may recover, as a simple contract debt in a court of competent jurisdiction, any contribution or interest due to it under the terms of this Scheme.
4. Under subsection 3 (c) of Section 48 of the Planning and Development Act, 2000, "a scheme may allow for the payment of a reduced contribution or no contribution in certain circumstances, in accordance with the provisions of the scheme."

The following percentage reductions shall apply to the categories as listed hereunder:

The required development contributions shall be reduced by 100% in the following cases:

- Provision of facility by organisation which are considered to be exempt from planning fees as outlined in Part 12 Article 157 (1a-c) of the Planning Regulations.

- ❑ Social Housing, including those provided by a voluntary or co-operative housing body, which is recognised by the Council.
- ❑ Social/ Affordable housing units, which are provided in accordance with an agreement made under Part V, section 96 of the Planning & Development Act 2000 (as amended by Section 3 of the Planning & Development (Amendment) Act 2003). Where Part V agreements are not in place prior to the decision to grant permission the full contribution will be applied, and will remain in place, unless an agreement, which includes the provision of Social/Affordable Housing, is entered into.
- ❑ Development by or on behalf of a voluntary organisation which is designed or intended to be used for social, recreational, educational or religious purposes by the inhabitants of a locality or by people of a particular group or religious denomination and is not to be used mainly for profit or gain.
- ❑ Where the development is being carried out by a person who is in receipt of a housing adaptation grant for people with a disability for the subject development

In the case of proposed development for change of use, the development will attract development contributions where the proposed use results in an increase in service use only. In such instances, the developer will be charged for the increase in use only.

The required development contributions shall be reduced by 50% in the following cases:

- ❑ Restoration/Refurbishment to a high architectural standard of buildings included in the record of Protected Structures as outlined in the Council's Town Development Plan.
- ❑ In exceptional cases the Town Council will consider a 50% reduction where an extension is being built for a family member for medical reasons and where the applicant does not qualify for a housing adaptation grant.

The required development contributions shall be reduced by 20% in the following cases:

- ❑ Where an old or derelict building as listed in the Council's Register of Derelict Sites is being reconstructed in sympathy with its existing character or where a derelict building is being reused.
5. Adjustments for non-residential development contributions will be made by the water services authority when calculating the consolidated charge for water services under the Framework for Water Pricing. This framework provides for the recovery of the marginal capital costs of water services: from the general non-domestic customer on the basis of either a consolidated metered charge using the

water in/water out principle or through individual contracts with significant, generally larger, customers; and for residential development through development contributions.

6. An application for permission for modification to a permitted development, including a change of house type or amendment to a site layout, will be assessed on the basis of the scale of development contributions in operation at the date of issue of the decision to grant permission.

8. **BASIS FOR DETERMINATION OF DEVELOPMENT CONTRIBUTIONS:**

The basis for determination of the development contributions has included calculation of the real current cost to Carrick-on-Suir Town Council (excluding grant assistance) of the provision of high quality infrastructure to meet the needs of a vibrant, progressive and forward-looking town and the applicability of these costs to new development.

The Scheme reflects to the greatest extent possible the different demands arising from different scales of development.

The basis for determining development contributions in respect of the classes of infrastructure and facilities benefiting development as detailed in section 4.

8.1 PUBLIC WATER SUPPLIES

It is estimated that in the period 2009-2015, a total of €428,170 will be the net cost to benefiting development for water supply capital projects. The anticipated benefiting projects in line with the Water Services Capital Programme 2009-2015 are as follows;

- Renewal of Water Main from Carrick on Suir Town Boundary to Crotty's lake
- Upgrade of Lingaun Water Treatment Plant
- Construction of High Level Water Reservoir
- Miscellaneous Upgrading/Refurbishment Works.

It is envisaged that the net expenditure of on these works will benefit new development in accordance with the following:

(It should be noted that charges in relation to water usage imposed as per the Water Services Pricing Policy are not considered) .

<u>TYPE</u>	<u>PERCENTAGE</u>
Residential	61%
Commerical	24%
Industry	13%

Based on the on analysis of recent planning applications, planning applications already granted and Carrick on Suir Town development Plan 2008 it is anticipated that the projected floor area to be developed over the period of the scheme will be as follows:

<u>CLASS</u>	<u>CONTENT</u>
Residential	27,500 m ²
Commercial	19,500 m ²
Industrial	10,000 m ²

Accordingly it is proposed to apportion the estimated cost per class of development as follows:

CLASS	CALCULATION	UNIT COST
Residential	$\frac{428,170 \times .61}{27,500}$	€9.60/m ²
Commercial	$\frac{428,170 \times 0.24}{19,500}$	€5.46/m ²
Industrial	$\frac{428,170 \times 0.13}{10,000}$	€5.77/m ²

8.2 PUBLIC SURFACE WATER DRAINAGE SERVICES AND PUBLIC WASTE WATER DRAINAGE SERVICES

It is anticipated that in the period of 2009-2015, a total of €708,945 will be the net cost to benefiting development for road capital projects. The anticipated benefiting projects are as follows;

- Upgrade of Sewage System in Marian Avenue
- Upgrade of sewage System in St. Nicholas Park
- Surface Water Drainage Scheme in Marian Avenue
- Surface Water Drainage improvement Scheme in Woodland Heights
- Surface Water Drainage improve scheme at St Mollerans
- Miscellaneous Upgrading

It is envisaged that the net expenditure of €708,945 on these works will benefit new developments – in accordance with the following:

(It should be noted that charges relating to discharge of foul sewage imposed as per The Water Pricing Policy are not considered).

CLASS	PERCENTAGE
Residential	61%
Commerical	24%
Industry	14%

Based on the on analysis of recent planning applications, planning applications already granted and Carrick on Suir Town development Plan 2008 it is anticipated that the projected floor area to be developed over the period of the scheme will be as follows:

CLASS	CONTENT
Residential	27,500 m2
Commercial	19,500 m2
Industrial	10,000 m2

Accordingly it is proposed to apportion the estimated cost for each class of development as follows:

CLASS	CALCULATION	UNIT COST
Residential	$\frac{708,945 \times .61}{27,500}$	€15.85/m ²
Commercial	$\frac{708,945 \times .24}{19,500}$	€8.86/m ²
Industrial	$\frac{708,945 \times .14}{10,000}$	€10.03/m ²

8.3 ROAD INFRASTRUCTURE

It is anticipated that in the period of 2009-2015, a total €1,006,540 will be the net cost to benefiting development for road capital projects. The anticipated benefiting projects in line are as follows;

1. Cregg Road Improvement scheme
2. Coolnamuck Road Re-alignment scheme
3. Traffic Calming Projects
4. Footpaths and Pavements Projects
5. Public Lighting Projects
6. Street Furniture Projects
7. Undergrounding of Services Projects
8. Road Strengthening

It is envisaged that the net expenditure of €1,006,540 on these works will benefit new developments – in accordance with the following:

<u>TYPE</u>	<u>PERCENTAGE</u>
Residential	47%
Commerical	33%
Industry	19%

Based on the on analysis of recent planning applications, planning applications already granted and Carrick on Suir Town development Plan 2008 it is anticipated that the projected floor area to be developed over the period of the scheme will be as follows:

<u>CLASS</u>	<u>CONTENT</u>
Residential	27,500 m ²
Commercial	19,500 m ²
Industrial	10,000 m ²

Accordingly it is proposed to apportion the estimated cost per class of development as follows:

<u>CLASS</u>	<u>CALCULATION</u>	<u>UNIT COST</u>
Residential	$\frac{1,006,540 \times .47}{27,500}$	€17.32/m ²
Commercial	$\frac{1,006,540 \times .33}{19,500}$	€17.32/m ²
Industrial	$\frac{1,006,540 \times .19}{10,000}$	€19.25/m ²

Note 2:

- Class 5** **The provision of buildings or other structures for the purpose of the keeping of horses.**
- Class 6** **The provision of buildings or other structures for the purpose of agriculture, where the gross floor area, when measured internally, exceeds 600 square metres.**

An exception will be made in the case of the above classes whereby the requirements for roads infrastructure (i.e. footpaths and lighting) will not be as onerous on the Council therefore the rate per square metre will be €9.63

Note 3:

- Class 3** **The use of land for the mining and working of minerals, including the extraction of sand, gravel and stone.**
- Class 4** **The use of land for the deposit of refuse or waste.**
- Class 15** **The provision of a telecommunications mast.**

Developments coming within the meaning of the above Classes are typically based in rural areas. They might attract a lower level of development contribution per unit of area, than commercial and industrial development, because they typically: -

- (a) require considerably larger operational areas;
- (b) have a lower ratio of traffic generation per unit of operational area;
- (c) are typically developed on a phased basis, and thus have an effective operational area which is smaller than the total site;
- (d) do not have a direct impact on one conurbation that would require specific local measures such as traffic calming and by-pass investments;
- (e) operate for a limited number of years.

On the other hand such developments typically: -

- (a) involve the use of vehicles with very heavy axle loads;
- (b) impose such axle loads on rural local roads which are generally unable to bear the burden;
- (c) necessitate additional passing locations on local roads.

The principle of pavement design is based on the number of commercial axles passing the road within its design life. Therefore, it is only reasonable to assume that

the road network within the vicinity of these developments will require upgrading and road restoration works to facilitate these developments.

Thus the baseline for assessing the appropriate development contribution must relate primarily to the structural upkeep, enhancement and re-strengthening of local roads and bridges. Damage to local roads is not restricted to the location of the development; the delivery from origin and to final destination is equally damaging in a dispersed sense. The scale of development contribution must aim to make it feasible for such developments to co-exist with rural communities without overall degradation of the road infrastructure, which serves both. The rate per square metre shall be €2.22

8.4 CAR PARKING FACILITIES

Where the developer is unable to meet the requirements relating to car parking, a development contribution, commensurate with the shortfall in spaces, shall be paid to the Planning Authority to facilitate the provision of car parking spaces elsewhere.

The contribution in lieu of car parking spaces is charged at a rate of €3,900 per space.

The charge is the estimated net expenditure for the provision, refurbishment, upgrading, enlargement or replacement of car parks and car parking places, the associated acquisition of land and ancillary matters.

8.5 RECREATIONAL, COMMUNITY AND AMENITY FACILITIES

It is estimated that in the period 2009-2015, a total of €664,750 will be required to provide recreational and community facilities and amenities by or on behalf of Carrick on Suir Town Council under the Community Facilities Scheme (see Appendix A). This scheme assists communities in the provision of recreational and community facilities and landscaping works, the associated acquisition of land and ancillary matters.

It is envisaged that the types of facilities to be assisted would include those previously assisted:

- sporting facilities;
- children's playgrounds;
- facilities for youth and senior citizens;
- multi-functional community halls;
- community resource centres;
- arts and library facilities;
- parks and walks;
- heritage sites.

It is envisaged that the net expenditure of €664,750 on these works will benefit new developments – in accordance with the following:

<u>TYPE</u>	<u>PERCENTAGE</u>
Residential	72%
Commerical	15%
Industry	13%

Based on the on analysis of recent planning applications, planning applications already granted and Carrick on Suir Town development Plan 2008 it is anticipated that the projected floor area to be developed over the period of the scheme will be as follows:

<u>CLASS</u>	<u>CONTENT</u>
Residential	27,500 m2
Commercial	19,500 m2
Industrial	10,000 m2

Accordingly it is proposed to apportion the estimated cost per class of development as follows:

CLASS	CALCULATION	UNIT COST
Residential	$\frac{664,750 \times 72}{27,500}$	€ 17.47/m2

Commercial	$\frac{664,750}{19,500}$	€ 4.80/m ²
Industrial	$\frac{664,750 \times 13}{10,000}$	€ 9.08/m ²

9. IMPLEMENTATION OF SCHEME:

This Development Contribution Scheme will be implemented as follows:

1. This Development Contribution Scheme will come into operation following its adoption by the Elected Members of Carrick on Suir town Council on 1st March 2009 and will be applied to all decisions to grant planning permission made on or after that date, irrespective of when the planning application was submitted. It shall also apply to any order by An Bord Pleanala on or after that date where it is a condition of the order that the amount of a development contribution is to be determined by the Planning Authority.
2. Subject to 3 below, the basis for the determination of a development contribution shall be as set out in this Development Contribution Scheme.
3. Carrick-on-Suir Town Council may, in accordance with Section 48 of the Planning and Development Act, 2000, in addition to the terms of this Scheme, require the payment of a special contribution in respect of a particular development where specific exceptional costs not covered by this Scheme are incurred in respect of public infrastructure and facilities which benefit the proposed development.

An example of such a special contribution is where a proposed development will lead to a demand for public surface water drainage services, which does not exist, or to an increased demand on existing public surface water drainage services, and which are separate from public waste water drainage services. It is likely that this will apply only in exceptional circumstances of very large developments.

1. Where payment of a special contribution is required in accordance with 3 above, the following provisions shall apply:
 - (a) The condition shall specify the particular works carried out, or proposed to be carried out, by any local authority to which the contribution relates,
 - (b) where the works in question-
 - (i) are not commenced within 5 years of the date of payment to the authority of the contribution,
 - (ii) have commenced, but have not been completed within 7 years of the date of payment to the authority of the contribution, or
 - (iii) where the local authority decides not to proceed with the proposed works or part thereof, the contribution shall, subject to paragraph (c) be refunded to the applicant together with any interest that may have accrued over the period while held by the local authority,
 - (c) where under subparagraph (ii) or (iii) of paragraph (b), any local authority has incurred expenditure within the required period in respect of a proportion of the works proposed to be carried out, any refund shall be in proportion to those proposed works which have not been carried out.

5. Section 49 of the Planning and Development Act, 2000 provides for the making of a supplementary development contribution scheme.
6. This Scheme will operate for a period of 5-year period from the date of adoption, unless the Scheme is revoked, varied or modified in the intervening period.
7. The amounts of development contribution specified in this Scheme shall be as follows:
 - (a) For any decision to grant permission made during the period 1st March 2009 to 28th February 2010, (irrespective of when the planning application was submitted and following adoption of the scheme) the amounts shall be those specified in this Scheme.
 - (b) For any decision to grant permission made during the period 1st March 2010 to 28th February 2011 (irrespective of when the planning application was submitted) – the amounts shall be as at (a) and revised in accordance with any change in the Wholesale Price Index – Building and Construction Materials (reference WPAA201) as published by the Central Statistics Office, occurring between 1 December 2008 and 30 November 2009.
 - (c) For any decision to grant permission made during the period 1st March 2011 to 29^h February 2012 (irrespective of when the planning application was submitted) - the amounts shall be as at (b) and revised in accordance with any change in the Wholesale Price Index – Building and Construction Materials (reference WPAA201) as published by the Central Statistics Office, occurring between 1 December 2009 and 30th November 2010;
 - (d) For any decision to grant permission made during the period 1st March 2012 to 28th February 2013 (irrespective of when the planning application was submitted) – the amounts shall be as at (c) and revised in accordance with any change in the Wholesale Price Index – Building and Construction Materials (reference WPAA201) as published by the Central Statistics Office, occurring between 1 December 2010 and 30 November 2011.
 - (e) For any decision to grant permission made during the period 1st March 2013 to 28th February 2014 (irrespective of when the planning application was submitted) –the amounts shall be as at (d) and revised in accordance with any change in the Wholesale Price Index – Building and Construction Materials (reference WPAA201) as published by the Central Statistics Office, occurring between 1 December 2011 and 30 November 2012.
 - (f) For any decision to grant permission made during the period 1st March 2014 to 28th February 2015 (irrespective of when the planning

application was submitted) –the amounts shall be as at (d) and revised in accordance with any change in the Wholesale Price Index – Building and Construction Materials (reference WPAA201) as published by the Central Statistics Office, occurring between 1 December 2012 and 30 November 2013.

APPENDIX A**CARRICK-ON-SUIR TOWN COUNCIL****Provision of Recreational and Community Facilities and Amenities****SCHEME OF CAPITAL GRANTS****Purpose of Scheme**

It is the intention of Carrick-on-Suir Town Council to assist, in general, the provision of recreational and community facilities and amenities and so improve the quality of life for the people of Carrick-on-Suir and their visitors. This Scheme is primarily intended to assist with community development in the town, specifically those needs arising in the provision of open spaces, recreational and community facilities and amenities and landscaping works, the acquisition of land for that purpose and any matters ancillary to same.

Basis for Determination

The Scheme is applicable to the Carrick-on-Suir Urban Area, but is being determined on a county-wide basis so as to ensure that locations with less development and hence less development contributions, will have an equal opportunity for eligibility for funding in respect of facilities which the promoters consider are needed. The intention is to provide the county with a range of recreational and community facilities and amenities, but based on expressed needs (initially articulated through applications), sustainability and social inclusion, the process being guided by such research, needs analysis and plans as are or will be available.

Where those living as a result of development in one area (district electoral division or electoral area) require or use facilities in another area, it is envisaged that funding may be transferred on an inter-area or intra-area basis to assist in the provision of those facilities.

Furthermore, where those living as a result of development in a particular location require or use facilities in an adjoining town or area, which is a separate local authority (i.e. South Tipperary County Council, Carrick-on-Suir, Cashel and Tipperary Town Councils and Clonmel Borough Council), it is envisaged that funding may be transferred between the County Council and the Town and Borough Councils to assist in the provision of these facilities.

Strategy and Aims

A number of strategies have identified needs in the town related to the provision of open spaces, recreational and community facilities and amenities and landscaping works.

The Town Development Plan 2008 (adopted by resolution of the Council dated 9th February 2008) includes policies to: –

- ensure that adequate amenity and recreational open space and facilities, including community facilities and centres, are available for all groups of the population at a convenient distance from their homes and places of work;
- encourage developers to pool land in order to satisfy open-space requirements to allow the provision of large multi-purpose (e.g. parkland and playing pitches) amenity areas as well as small incidental open spaces within housing areas;
- promote the provision of public playgrounds and parks in all settlement centres;
- seek the provision and suitable management of Local Areas for Play and Local Equipped Areas for Play in new housing estates and to implement measures to find suitable sites for their provision in existing residential areas;
- seek to retain and incorporate key landscape features such as trees, stone walls, streams, etc. into open space and landscape plans for new developments in order to create distinctiveness of landscape and a sense of identity;
- protect mature trees; and
- seek the provision of arts, cultural and entertainment facilities, new works of art or performing spaces in association with new development proposals/re-development of old projects, where appropriate.

The Local Agenda 21 Wheel contained in the South Tipperary County Strategy for Economic, Social and Cultural Development as adopted by South Tipperary County Council on 4 March 2002 and launched by the South Tipperary County Development Board on 8 April 2002 outlines a range of desired community facilities at village, small town and county town level. In the future, work on the Agenda 21 Wheel and other strategies, such as those by the County Childcare Committee or other agencies, will also specify desired community facilities.

While much research work and planning remains to be done, it is clear that the present provision for community facilities in the town is inadequate. Investment is required to assist community based projects, which aim for the social, recreational, amenity and cultural betterment of their community, and which are:

- well founded;
- well supported by their community, financially and otherwise;
- preferably based on a co-operative proposal from several groups so as to create a better and more sustainable use of resources by sharing facilities;

- based on an acknowledgement of, and/or provision for, social inclusion;
- are recognised by the Council as being the main provider of a particular service to all members of the public in a particular community area;
- formulated within the context of the existing and future plans and strategies of Carrick-on-Suir Town Council and other agencies; and
- ensuring that the facilities or parts of the project directly assisted by the Scheme are available to all members of the community.

Types of facilities and works proposed for eligibility under this Scheme of Capital Grants could include:

- sporting facilities;
- children's playgrounds;
- facilities for youth and senior citizens;
- multi-functional community halls;
- community resource centres;
- arts and library facilities;
- parks and walks;
- heritage sites.

The process will firstly be based on expressed needs (initially articulated through applications) and then by such research, needs analysis, strategies and plans as are or will be available. It is estimated that in the period 2009-2015 a sum of €664,750 will be required to support the task of providing community facilities within the principles listed above.

The finance will be distributed as received with provision for fund transfer between electoral areas, and into borough and town and county areas, where projects similarly draw their audiences or clients across electoral boundaries.

Terms and Conditions for Scheme

Introduction

1. Funds will be provided on the basis of expressed need, where there is a genuine lack of such facility proposed and where there is provision for public access, community support, social inclusion and sustainability.
2. Carrick-on-Suir Town Council reserves the right to conduct, commission or review research on the social, economic and cultural needs of the town and, in particular, on the need for recreational and community facilities and

amenities and to modify the Scheme and its administration, or not, accordingly.

Administrative

1. Applications must be from a legally constituted, not for profit, club or association which: –
 - (a) is registered and in good standing with its national representative body, if any;
 - (b) has a constitution or rules approved by Carrick-on-Suir Town Council;
 - (c) holds annual general meetings;
 - (d) is open to new members, without discrimination, from the area which the club or association serves; and
 - (e) has made audited financial, investment and other records (including all bank and other account details) available to Carrick-on-Suir Town Council.
2. Applications for funding must be submitted on the appropriate application form and all relevant and necessary supporting information must be included. Incomplete applications may be returned or delayed.
3. Applications for funding shall be due after 1 January and no later than 4.30pm on 1 April (or the first working day after, if 1 April is not a working day) at locations(s) to be advertised. Funding decisions shall be communicated to the applicants no later than 31 October.
4. The beneficiary must produce appropriate satisfactory evidence of clear and valid title, or an agreement to acquire title, to the lands or buildings to be funded under the Scheme. Where title is leasehold the interest must be for a minimum of 10 years and such matters shall be taken into consideration by the local authority in deciding the amount of grant to be paid. Projects can be sited on Council owned land provided the relevant Director of Services gives written permission. In exceptional circumstances grants may be considered for groups that can provide, to the Town Council's satisfaction, other acceptable evidence of security of tenure.
5. Grant-aided facilities shall not be alienated, assigned, sold or otherwise disposed of without the consent of the relevant local authority.
6. Applications for funding will normally only be accepted for capital works which have not yet taken place. Works can start after the first site visit by staff from the Director of Community and Enterprise's office but it is to be clearly understood that acceptance of an application does not mean that a project will be funded. Grants will normally only be paid out when works to that amount have taken place.
7. Applications for funding for capital works already undertaken may be accepted, at the assessment committee's discretion but only for works undertaken since the date of introduction of the Development Contribution Scheme.

8. Successful applicants must enter into a legal agreement conferring the right on the local authority at its absolute discretion to seek a refund of the grant paid, in whole or in part, where the facility is disposed of at any time or if the applicant ceases its activities.
9. Where an application for funds is rejected, the applicant may return it asking for the decision to be reviewed and giving the reasons and/or information why the application should be reviewed.
10. Administrative and other requirements may be revised or altered by the assessment committee.

Financial

1. Funding will be provided generally for capital projects with a minimum cost of €10,000. However it will be at the Town Council's discretion to approve applications for projects costing less than this amount
2. Applicants are reminded to be very realistic regarding financial planning and sustainability. Consideration should be given to developing projects on a phased basis to avoid crippling interest charges, for example, and income figures should be based on realistic user projections.
3. Funding will be provided for capital works, i.e. new projects or the refurbishment of existing facilities. Where new projects are to replace an existing facility, the application should include an explanation as to why the existing facility is not suitable or has not been viable. The definition of capital works for the purpose of this scheme shall be at the discretion of the town Council.
4. Funding will not be paid out to any project which requires planning permission and for which full planning permission has not been granted though projects may be approved in principle, pending receipt of planning permission.
5. Subject to paragraph 7 below, funding up to 75% of the capital expenditure may be provided though it is likely that most grants will be substantially less. Projects that directly help combat social exclusion and marginalisation may be funded up to 90%.
6. Applicants are strongly encouraged to raise a portion of the funds required themselves and/or to seek matching funding from other agencies. Applicants will be required to satisfy the Council with regard to the source and amounts of funds sufficient to finish the project.
7. Funding will only be provided to the extent of available finance. Carrick-on-Suir Town Council may carry funding from year to year.
8. Applications for multi-year funding are not excluded as the Council does wish to encourage the realistic phasing of projects to match available income to avoid crippling interest charges. However, the granting of funds in one year does not automatically presuppose funding in the following or later years.

9. Funding approved must be drawn down within one year of approval, or as otherwise agreed in writing with Carrick-on-Suir Town Council.
10. Appropriate evidence of financial need and proposals for matching resources must be produced. Efforts to form partnerships and source alternative/matching funding must be outlined. The level of grant payable may be determined by the level of other funds raised by the applicants and by the amount of funds committed by other agencies.
11. The payment of a grant will be subject to the beneficiary providing a current form C2 or Tax Clearance Certificate from the Revenue Commissioners.
12. The local authority may withhold all or any portion of a grant, which has been unpaid, or any portion of a grant paid may be recovered where any of the terms and conditions is not being complied with or where there is an unapproved material change in the proposals for which the application was made.
13. Grant allocations may be reviewed or revoked at any time by the relevant local authority if progress on the development or refurbishment is not satisfactory.

Management of the Facility

1. The beneficiary shall agree to be responsible for any loss, damage or injury to person or persons or property arising out of the provision or use of the facility and shall indemnify the local authority against all claims howsoever arising to an amount to be set by the local authority.

Sustainability and Access

1. Funding will be provided on the understanding that it is for the provision of facilities to the general public, as submitted by and agreed with the promoters in the application. Any restriction of that agreed access, without the consent of the Council, might result in the recovery of the grant.
2. Carrick-on-Suir Town Council reserves the right to request promoters to send delegate(s) to relevant training for voluntary committees.
3. Promoters should provide the Council with a business plan dealing with running costs and maintenance costs. Where a project is not intended as economically self-sufficient, sources of funding for running costs and maintenance costs should be outlined.
4. Priority will be given to projects that combat social exclusion or marginalisation.

Works

1. Where the beneficiary employs persons directly to work on the project, their pay shall be subject to income tax, returned to the Revenue Commissioners.

Work done and expenditure incurred will have to be certified by the promoter.

2. All work done should be in accordance with relevant legislation and regulations and the Council will not be responsible for any defects or liabilities.
3. All persons or companies engaged on the project by the promoter should be adequately insured and Carrick-on-Suir Town Council will not be responsible for any damage or injury to anyone.
4. The assistance of Carrick-on-Suir Town Council must be publicly acknowledged in a manner to be agreed with the Council.
5. Facilities aided under this Scheme shall comply with the provisions of the Planning and Development Acts, 2000-2002, the Building Control Act, 1990 and, where appropriate, other relevant legislation. The Council may request copies of any relevant documentation, permits, licence or authorisation.
6. Payments in respect of capital financial assistance will be made, in full or in part, on the basis of original invoices of expenditure vouched as paid or in such a manner as may be required by Carrick-on-Suir Town Council.
7. The beneficiary must meet public procurement provisions as laid down by Carrick-on-Suir Town Council. In particular any expenditure of over €1,270 must be backed by at least three quotations from public advertisement or letter addressed to known suppliers (sole suppliers excluded).
8. The beneficiary shall produce evidence of appropriate employer's liability insurance and public liability insurance to limits specified by the relevant local authority, which shall be fully indemnified. All grant-aided assets shall, where appropriate, be kept insured at all times against loss or damage by fire, storm or flooding. All compensation paid under such insurance shall be used to restore the property so damaged or lost and any shortfall shall be made good by the beneficiary. The interest of the relevant local authority shall be noted on all policies. The local authority shall be indemnified against all claims under all insurances relating to the project.

General

1. The Council reserves the right to reject any application or to refer it back to the applicants for re-consideration, to refer it for discussion to other bodies or to publish details of it.
2. Applicants are strongly encouraged to liaise with all agencies (e.g. South Tipperary County Council, South Eastern Health Board, LEADER II (principally Tipperary LEADER Group, Waterford LEADER Group and Barrow-Nore-Suir Rural Development Ltd.), relevant Government Departments, other clubs/associations, etc.) to ensure that the project does not conflict with existing plans or strategies.

3. Applications from strong partnerships of several bodies or funded by a 'package' from several agencies will be encouraged.

Restrictions

1. Funding will not be provided for:–
 - maintenance or day to day running costs;
 - mobile assets; and
 - feasibility studies for capital projects.

Disclaimers

1. Funding of the project by Carrick-on-Suir Town Council does not imply that it is responsible for the maintenance or running of the facility, now or in the future.

Alia

1. A formal legal agreement will be signed between the beneficiary and the relevant local authority to reflect the terms and conditions of this Scheme prior to payment of a grant or any part thereof.
2. Applications shall be evaluated, in the light of the above requirements, by the office of the Director of Community and Enterprise and then approved by a committee composed of –
 - The Director of Carrick-on-Suir Town Council;
 - The Director of Community & Enterprise;
 - The Town Clerk
 - The Town Engineer
 - Chairman of the Council & 2 elected members.
 - Other members of the Council's management team as thought appropriate.

And then presented to the members of the Council (at their next monthly meeting).

Where this Scheme is also adopted by other local authorities (South Tipperary County Council, Clonmel Borough Council, Cashel Town Council and Tipperary Town Council) within the county, applications to those local authorities shall be evaluated by the office of the Director of Community and Enterprise, in collaboration with the relevant Town Clerk. Where it can be shown that the users of an approved project are drawn from a County Council electoral area, as well as from the town council area, a recommendation may be made to the County Council regarding the provision of funding from the County Council Scheme to the project, in parallel with funding from Town Council.

3. Further information is available from the

- Town Clerk, Carrick-on-Suir Town Council, Town Hall, New Street, Carrick-on-Suir, Tel: 051-642100.
- Community & Enterprise Section, South Tipperary County Council, Aras an Chontae, Clonmel, Co. Tipperary, Tel: 052-34597