Taking in Charge – General Conditions and Application Requirements

General conditions for Taking in Charge
In order for and estate to be considered for taking in charge by the Council the following must be satisfied:

- The development is authorised and in compliance with the Planning Permission(s) granted.
- All development contributions and any withering levies applicable have been paid in full.
- Part V requirements have been satisfied.
- All connection fees have been paid in full.
- The Bond/ Security provided remains in place.
- The development is constructed in accordance with the "Recommendations for Site Development Works of Housing Areas" (DELG 1998)
- Provide evidence that necessary Rights of Way and /or Wayleaves have been provided.

Taking in Charge Application Requirements
A valid request to have a development Taken in Charge and/or the Bond/Security released shall be accompanied by the following:

- Completed and signed application form.
- Certification by an Engineer/Architect that the development is in full compliance with grant of planning and attached conditions.
- Certification by an Engineer/Architect that the utilities are constructed to the required standards.
- CCTV survey and report on all underground services-foul sewer and surface water drainage systems including Manhole survey.
    - Manhole survey to be in format of attached Manhole Card
    - CCTV/Survey to cover all aspects in water services check list
    - Please include dye test to confirm no cross-contamination
- Full Water network Audit including Leak detection survey on water mains.
    - Audit to cover all aspects in water services check list
- Certification from Electric Ireland/Airtricity or Electric Skyline that public lighting is provided to the appropriate standard- MPRN to be provided.
- Certification from relevant provider in respect of any other service on site e.g. Gas.
- As constructed drawings of the development to a scale 1:500 (3 copies digital and hard copy format).
- **Please contact the Taking in Charge Section prior to submission of CCTV Surveys & Reports as an IT link can be issued to enable the upload of reports directly to our computer system. Please email:** tic@galwaycoco.ie **for link.**

The information submitted with the Taking in Charge application is reviewed and the development is inspected. The review incorporates all aspects of the development, compliance with planning permission and construction of the development to the standards required by the Building Regulations.

Following the review of documentation and on-site inspection, a List of Remedial Works, if required, is prepared and issued to the developer. The list of Remedial

Works will include any items arising from review of CCTV survey which may not have been previously identified by the Developer.

When the developer/applicant, has addressed all items on the List of Remedial Works, submits notification confirming this to the Taking in Charge section, the development is re-inspected.

Normally, the developer/applicant has all issues addressed in advance of a request for re-inspection. Where this is not the case, an additional Snag / Remedial List of Works is issued and on completion of works a further inspection undertaken by the Council. Please note there can very often be is a considerable length of time elapsing between the issue of the Snag/ Remedial List of Works; the Developer's response and the time until all issues / works have been satisfactorily addressed.

Following inspection/re-inspection, and confirmation that the Council is satisfied that the development is complete, a report is prepared confirming that the estate is completed to required Taking in Charge standard. The Director of Service considers this report and recommendation and gives approval to proceed with proposed Bond Release and / or Taking in Charge of the estate. Where an estate is being considered for Taking in Charge, the bond will remain in place until this process is completed. The file is referred to the Roads & Transportation Department for advertisement with relevant Roads Schedule attached.

(Please note that developments with private infrastructure such as Wells, Water Treatment Plants, Waste Water Treatment Plants, and associated pumping stations that were provided by developers as part of the housing development and cannot be connected to the public water and wastewater treatment will only be considered for Bond Release. Holiday developments, gated developments, multi-used (mixed use) developments are also precluded from the Council's Taking in Charge Policy and will only be considered for bond release.

The Taking in Charge of an estate is a reserved function to be decided upon by the Elected Members of the Council. Where the Council propose to take an estate in charge, it must initiate the procedures under Section 11 of the Roads Act 1993.

Following advertisement and period for objections/observations, a report is presented to the Elected members for their consideration and decision.

The Developer and Residents are contacted by the Taking in Charge section when this process is completed.

When the Council takes a development/estate in charge, the Council takes responsibility for the roads, footpaths, public lighting and public liability. The sewers and water mains become the responsibility of Irish Water.
The Council does not maintain green areas/cut grass or maintain waste water treatment plants. These items must be maintained by the management company/resident's association.

Partially finished estates - It is not normal practice to take partially completed estates in charge, but such estates will be considered on a case by case basis.

Cúram a Ghlacadh - Coinníollacha Ginearálta agus Riachtanais i leith Iarratais

Coinníollacha Ginearálta maidir le Cúram a Ghlacadh

Ní mór a leanas a shásamh le go mbreithneoidh an Chomhairle ar cheart di cúram a ghlacadh as eastát:

- Go bhfuil an fhorbairt ceadaithe agus i gcomhréir leis an gCeadúnas (na Ceadúnais) Pleanála a bronnadh.
- Go bhfuil na ranníocaíochtaí forbartha ar fad agus aon thobhaigh meata lena mbaineann íoctha in iomlán.
- Go bhfuil na riachtanais i gCuid V comhlíonta.
- Go bhfuil na táillí ceangail ar fad íoctha in iomlán.
- Go bhfuil an Banna / an tUrrús a cuireadh ar fáil fós i bhfeidhm.
- Go bhfuil an fhorbairt tógtha faoi réir na "Moltaí maidir le hOibreacha Forbartha Láithreáin i Limistéir Tithíochta" (DELG 1998)
- Fianaise a thabhairt go bhfuil na Cearta Slí agus / nó na Ceadanna Slí curtha ar fáil.

Riachtanais i leith Iarratais ar Chúram a Ghlacadh

Beidh a leanas le hiarratas bailí chun Cúram a Ghlacadh as forbairt agus/nó an Banna/an tUrrús a scaoileadh maidir le forbairt:

- Foirm iarratais chomhlánaithe agus sínithe.
- Deimhniúchán ó Innealtóir/Ailtire ag dearbhú go bhfuil an fhorbairt ag comhlíonadh deonaithe cead pleanála agus na gcoinníollacha lena mbaineann.
- Deimhniúchán ó Innealtóir/Ailtire ag dearbhú go bhfuil na fearais tógtha de réir na gcaighdeán atá de dhíth.
- Suirbhéireacht CCTV agus tuarascáil ar sheirbhísí faoi thalamh - séarach bréan agus córas draenála uisce dromchla lena n-áirítear suirbhéireacht Dúnphoill.
    - Ní mór an tSuirbhéireacht Dúnphoill a bheith sa bhformáid chéanna leis an gCárta Dúnphoill faoi iamh
    - CCTV/Suirbhéireacht a chlúdaíonn na gnéithe ar fad a bhaineann le seicliosta na seirbhísí uisce
    - Áirigh tástáil ruaime chun a dhearbhú nach bhfuil aon traséilliú i gceist
- Iniúchadh Iomlán ar Líonra Uisce lena n-áirítear suirbhéireacht brathadóireachta ar an bpríomhsholáthar uisce.
    - Iniúchadh a chlúdaíonn na gnéithe ar fad a bhaineann le seicliosta na seirbhísí uisce
- Deimhniúchán ó Electric Ireland/Airtricity nó ó Electric Skyline ag dearbhú go gcuirtear soilsiú poiblí ar fáil ar an gcaighdeán cuí - MPRN le cur ar fáil.
- Deimhniúchán ó sholáthróir cuí maidir le haon seirbhís eile ar an láthair e.g. Gás.
- Líníocht tógála den fhorbairt, mar a tógadh, ar scála 1:500 (3 chóip dhigiteacha agus i bhfoirm cruachóipe).
- **Déan teagmháil leis an Rannóg Cúram a Ghlacadh sular gcuirtear na Suirbhéireachtaí & Tuarascálacha CCTV ar aghaidh mar go mbeifear in ann nasc TF a eisiúint chun uaslódáil na dtuarascálacha díreach chuig ár gcóras ríomhaireachta a éascú. Seol ríomhphost chuig: tic@galwaycoco.ie don nasc.**

Déantar athbhreithniú ar an eolas a chuirtear ar aghaidh san iarratas agus déantar cigireacht ar an bhforbairt. Cuimsítear gach gné den fhorbairt san athbhreithniú, comhlíontacht le ceada pleanála agus tógáil na forbartha chuig na caighdeáin atá de dhíth de réir na Rialachán Tógála.

I ndiaidh athbhreithnithe a bheith déanta ar an gcáipéiseacht agus i ndiaidh na cigireachta ar an láthair, déanfar Liosta Oibreacha Leasúcháin a ullmhú, más gá, agus eisítear sin chuig an bhforbróir. Áireofar aon ní a thagann chun cinn ón athbhreithniú ar an tsuirbhéireacht CCTV a bhféadfadh sé nach bhfuil tugtha faoi deara ag an bhForbróir roimhe sin sa Liosta Oibreacha Leasúcháin.

Nuair atá na nithe ar fad atá ar an Liosta Oibreacha Leasúcháin curtha i gceart ag an bhforbróir/iarratasóir agus fógra curtha ar aghaidh á dheimhniú sin don rannóg Cúram a Ghlacadh, déanfar athchigireacht ar an bhforbairt.

De ghnáth, déanann an forbróir/t-iarratasóir na saincheisteanna ar fad a chur i gceart sula n-iarrtar cigireacht arís. Nuair nach bhfuil sin i gceist, eisítear Liosta breise Fabhtanna / Oibreacha Leasúcháin agus nuair atá na hoibreacha sin tugtha chun críche tugann an Chomhairle faoi chigireacht eile. Tabhair ar aird go bhféadfadh an-chuid ama a bheith i gceist idir an t-am a dhéantar an Liosta Fabhtanna / Oibreacha Leasúcháin a eisiúint; freagra an Fhorbróra agus nuair a bhíonn na saincheisteanna / oibreacha ar fad curtha i gceart go sásúil.

I ndiaidh na cigireachta/na hathcigireachta, agus deimhniú na Comhairle go bhfuil an fhorbairt tugtha chun críche, ullmhaítear tuarascáil ina ndeimhnítear go bhfuil an t-eastáit tugtha chun críche de réir an chaighdeáin Cúram a Ghlacadh atá de dhíth. Déanann an Stiúrthóir Seirbhísí an tuarascáil agus moladh sin a bhreithniú agus tugann cead chun leanúint ar aghaidh leis an Scaoileadh Banna agus / nó Cúram a Ghlacadh ar an eastáit. Sa chás go bhfuil eastát á bhreithniú maidir le Cúram a Ghlacadh, beidh an banna i bhfeidhm go dtugtar an próiseas sin chun críche. Cuirtear an comhad faoi bhráid na Roinne Iompair agus Bóithre, leis an Sceideal Bóithre cuí faoi iamh, lena fhógairt.

(Tabhair ar aird le do thoil nach féidir forbairtí le hinfreastruchtúir mar Thobair, Córais Cóireála Uisce, Córais Cóireála Dramhuisce, agus na stáisiúin pumpála lena mbaineann, a chuir forbróirí ar fáil mar chuid den bhforbairt tithíochta agus nach féidir a cheangal leis an gcóras uisce agus dramhuisce poiblí a bhreithniú ach amháin maidir le Scaoileadh Banna. Ní cheadaítear cúram a ghlacadh as forbairtí saoire, forbairtí geataithe, forbairtí ilúsáide (úsáid ilchineálach) faoi Pholasaí Chúram a Ghlacadh na Comhairle agus breithneofar iad maidir le scaoileadh banna amháin.

Is ionann Cúram a Ghlacadh as eastát agus feidhm fhorchoimeádta lena chinneadh ag Comhaltaí Tofa na Comhairle. Nuair atá beartaithe ag an gComhairle cúram a ghlacadh ar eastát, ní mór di na nósanna imeachta faoi Alt 11 d'Acht na mBóithre, 1993, a chur i bhfeidhm.

I ndiaidh fógraíochta agus tréimhse agóidí/breithniúchán, cuirtear tuarascáil faoi bhráid na gcomhaltaí Tofa lena mbreithniú agus lena gcinneadh.

Déanann an Rannóg Cúram a Ghlacadh teagmháil leis an bhforbróir agus leis na Cónaitheoirí nuair a thugtar an próiseas seo chun críche.

Nuair a ghlacann an Chomhairle cúram as forbairt/eastát, glacann an Chomhairle freagracht as na bóithre, cosáin, soilsiú poiblí agus dliteanas poiblí. Is faoi chúram Uisce Éireann a bheidh na príomhsholáthairtí séarachais agus uisce.
Ní dhéanann an Chomhairle limistéir ghlasa a chothabháil/féar a ghearradh ná ionaid chóireála fuíolluisce a chothabháil. Ní mór don chomhlacht bainistithe/do chumann na gCónaitheoirí na nithe sin a chothabháil.

Eastáit leathchríochnaithe -Ní sé de ghnáthnós cúram a ghlacadh as eastáit atá leathchríochnaithe, ach déantar eastáit dá leithéidí a bhreithniú ar bhonn cás ar chás.