

Taking in Charge – General Conditions and Application Requirements

General conditions for Taking in Charge

In order for an 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 / USB 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 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.