



SOUTH DUBLIN COUNTY COUNCIL

TAKING IN CHARGE POLICY

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Contents

- 1. Taking in Charge Policy: Overview**
 - 1.1 Legislative framework**

- 2. Taking in Charge**
 - 2.1 Facilities to be taken in charge**

- 3. Measures to ensure satisfactory completion of residential/or other use developments**
 - 3.1 General**
 - 3.2 Adoption of standards for external works**
 - 3.3 Application of standards**
 - 3.4 Early identification of areas to be taken in charge**
 - 3.5 Appropriate planning conditions**
 - 3.6 Inspection of construction**
 - 3.7 Enforcement action**

- 4. Responding to a request for Taking in Charge**
 - 4.1 Taking in Charge Procedure/protocol**
 - 4.2 Request for standard information**
 - 4.3 Sample protocol**

- 5. Planning conditions relating to management arrangements**
 - 5.1 Traditional housing estates**
 - 5.2 Multi-unit structures**
 - 5.3 Other instances where it may be appropriate to condition management arrangements**

- 6. Dealing with requests relating to older estates**
 - 6.1 General**
 - 6.2 Assessing/categorising requests**
 - 6.3 Estates satisfactorily completed**
 - 6.4 List for estates not completed satisfactorily**
 - 6.5 Action in relation to uncompleted estates**
 - 6.6 Remedial works by the planning authority**
 - 6.7 Monitoring and review**

Appendices

- 1. Example of good inspection practice**
- 2. Guidance, Standards etc**
- 3. Sample Bond Agreement**
- 4. Taking in Charge Checklist**
- 5. Standards, Codes and Requirements**
- 6. Roads Minimum Standards**
- 7. COP for Chamber & Gully Top Installations**
- 8. Construction Product Regulations**

1. Taking in Charge Policy: Overview

1.1 Legislative framework

Section 180 of the Planning and Development Act 2000 (as amended) requires planning authorities to commence taking in charge procedures in relation to residential developments, finished or unfinished, where certain conditions have been met. Section 34(4) (i) of the Act provides the legal basis for a planning authority to attach to a planning permission "conditions for the maintenance or management of the proposed development (including the establishment of a company or the appointment of a person or body of persons to carry out such maintenance or management)".

Key elements of the new framework are as follows:

- Statement of the facilities to be taken in charge by the authority
- Measures to ensure the satisfactory completion of residential [or other use] developments by developers
- Protocol to be followed in response to a request for taking in charge
- Planning conditions relating to management arrangements
- Dealing with requests in relation to older residential estates

2. Taking in Charge

2.1 Facilities to be taken in charge

South Dublin County Councils taking in charge policy involves taking control of the following services and public areas associated with a particular development:

- Public roads including footpaths, street trees; margins, street furniture, under ground ducting and generally the area between opposite boundaries
- Unallocated surface parking areas provided no gate or barrier has been erected
- Public lighting
- Water Mains including sluice valves, air valves and scour valves, hydrants, associated chambers, reservoirs, treatment plants, protection zones and other sundry items
- Foul and storm water drainage (including manholes, or other sundry items), Wastewater treatment plants and associated buffer zones, attenuation systems and outfall pipes to existing network.
- Public open spaces
- Playgrounds, where these are required by condition of a planning permission as facilities for public use (not for exclusive use of development subject of permission)

3. Measures to ensure satisfactory completion of residential [or other use] developments

3.1 General

South Dublin County Council will ensure that developers complete residential/ or other use developments to taking in charge standard within the duration of the planning permission (see sections 3.2 – 3.7). This will involve a comprehensive and integrated approach to dealing with the planning process for residential/ or other use development, to include a number of key elements as set out in this section

3.2 Adoption of standards for external works

It is essential that public roads, footpaths, services and open spaces in residential/ or other use developments are finished by the developer to a standard acceptable to South Dublin County Council for taking in charge and long term maintenance. Appendices to the policy document set out South Dublin County Council's construction and design standards

3.3 Application of standards

All residential/ or other use developments must at a minimum comply with the standards adopted by South Dublin County Council

Standards as detailed in Appendix 5 cover:

- The construction of roads, footpaths, public lighting, walkways, grass verges /margins, ducting, street furniture etc
- The installation of drainage services and water mains, including a specification of the regime of testing to which these services must conform
- The location of services provided and maintained by other service providers (telephone, cable television, broadband services etc.) in relation to those provided and maintained by the authority
- The quality of planting and seeding of landscaped areas, required treatment of public boundaries such as walls and fences, as well as specifications for particular elements in landscaped areas, such as play equipment, where these are to be provided

3.4 Early identification of the areas to be taken in charge

Applications for development that may be offered for taking in charge should delineate the area that would potentially fall to be taken in charge on a site layout map or in the case of development to be controlled by a management company that part of the approved development. A condition will be imposed on all development proposals to be granted permission, that before any development commences that the applicant submit a plan for the agreement of the Planning Authority that clearly delineates that part of the approved development to be offered for taking in charge and/or in the case of

development to be controlled by a management company that part of the approved development. This plan must also take into account any revisions required by any other condition of the development. It is envisaged that, generally, certain core services will always be taken in charge and South Dublin County Council will ensure that the design of the approved development will facilitate this by separating the areas/facilities that will be taken in charge from those that will not. Sewers, water-mains & public lighting should not be located under landscaping (other than grass), allocated parking areas, play areas etc. that will not be taken in charge.

Where a proposed development is not to be offered for taking in charge and especially where a gated type development is proposed, it will be an express requirement of the Council that the areas of the development located in the public domain [including the access, any road widening that has taken place, any roundabout or other such junction arrangement and including any associated drainage, public lighting and other associated services] shall be completed to the required standards before any part or section of the development is occupied. The standards and requirements outlined in this document pertain to development to be offered for taking in charge *and* development to be controlled by a management agent/company.

3.5 Appropriate planning conditions

Section 34 of the Planning and Development Act 2000 provides the legislative basis for attaching conditions to planning permissions. Appropriate conditions will be attached to grants of permission for residential/ or other use development in relation to:

- The giving of adequate financial security (S.34(4)(g)) and the length of time the security must remain in place
- The facilitation of inspections by the planning authority
- The phasing of the development, if appropriate (S.34(4)(h))
- The completion of the development in accordance with specified standards
- The evidence to be produced by the developer to demonstrate that the residential/ or other use development has been completed to the appropriate standards (see section 4.2) and the time period for the production of such evidence
- The maintenance by the developer of the residential/or other use development until taking in charge
- The vesting in the authority by the developer, upon taking in charge, of the areas to be taken in charge

Conditions in relation to financial security/bond

In the case of development, planning conditions will require the giving of sufficient security prior to commencement of development. South Dublin County Council will seek to ensure it is in a position to draw down the security in cases where a developer fails to satisfactorily complete a residential/or other use development, or phase of a development, within the specified period.

Conditions requiring a bond or security will be applied to developments to be taken in charge and developments not to be taken in charge.

Where a development is completed in accordance with the planning permission and the standards set out in this protocol, the security will be released, subsequent to the taking in charge process being satisfactorily complied with. In the case of development not to be taken in charge where such a development is completed in accordance with the planning permission and the standards set out in this protocol the security will be released.

In the event that the development is not in compliance with the required standards as outlined in this document or as required by applicable regulations and standards, the bond/security will be retained in proportion to the value of the outstanding works.

It is a matter for the planning authority to determine both the level of the security and the type of security (e.g. the lodgment of a bond from a financial institution - e.g. bank, insurance company, building society - a cash lodgment or a letter of guarantee from the Construction Industry Federation) that will be required for each development permitted, and what such security provides for. The amount of the security, and the terms on which it is required to be given, must enable South Dublin County Council, without cost to itself, to complete the necessary services (including roads, footpaths, water mains, sewers, lighting and open space etc.) to a satisfactory standard in the event of default by the developer and to provide for any risk liabilities of the Council arising from a developer not adhering to the terms of a permission or completing a development satisfactorily. South Dublin County Council will also ensure that, when using time-limited bonds, the bond is of sufficient duration to allow them time to inspect the development after the expiration of permission or such other time period as may be conditioned in a permission, and still call in the bond if necessary. The local authority will extend time-limited bonds to the extent that an adequate bond is in place at all times in developments where completion works are ongoing.

A security condition must also provide for the recalculation of the amount specified in the condition by reference to the Tender Cost Index (other indices in use by the authority) if the development to which the permission relates is not commenced within a specified period after the granting of the permission. The bond obtained should be applied to carry out any outstanding work where needed to ensure that the development is completed to a satisfactory standard.

Attached as an example at appendix 3 is a sample wording for a bond from a financial institution based on one used by South Dublin County Council.

Conditions in relation to phasing of the development

South Dublin County Council may attach a condition regarding the phasing of the development in order to ensure that residents / owners or occupiers do not have to live in uncompleted developments for lengthy periods.

In devising any phasing arrangement planning authorities will ensure that main sewers, surface water drainage systems, main distributor roads, water mains, public lighting etc., are completed at an appropriate stage so that the first and each subsequent phase will, on completion, be fully serviced and independent in the event of other phases not proceeding or the permission expiring.

Where a development is to be carried out in phases, in the case of drainage specifically, the drainage network will only be made live for that part of the development that is under construction or has been constructed i.e. where drainage services are required. Manholes will be constructed at the intersection of the different phases. The inlet pipe for the next phase may be built into this manhole however the line shall be sealed with concrete at the manhole. When the developer wishes to commence the next phase, the Drainage Maintenance Section shall be notified and a new sewer connection shall be applied for in order to "connect" the next phase that is about to be constructed.

3.6 Inspection of construction

Ensuring that residential/ or other use developments are completed in accordance with the planning permission is an essential part of South Dublin County Council's comprehensive taking in charge policy.

The construction of the development may be regularly inspected by South Dublin County Council to ensure satisfactory completion in accordance with the permission. South Dublin County Council must be satisfied that, when the developer has ceased construction or notified the planning authority that construction is complete, or after the planning permission has expired, that the development is properly completed in line with the planning permission and, where it is not properly completed, to take early and effective enforcement action or retain the bond/security required to achieve completion to the required standards.

3.7 Enforcement action

Enforcement action will be initiated upon receipt of a formal complaint, and pursued if expedient in the case of developments that have not been completed in accordance with the terms of the permission.

4. Responding to a request for Taking in Charge

4.1 Procedure/protocol

A procedure exists for the taking in charge of a development in response to a request from a developer. The protocol adopted sets out each step in the taking in charge process and accompanying time frames. The taking in charge protocol also specifies the documentation/evidence that will be required from the developer to show that the development is satisfactorily completed: a sample list of acceptable evidence is attached at appendix 5.

4.2 Request for Standard Information

Upon receipt of a request for a development to be taken in charge, the local authority will issue the Developer with a copy of a standard letter detailing the information required for taking in charge. The letter will include a sample drawing in PDF/J-PEG format showing details, Conventions and the standard required by the Local Authority.

The developer may also access this information via internet links to the Roads Forward Planning and Building Control section of South Dublin County Council website (<http://planning.southdublin.ie>).

3 no. standard forms are available to download:

1. A standard Taking in Charge request form (TIC Form 1)
2. A standard letter outlining the information required on "as constructed" drawings for Taking in Charge (TIC Form 2)
3. A typical example drawing in PDF format to illustrate the standard and the layout type which is required for taking in charge. (TIC Form 3)

The Developer will **provide the required personnel** to assist the local authority staff in checking the information supplied on the "as-constructed drawings".

The Developer will also be required to submit a **letter of compliance** from a **Consulting Engineer** stating that all Civil Engineering works have been carried out in accordance with the drawings and specification. If no drawings and specification exist, i.e. they were never submitted as part of the planning process, then the Consulting Engineer will be required to certify and state the standard to which all works have been constructed.

A copy of the Consulting Engineers professional indemnity certificate is also required.

4.3 Sample protocol. Example

(i) Within 2 weeks from receipt of the request for taking in charge, the Roads Forward Planning and Building Control (RFP&BC) Department will acknowledge receipt of the request and the "as constructed drawings" and any way leaves submitted. These drawings must be an accurate representation of the position of all site services and fixtures. The council will not be providing a checking service and all information supplied will inform the TIC drawings. Inaccuracy may lead to objections and ultimately re-submission of TIC applications at considerable expense to the developer.

(ii) Within 12 weeks of receipt of the request for taking in charge, the RFP & BC department will in conjunction with the developer, carry out a comprehensive inspection of the development or phase of development; and notify the developer in writing of all outstanding issues remaining to be addressed in relation to the satisfactory completion of the development.

(iii) The developer will within 12 weeks of receipt of details of outstanding issues from the RFP & BC department, arrange for completion of the said works, and notify the authority when works are completed. If works cannot be carried out within that period the developer must notify the authority as to when the works will be completed.

(iv) The authority will, within 10 weeks of being notified of completion of the works at (iii), arrange for final inspection of the development to determine the satisfactory completion of the said outstanding issues as identified at (ii).

(v) Upon final inspection of the development or phase of the development and satisfactory completion of the works, the roads authority will proceed to take the development or phase of the development in charge, under the provisions of Section 11(i) of the Roads Act, 1993 and in compliance with Section 180 of the Planning and Development Act 2000. All reasonable efforts shall be utilised to ensure that formal procedures are completed for the taking in charge process with minimum delay. On completion of the formal process the planning authority will release that element of the security lodged to secure completion of the works.

(vi) The developer will vest in the local authority (at no cost to the authority) all public areas, including open spaces, which have been designated for taking in charge.

5. Planning conditions relating to management arrangements.

5.1 Traditional housing estates

South Dublin County will not require management companies for traditional housing estates (that is estates of houses with individual private gardens) except in the most exceptional circumstances, e.g. to maintain a specific facility in that estate which is for residents use only (such as a private playground) or in the case of holiday homes.

5.2 Multi-unit structures

Management companies are normally necessary for multi-unit structures (i.e. apartments and/or apartments and duplex houses) of four dwellings or more. In such developments management companies are necessary to maintain:

- *shared exteriors* of buildings: e.g. external walls and roofs;
- *shared internal areas*: e.g. stairways, corridors, lifts and lobbies etc.

Subject to further legislation in this area, provision for property management arrangements (e.g. the establishment and operation of a management company) for developments containing multi-unit structures is made in the legal documentation underpinning the development and the sale of units.

South Dublin County Council will attach a condition in relation to management company/other management arrangements in the case of such structures.

5.3 Other instances where it may be appropriate to condition management arrangements

The circumstances where South Dublin County Council may attach a planning condition requiring the establishment of a management company may include the following:

(a) In developments comprising houses, apartments, duplexes or a mix of any of these, to maintain *external private shared facilities* that are exclusive to the development (e.g. *boiler houses, switch rooms, bin storage areas communal private gardens/private open spaces, private playgrounds*), where a management company is considered essential having regard to the nature and scale of such facilities.

(b) In developments comprising houses, apartments, duplexes or a mix of any of these, to maintain facilities which though not necessarily inaccessible to the general public, *are not required to be taken in charge, in accordance with this document*, e.g. facilities such as highly landscaped open spaces, allocated car park spaces.

In the case of (a) and (b) above South Dublin County Council may consider whether a management company would be necessary having regard to the extent of the facilities to be maintained and the extent of the maintenance that will be required.

(c) To maintain *holiday home developments*, that is, residential/ or other use developments where planning permission was granted, on the basis that the residential units are holiday homes, or residential developments used entirely for short-term letting.

6. Dealing with requests relating to older estates

6.1 General

The adoption and proactive implementation of a taking in charge policy based on the framework set out in this document, in relation to residential/ or other use developments to be built in the future, will ensure that they are completed in accordance with the planning permission within the lifetime of the permission, or, if they are not, that early enforcement action is taken or the bond is called in, so that the necessary works are carried out promptly. Also, as the prompt production of documents/evidence by the developer to show that the residential/ or other use developments is completed properly will be a condition of the planning permission, there should be no delays in the production of such documentation in the future. Accordingly, in the future the planning authority should be in a position to take in charge residential/ or other use developments more efficiently upon requests to do so.

6.2 Assessing/categorising requests

In relation to those requests for taking in charge estates currently on hand where the planning permission has expired, South Dublin County Council will endeavour to assess the status of such estates. These will generally fall into the following categories:

- Estates which have been completed to taking in charge standard but not yet taken in charge
- Estates which have not been completed in accordance with the terms of the permission and where enforcement action/calling in the bond is still possible
- Estates which have not been completed in accordance with the terms of the permission and enforcement action was not taken within the specified period
- Estates which have not been completed in accordance with the terms of the permission and enforcement action was taken, but was unsuccessful

New requests for taking in charge of estates must be promptly assessed and then dealt with in accordance with the procedures set out below.

6.3 Estates satisfactorily completed

Where an estate is inspected and certified as being completed in accordance with the terms of the planning permission, it will be taken in charge on foot of a request to do so, not later than 6 months from the date of the request.

6.4 List for estates not completed satisfactorily

A list will be drawn up of requests from residents for the taking in charge of uncompleted estates, taking into account such factors as the date of application, the condition of the estate and the length of time it has been left unfinished. New requests for the taking in charge of unfinished estates will be added to the priority list, as appropriate.

All unfinished estates which are the subject of a request to be taken in charge will be kept on this list, including estates where it may be possible to have the estate completed at the expense of the developer, through enforcement action or calling in the bond so that these estates remain on the priority list for remedial works by the planning authority in the event that enforcement action or calling in the bond fails.

6.5 Action in relation to uncompleted estates

Any of the actions already referred to that are still possible in terms of getting the estate completed other than at the expense of the planning authority will be pursued as a priority.

6.6. Remedial works by the planning authority

In accordance with section 180(2) of the Planning and Development Act 2000 and the guidance set out in this document, unfinished estates will have to be taken in charge where the majority of qualified electors residing in the development so request and it follows that where enforcement action or calling in the bond is not possible, or has been unsuccessful, the authority will ultimately have to complete such developments to taking in charge standard subject to the availability of sufficient funding from local authority resources.

6.7 Monitoring and review.

As part of the overall review and update of the local government service indicators, a new indicator in relation to the taking in charge of estates has been introduced.

This provides a benchmark for data in 2009 and subsequent years for monitoring the taking in charge process, and in particular the priority being accorded by individual local authorities to the taking in charge of unfinished or legacy estates.

6.8 Other exceptional items

From time to time exceptional items arise to be Taken in Charge. Such items could include a section of road, a sewer or drain, a park, an attenuation area, a road or pedestrian bridge amongst others. In certain cases, no Bond or other form of security may exist and it may fall on the council to bring the item to Taking in Charge standard at its own expense. In such cases a detailed report will be provided in order that full costs can be determined and inform the council's decision on whether or not to proceed with Taking in Charge procedures.

Appendix 1 – Example of good inspection practice

The following procedure for inspecting the construction of residential/or other use developments has been adopted by South Dublin County Council.

Example

- (i) On receipt of the Commencement Notice a Taking in Charge file is opened for each residential/ or other use development;
- (ii) The commencement notice and all requests for inspections and other correspondence arising from the process are formally acknowledged;
- (iii) A calendar of inspections, tied to the projected completion of the development, including such phasing as may be conditioned in the Grant of Permission or agreed by the planning authority, is set out in the Taking in Charge file at the outset;
- (iv) The record of such inspections and/or testing is held on the Taking in Charge file;
- (v) Failure to adhere to programmes, to notify the authority in relation to inspections and testing or other such breaches is referred for Enforcement Action commencing with the issuing of the statutory Warning Notice, copies of which are held in the Taking in Charge file;
- (vi) The record of such Final Inspections and/or Testing is kept on file and the file is retained by the authority for future reference.

Appendix 2 – Guidance, Standards etc.

All relevant current best practice guidance and relevant codes and standards related to this policy document include

- Guidelines on Quality Housing for Sustainable Communities (March 2007);
- Guidelines for Planning Authorities on Design Standards for New Apartments (September 2007);

- Updated Residential Density Guidelines (Draft Guidelines on Sustainable Residential Development in Urban Areas currently available for public consultation); and
- Guidance in relation to a framework policy for the taking in charge of residential developments by planning authorities (February 2008).
- Current Building Regulations and Building Control Legislation
- The Specification for the Laying of Water Mains (current edition)
- Bye-Laws for the Management of water Services and the Conservation of Drinking Water 2004
- Recommendations for Site Development Works for Housing Areas – Department of Environment and Local Government (1998)
- Traffic Management Guidelines (latest edition)
- Provision of cycle facilities National manual for Urban Areas
- Traffic Signs Manual (latest edition)
- Guidelines and Tender Documentation for Road Marking Materials(latest edition)
- South Dublin County Councils 'Access Audit Brief''
- Latest edition of the WRC (Water Research Council) Sewerage Rehabilitation Manual
- Greater Dublin Regional Code of Practice for Drainage Works (latest edition)
- EN13201:2015 – Road Lighting
- BS5489: 2013 – Code of practice for the design of road lighting (Lighting of roads and public amenity areas)
- South Dublin County Council Public Lighting Specification (latest edition)

Appendix 3 – Sample Bond Agreement

KNOW ALL MEN BY THESE PRESENTS that we:

_____ of _____ hereinafter called "the Developer" and

_____ (hereinafter called "the Surety") are jointly and severally bound unto **THE COUNTY COUNCIL OF THE COUNTY OF SOUTH DUBLIN** (hereinafter called "the Planning authority") in the sum of € to be paid to the Planning authority its Successors and Assigns jointly and severally by these presents.

SEALED this day of 2009.

WHEREAS THE Developer has received Planning Permission (planning Register Reference No. refers), a certified copy of which is annexed hereto, for the development of lands for house building at _____ and the planning permission has required security to be lodged with the Planning Authority for the carrying out and completion of the development in accordance with the said permission.

NOW the condition of the said Bond is that if the Developer shall carry out and complete the said development in accordance with the said permission or if on default by the Developer the Surety shall pay to the Planning authority the sum of € _____ then this Bond shall be null and void.

But otherwise it shall remain in full force and virtue until the local authority certifies the permitted development to be completed satisfactorily and in compliance with the planning permission referred to above and without prejudice to its own rights under the said Permission the Planning authority shall insofar as may be lawful permit the surety to perform the conditions and provisions of the said Permission which the Developer shall have failed to perform or observe.

No liability shall attach to the Surety under this Bond in consequence of any delay or damage directly or indirectly due or arising out of war, invasion, act of foreign enemy, hostilities (whether war be declared or not), Civil War, rebellion, revolution, insurrection or military or usurped power.

THIS BOND provides that all monies which become due and payable by the Surety under the Bond shall be payable and paid in the Republic of Ireland.

IN WITNESS WHEREOF the Developer has hereunto affixed its Common Seal and the Surety has caused this instrument of writing to be signed by its Secretary or Acting Secretary and one of its Directors and its Corporate Seal to be hereunto affixed the day and year first above written.

CORPORATE SEAL of (Developers)
was hereunto affixed in the presence of:

DIRECTOR

SECRETARY Dated the day of 2008
CORPORATE SEAL of (Surety)
was hereunto affixed in the presence of:

DIRECTOR

SECRETARY
Dated the day of 2009

Appendix 4 - Taking in Charge Checklist

Before consideration can be given to a request for Taking in Charge the following documentation should be submitted:

- 'As Constructed' drawings [Geo correct to Ordinance Survey (OSI), National co-ordinates for location of manholes, hydrants, sluice valves and air valves etc. provided] in Autocad format on disc and hard copy as required. These drawings must show clearly the development, including, water (coloured blue), drainage F/S (coloured red) and S/W (coloured green) and their connection points to the existing services. Public lighting and other utility services are also to be included on the 'as constructed' drawings.
- Confirmation by the Architect/Engineer responsible for the development that the works have been completed in accordance with the Planning Permission granted and the current Building Regulations.
- Ordinance Survey (OS) Place maps of appropriate scale, such maps to include folio numbers of lands to be transferred.

Formal taking in charge Checklist

Prior to accepting a development for Taking in Charge, the requirements of the following must be inspected and assessed for compliance. Compliance is assessed in accordance with specific codes / standards and requirements as identified in the Taking in Charge Policy and updates thereto. These relate to;

- Building Standards
- Public lighting
- Roads and footpaths
- Watermains
- Surface Water Sewers
- Foul Sewers
- Open Spaces

Checklist:

- Is the development an authorised development?
- Is the development constructed in accordance with the planning permission granted?
- Are all development contributions paid in full?
- Are all connection fees paid in full?
- Has a certificate of compliance with planning permission granted been submitted by a suitably qualified person, who holds professional indemnity insurance?
- Is there a management company associated with the development of an area associated with the development?

- Is the Housing Estate Name Agreed with South Dublin County Council in accordance with proper protocol i.e. planning permission provided?
- Has the developer submitted the official translations of the proposed estate / road names together with appropriate digital images clearly showing all such signage in situ?
- Has the Developer submitted a formal request– “Application to have Development taken in charge by South Dublin County Council”?
- Is the application form certified by a suitably qualified person, who holds professional indemnity insurance?
- Has the Developer submitted a copy of the Safety File certified by the Project Supervisor Design Stage, who holds professional indemnity insurance?
- Is there a bond or security lodged with the Planning Authority which will not be released until the satisfactory completion of the works?
- Is there a requirement with regard to wayleaves?
- Has the Developer submitted evidence to the Council that all necessary wayleaves for services are reserved forever in the transfer documentation to house purchasers?
- Has adequate provision been made for access to wayleaves for inspection or maintenance?
- Can the access to wayleaves be kept free of development for inspection or maintenance purposes?
- Should the use or development of land within a wayleave be restricted and any development or change of use be required to be subject to planning permission?
- Has the developer submitted an electronic copy of “as constructed in plan” drawings of the development to the Council?
- Has completed condition survey of the pavement, footpaths, cycle ways and road crossings been submitted?
- Is any necessary fire certification in place?
- Do the drawings indicate the following information:
 - The estate boundary depicted in red
 - open spaces coloured green
 - all roads, footpaths
 - public lights
 - The house numbers clearly identifiable
 - The road nameplates and locations detailed
 - Name Plate at housing estate entrance
 - The details and location of road markings and signage including any traffic calming interventions
 - Road Gully location details
 - Watermains, including sizes and materials, and location of all associated plant, valves, hydrants etc.
 - Foul Sewers, including sizes and materials and location of all associated plant, manholes, AJs, etc
 - Surface Water Sewers including sizes and materials and locations of all plant, tanks, swales, manholes, etc.
 - CCTV Surveys and reports

- Certified Results of strength, pressure and air tests carried out on gravity and pressure sewers and watermains
- The invert and cover levels of all manholes to Malin Head Ordnance Datum, shown in table form off the area of the plan layout map, priority given to the main drainage.
- The gradients of all sewer sections indicated on the drawings
- Telecom ducts/poles, junction boxes
- ESB ducts/poles, junction boxes
- Cablelink ducts and all manholes.

For office Use only

Has General inspection by Local Authority Inspectors been carried out in respect of:

- Public lighting.
- Roads and footpaths.
- Watermains.
- Surface Water Sewers.
- Foul Sewers.
- Open Spaces.
- Other services etc
- Is a return inspection required by Local Authority Inspectors in respect of:
 - Public lighting.
 - Roads and footpaths.
 - Watermains.
 - Surface Water Sewers.
 - Foul Sewers.
 - Open Spaces.
- Has appropriate fee been deducted from bond/security for return inspection?
- Fee Amount.
- Have items found to be incomplete or not up to the required standard, on previous inspection been corrected by the Developer at his own expense.
- Final inspection where taking in charge can be recommended.
- Is the estate satisfactory in all respects of the previous inspections,
- No fee required.
- Is the Developer in a position to transfer or convey to South Dublin County Council, at his expense, all of the land contained in the planning permission affected by this taking in charge.

Appendix 5 - Standards, Codes and Requirements

Sample list of evidence to be produced by the developer to demonstrate completion of estate to the appropriate standards.

Drawings/plans etc referred to should be provided in electronic format only.

- Evidence that all necessary way leaves for services are reserved forever in the transfer documentation to house purchasers.
- Copies of "as constructed" drawings (scale 1: 1000) of the development shall be submitted to the Council. The drawings shall indicate the following information:
 - The estate boundary depicted in red, open spaces coloured green, all roads, footpaths and public lights.
 - All services including water mains, valves, hydrants, sewers, road gullies, Telecom ducts/poles, ESB ducts/poles, Public Lighting ducts/poles, Cable TV ducts and all manholes. The invert and cover levels of all manholes shall be indicated relative to Malin Head Ordnance Datum. The gradients of all sewer sections shall be indicated on the drawings.
- Test results duly certified showing output in litres per minute from all fire hydrants in the development
- A CCTV survey/manhole survey completed at the developer's expense, of the collection systems as conditioned in the relevant planning permission. The sewers to be surveyed to be thoroughly cleaned out first and the CCTV Survey to be carried out using a camera which is capable of measuring distances from one manhole to another. The CCTV Survey report also to include a summary of any defects in the systems to be corrected by the Developer at his own expense.
- A drainage layout plan of as-constructed sewers shall be submitted in electronic format showing a detailed survey of each manhole, sewer structure and a digitised layout of the as-constructed housing estate. The manhole survey and digitised layout of the estate shall be prepared to national grid co-ordinates. The invert and cover levels of the manholes shall be indicated relative to Malin Ordnance datum.

Note: the foregoing is issued for guidance only. In certain cases it will be necessary to agree with the planning authority, prior to the commencement of the development, the full details to be supplied by the developer. Certain additional legal agreements may also be required, including for example wayleaves and adequate provision for access to wayleaves for inspection and maintenance or the imposing of limitations on the use or development of land within a wayleave.

**Specification and Completion Standards for:
Roads, hard surface construction, water, drainage, public lighting
and open space.**

Road and hard surface construction and completion standards and public lighting requirements shall be to the following guidelines/standards or equivalent best practice.

ROADS, FOOTPATHS

The roads and footpaths shall be taken in charge in conjunction with watermains, sewers and open spaces.

- No road or footpath will be taken in charge unless all underground infrastructure is inspected and passed i.e. all utility services inspected, tested, passed and fully operational for all the existing and future dwellings in the area.(Reason: to ensure that the lifespan of the road is not reduced by subsequent road openings to rectify services).
- Roads shall be constructed in accordance with Appendix 6 of this policy, and if not covered by Appendix 6, then with Section 2 of "Recommendations for Site Development Works for Housing Areas", with the exception of Section 2.24 (Surface Dressing) as surface dressing will not be accepted as a surfacing layer in Housing Estates.
- Footpaths shall be constructed in accordance with Section 2 of "Recommendations for Site Development Works for Housing Areas" (Available from Government Publications Sale Office, Sun Alliance House, Molesworth Street, Dublin 2 – Tel: 01 – 6613111)
- All pavement joints shall be properly designed, constructed and sealed with an approved bitumen seal.
- Road and footpath construction shall address and include for the needs of vulnerable and disabled road users. There shall be no steps in footpath construction. The Design and construction shall satisfy the requirements set out in the "Traffic Management Guidelines" Department of Environment, Department of Transport & DTO. (Available from Government Publications Sale Office, Sun Alliance House, Molesworth Street, Dublin 2 – Tel: 01 – 6613111.
- Cycle facilities shall be provided for in accordance with the "Provision of cycle facilities National manual for Urban Areas" Department of Environment, DTO. (Available from Government Publications Sale Office, Sun Alliance House, Molesworth Street, Dublin 2 – Tel: 01 – 6613111.
- Road Marking and Signing shall comply with the "Traffic Signs Manual" Department of Environment. (Available from Government Publications Sale Office, Sun Alliance House, Molesworth Street, Dublin 2 – Tel: 01 – 6613111.
- All road markings shall be the permanent road markings as specified in the Dept of Environment manual "Guidelines and

Tender Documentation for Road Marking Materials” (pink book),
The Local Authority reserves the right to withhold an agreed sum of money to test the road markings after the prescribed time.

- Timber post and rail fencing shall comply with the requirements set out in IS435 (Parts 1-3) or equivalent specification. Other roadside boundaries shall be provided in accordance with the principal of forgiving roadsides. (Reason: to reduce injuries in the event of a collision with the roadside boundary).
- A Post-Construction Road User Audit shall be submitted as part of the taking in charge process. This audit shall be carried out by a competent independent person who holds professional indemnity insurance up to €500,000 for the purpose of signing such forms in accordance with South Dublin County Councils 'Access Audit Brief". The purpose of the audit is to ensure that the scheme is designed in accordance with the council's policy for walking, cycling and mobility/sensory impaired road users along with private and public transport road users.
- All manhole covers and frames in public property shall comply with Standard I.S. /EN 124:1994 and Loading Class D400 or equivalent specification – See Appendix 7. The manhole covers shall be constructed using an approved bitumen flexible fixing system.
- All ironwork in the hard pavement network shall be constructed using an approved bitumen flexible fixing system.
- A condition survey of the pavement, footpaths, cycle ways and road crossings with the list of defects having been identified and certification by a qualified competent person that lists of remedial measures as agreed with South Dublin County Council Transportation Department have been carried out should accompany the taking in charge application.
- Falling Weight Deflectometer (FWD) Tests to determine the strength of sub-grade and permanent layers for roads showing major signs of deterioration together with certification that the list of remedial works as agreed with South Dublin County Council, Roads Forward Planning and Building Control Department have been carried out, shall form part of the taking in charge procedure.
- South Dublin County Council may require the carrying out of core tests in conjunction with the FWD tests or as an alternative. Type of tests required shall be agreed in advance of the taking in charge process.
- All road gully ratings shall be of an approved lockable type to Standard I.S. /EN 124:1994 and Loading or equivalent specification.

DRAINAGE

All **Storm** Drainage shall be in accordance with the Greater Dublin Regional Code of Practice for drainage works (latest edition).

All **Foul** Drainage shall be in accordance with the Irish Water Code of Practice for Wastewater Infrastructure and Wastewater Infrastructure Standard Details (latest editions).

TAKING IN CHARGE/POST CONSTRUCTION CERTIFICATION.

Only drainage infrastructure which has been constructed to the required standard will be "taken in charge". All defects identified during post construction surveys will have to be rectified at the Developers expense before the infrastructure is "taken in charge".

- 1.** All drainage works are to be constructed to the requirements of the relevant Code of Practice, and any additional requirements of the relevant Authority
- 2.** On completion of construction works, all sewers shall be thoroughly cleansed, ensuring that no construction material reaches the public sewerage system. They shall be maintained in a clean and serviceable condition, prior to them being taken in charge
- 3.** A condition survey shall be carried out, at the Developer's expense, on all main pipelines to the requirement of the Local Sanitary Authority. This is to include a CCTV survey and a written report as specified in the latest edition of the WRC (Water Research Council) Sewerage Rehabilitation Manual.
- 4.** Detailed "as-constructed" drainage layouts, both hard copy and **digital** copy, in an approved format, are to be submitted by the Developer to the Local Sanitary Authority for written approval. The as constructed package must include the following;
 - 4.1.** Manhole's Easting and Northing co-ordinates cover and invert level, upstream and downstream pipe diameter, material and direction of flow.
 - 4.2.** The layout should be accurately positioned (+/- 300mm relative to local detail) on the latest published version of the ordnance survey 1:1000 series.
 - 4.3.** All dimensions shall be metric.
 - 4.4.** All levels must be related to Ordnance Survey Datum, Malin Head, to an accuracy of +/- 25mm and stating which benchmark was used.
 - 4.5.** A list of the National Grid Co-ordinates (accurate to +/- 300mm) for the manholes should be supplied.
- 5.** Drawings shall be prepared to the format shown in Chapter 5 of the Greater Dublin Regional Drainage Code of Practice.
- 6.** South Dublin County Council may require quality control checks to be carried out on site, to verify the "as-constructed" package, under the supervision of the Local Sanitary Authority.

WATER

The Code of Practice and Specification for the laying of watermains can be found on the Irish Water website

(<https://www.water.ie/connections/Code-of-Practice-for-Water-Supply.pdf>)

- New watermains and connections are only permitted after Irish Water are satisfied that they are laid and tested in accordance with specification and bye-laws, and that pressure, chlorination and bacteriological tests have been carried out and approved. The Developer shall furnish a certificate that the development has been carried out in accordance with the latest revision of these documents.
- The water service connection to each property e.g. house, shall be taken in charge to within 225mm outside of the boundary of private property, and a stop cock / water service control unit should be located just outside this point.
- All watermains, valves, stopcocks and fire hydrants are to be located in public footpath or roadway, insofar as possible. A separate stopcock or shut-off valve shall be fitted within each house.
- The Developer shall liaise with Irish Water 'Connections & Developer Services' in advance in relation to pumps or specialist connections. Full details of any pumps provided, including specification and manufacturers manuals. Full detail of control panels and system
- The Developer shall furnish evidence to Irish Water that all necessary wayleaves for watermains and services are in place and that access to wayleaves for inspection and maintenance has been provided for, and that such access shall be kept free of any development
- The Developer shall indicate restrictions, if any, imposed on the use or development of land within a wayleave, that have been or are to be imposed on the owners or occupiers of land within such wayleaves
- The developer shall submit all water drawings/plans in digital format to adhere to the following:
 - A single plan drawing is submitted per development, on Compact Disc
 - All drawings to be in DXF (Data Exchange File) CAD format
 - Water Pipes & Water Plant to be on a separate layer

- All Drawings to be geo-coordinated & Scaled to the Ordnance Survey Ireland Irish National Grid
- There should be no reference files (Xref) attached to the submitted drawings
- All Drawings to be in Vector format with no attached rasters.
- Estate and road names to be contained on the drawings (if available), &. appropriately located
- No. of Individual Dwelling units within each specific development to be indicated on the drawings
- All supplied media to be scanned & confirmed virus free

PUBLIC LIGHTING

- Copy of written approval of original design submission and written approval of any changes
- 'As constructed' geo referenced CAD drawing in soft format showing the following information:
 - Street Names
 - House numbers
 - Individually numbered column locations. The icon scale should be such that set back can be accurately assessed
 - Ducting locations
 - Cable access chambers
 - Individually numbered micro pillar locations
 - ESB cabinet locations
 - Individually numbered single line circuit diagrams

Private areas not to be taken in charge shall be hatched and identified. Failure to provide this information in this format will result in delays in the inspection process and ultimately non release of MPRN numbers and refusal to take in charge of the lighting infrastructure.

OPEN SPACES

The development and landscaping of open spaces shall be carried out in accordance with the planning permission granted and the attached specification.

- The developer/Landscape Architect shall submit a Certificate of Effective Completion of Landscape Works and that they are in accordance with the lodged plans and particulars.
- A defects maintenance period of 24 months shall commence from the date of the Certificate.
- The developer may be requested as part of the taking in charge process, to dig trial holes at his own expense at specific locations chosen by the local authority to confirm that there is no unauthorised disposal of waste on the site.
- On completion of the defects maintenance period and any remedial works considered necessary, the developer shall commence the taking-in charge process by:
 - submitting as constructed drawings of the open space areas to be taken in charge.
 - submitting O.S. Place maps of appropriate scale, such maps to include folio numbers of lands to be transferred.
 - submitting a Draft Deed of Transfer for the lands to be transferred.
- The lodged documents will be checked and verified by the Development and Law Departments.
- On confirmation from both Departments that the documents are in order, the Parks and Landscape Services Department shall assume responsibility for the maintenance and upkeep of the open spaces.
- The Development/Law Departments to complete the land transfer process and register the lands in the Council's ownership within one year of taking in charge.

Open Space/Landscaping Specifications/Standards:
[Guidelines for Open Space Development and Taking in Charge](#)