



TAKING IN CHARGE POLICY STATEMENT

**PLANNING AND BUILDING CONTROL
JUNE 2008**

TAKING IN CHARGE POLICY STATEMENT

INTRODUCTION:

The aim of this policy statement on 'Taking in Charge' of private residential estates is to ensure that the taking in charge process is integrated into every aspect of the planning process, from the formulation of the County Development plan right through the development control and construction phases of a residential development. This document will provide a mechanism for ensuring that the taking in charge private residential developments can be completed within a specified timeframe. This document will inform the residents, developers and their agents of the Council's policy and procedures for taking private residential developments in charge.

BACKGROUND:

The only policy statement in the Kildare County Development Plan 2005 – 2011 relating to taking in charge of private residential estates and the use of management companies is set out in Section 15.3.5 of the Plan. This section sets out the Council's policy *'that management companies are not required and not envisaged for conventional housing developments other than apartment developments'* which are not taken in charge by the Council. In this section of the Plan, the Council undertook to review and assess any issues or difficulties arising from the implementation of the policy.

In April 2006, Building Control Section presented a report to full Council that categorised all private housing developments (in terms of age) in the County that would be taken in charge by the Council. That report contained a strategy for dealing with the older and abandoned estates in the County. The Building Control Section is still working with developers and residents associations throughout the county to deliver on that strategy.

The April 2006 document broadly sets out the Council's policy with regard to the taking in charge of private residential developments.

In March 2007, the Department of Environment, Heritage and Local Government (DEHLG) issued a circular letter (PD/07) with regard to taking in charge of residential developments. The circular states that *'the Minister considers that a comprehensive taking in charge policy should be adopted by local authorities and it should be the aim of authorities to take in charge residential estates as soon as possible after a request to take in charge is received.'*

In February 2008, the Department of Environment, Heritage and Local Government (DEHLG) issued a circular letter (PD 1/08) on the subject of taking in charge of private residential estates. This circular requires Planning Authority's to develop or

update their taking policy on the basis of a framework document annexed to the circular.

This detailed policy document is prepared in response to circulars PD 1/08, previous department circulars and to the issues/difficulties that have arisen in implementing the Council's policy on management companies as set out in S. 15.3.5 of the County Development Plan.

POLICY APPROACH:

It is felt that the current policy statement in the County Plan with regard to taking estates in charge does not affirm the Council's proactive role in taking estates in charge. There is currently no policy statement in the Local Area Plans with regard to the taking in charge of private residential estates. It is proposed that this document will be referred to in future County Development and Local Area Plans as setting out the Council's policy and procedures for taking in charge of private residential estates.

The 'Taking in Charge' of private residential estates must be integrated into every aspect of the development process.

The Council's policy on the 'Taking in Charge' of private residential developments must be set out in the strongest possible terms at the earliest point in the development process. The County Development Plan, Local Area Plans and Area Action plans should all include statements setting out the Council's policy on taking in charge of private residential developments and the limited development types where the Council considers it acceptable to use management companies. The County Development Plan, Local Area Plans should also provide guidance for the type of management companies that the Council considers to be appropriate.

It is essential that the taking in charge of a residential development be considered from the beginning of the development management process. To ensure this, the Council will require developers to include certain documentation (which will be detailed later in this report) as part of the planning application for residential developments.

It is recommended that Building Control staff attend any pre-planning meetings for new residential developments.

The permissions for such developments will also include conditions that facilitate and ensure the taking in charge of estates within an acceptable time frame once they have been complete in accordance with the planning permission and to the satisfaction of the planning authority.

It is proposed to set out the standards and procedures that developers must follow in undertaking residential developments. The planning permissions for such developments currently include conditions setting out the standards to be complied with by developers. This document will confirm these standards and set out the investigations and testing that developers must undertake before estates are taken in charge.

It is also proposed to set out the timeframe and procedures for taking estates in charge to ensure that all of the Council's requirements have been met.

Finally, it is proposed to reaffirm the Council's policy and procedures for taking in charge older/abandoned residential estates.

DEVELOPMENT AND LOCAL AREA PLANS:

This document should be referred to in future County Development Plan, Local Area Plans and Area Action Plans as setting out the Council's detailed policy and requirements for taking private residential developments in charge. In addition, these plans should contain the following policy statements:

- It is the policy of Kildare County Council to take the conventional housing element of residential developments in charge once they have been completed to the satisfaction of the planning authority.
- In mixed developments that consist of 'conventional houses', apartments and commercial/retails developments, the public infrastructure should be laid out and constructed in such a manner so that there is a clear distinction between the areas and infrastructure that are to be taken in charge and those that will be managed and maintained by a management company
- Kildare County Council recognises that certain development types, (such as apartment blocks or developments that consist predominantly of apartment blocks and where it would not be practical to isolate the infrastructure serving the apartment blocks from other the conventional housing element of the development) require the creation of management companies to manage and maintain the communal areas in the development.
- In developments where management companies are required, these companies should be constituted in accordance with 'The Draft Guidelines on the Governance of Apartment Owners' Management Companies (published by the Office of the Director of Corporate Enforcement, Dec. 2006) or any future national legislation or guidelines.
- Where management companies have been formed for conventional housing estates or for the conventional housing element of mixed use estates, the County Council will take these estates in charge when they have been completed to the satisfaction of the County Council on condition that the management company is wound up when the estate has been taken in charge. Once the estate is in charge it will be a matter for the residents of the estate to

organise and arrange for the management and maintenance of the public open spaces in the estate. This could be done either through the residents associations or some form of voluntary co-operation. The Council will continue to assist residents in maintaining the public open spaces. The level of assistance will be dependant on the availability of resources

- In the limited number of cases where control of the management company has transferred to the residents of the estate and where the residents wish to retain the company **solely for the management and maintenance of the public open spaces and for no other purpose or function**. The Council will consider proposals from the residents of an estate to retain the management company on this basis once the estate has been taken in charge. Each individual case will be assessed on its merits.

It is recommended that public open spaces that are provided as part of residential developments (particularly the older/abandoned estates) be zoned as 'Open Space and Amenity' in future Local Area Plans.

DEVELOPMENT MANAGEMENT PROCESS:

The taking in charge of new residential developments will be integrated into the development management process at the earliest possible stage. To ensure this, Building Control staff will be involved at any pre-planning meetings for residential developments and the Council will require developers to include certain documentation (detailed below) as part of the planning application for residential developments. The permissions for such developments will also include conditions that ensure compliance with the Council's policy of taking estates in charge within an acceptable time frame.

Documents to be submitted with a planning application:

When making a planning application for a development that is to be taken in charge by the County Council the applicant must provide the following documents and information.

- (a) A site layout plan to scale 1:500 showing the areas of the estate that will subsequently be taken in charge by the County Council. This layout should identify the infrastructure and services that will be taken in charge. Typically this would include:
 - Public roads and footpaths
 - Unallocated surface parking areas
 - Public lighting
 - Fire services including fire hydrants
 - Public water supply network
 - Foul and storm water public sewers
 - Waste water pumping stations

- Waste water treatment plants and associated buffer zones, potable treatment plants and any associated protection zones.
 - Surface water attenuation systems
 - Public open spaces
 - Playgrounds, where these are required by condition of a planning permission.
- (b) In mixed developments (i.e. developments that are made up of conventional housing, duplex units, apartments, neighbourhood centres, crèches etc.), a plan to scale 1:500 should be submitted that clearly identifies those areas and services that are to be managed and maintained by a management company and those that are to be taken in charge.
- (c) Where a management company is required for a part of or all of a development (apartment developments), details of the proposed management company should be included in the planning application. These details should demonstrate that the proposed management company complies with the Draft Guidelines on the Governance of Apartment Owners' Management Companies (published by the Office of the Director of Corporate Enforcement, Dec. 2006) or any future national legislation or guidelines.
- (d) For larger developments (> 200 units), a plan for the phased taking in charge of the estate should be submitted as part of the planning application. Where appropriate, it is proposed to take larger estates in charge on a phased basis.

Conditions to be included in planning permissions:

In order to ensure that residential developments are taken in charge as soon as is practical after the completion of the development, it is recommended that a number of amended/ additional conditions be included in the planning permissions for the relevant developments.

- These would include conditions requiring the developer to provide specific information, 'as constructed drawings' (ACDs), CCTV surveys and vesting documents **within a specified timeframe**.
- In addition to this a condition requiring the developer to complete any outstanding 'snagging' within **a specified timeframe** of receipt of a final snag list of outstanding defects from the Building Control Section.
- Currently planning permissions issued by Kildare County Council may include a condition for residential developments requiring a performance bond to be put in place until such time as the estate is taken in charge. This wording is not appropriate for developments made up entirely of apartments. It is proposed to amend this condition for apartment developments to require that a bond be kept in place until such time as control of the management company has been transferred to the residents.

The inclusion of such conditions will strengthen the Council's hand in ensuring the completion and taking in charge of estates within an acceptable timeframe and will enable the Council to use the full rigour of the planning enforcement legislation to achieve this objective.

Typical conditions to be included in planning permissions for residential development that will be taken in charge by the County Council:

Within six months of the completion of the last authorised residential unit of the development or within two years of the commencement of the development (whichever is the later), the developer shall provide the planning authority with the following information:

- (i) As constructed drawings to scale 1: 500 showing all roads, footpaths, public sewers and watermains, public open spaces and any other infrastructure to be taken in charge by Kildare County Council.*
- (ii) Vesting maps and documentation transferring ownership of the public open spaces to Kildare County Council.*
- (iii) CCTV surveys of all public sewers that are to be taken in charge and any other tests that the Planning authority might request during the Construction phase of the development.*

Reason: To ensure that the development is completed to an acceptable standard and is taken in charge within an acceptable timeframe.

On completion of all residential units in the development (or in a particular phase of the development,) the Planning Authority will provide the developer with a comprehensive list of all outstanding defects in the areas and infrastructure to be taken in charge. All outstanding defects are to be rectified to the written satisfaction of the Planning Authority within six months of the provision of this list.

Reason: To ensure that the development is completed to an acceptable standard and is taken in charge within an acceptable timeframe.

CONSTRUCTION PHASE OF THE DEVELOPMENT:

Currently, the involvement of Building Control Section in the monitoring of the construction of new residential developments begins when the developer submits a commencement notice for the proposed development. Article 8 of the Building Control Regulations, 1997 requires the developer to submit a commencement notice a minimum of 14 and a maximum of 28 days before the development commences.

On receipt of a valid commencement notice Building Control Section will open a file and write to the developer (start up letter) setting out the Council's requirements with regard to

- (a) Identifying the conditions of the planning permission where the applicant/developer is required to submit information for the approval/agreement of the planning authority.
- (b) Setting out the requirements of the Council regarding the inspections and testing that have to be complied with.
- (c) Identifying the relevant building control inspector who will be dealing with the development, the relevant Area Engineer, Water Services and Environment Engineer in whose area the proposed development is located.

In the case of large sites or where a developer is new to Kildare, there may be an initial 'start up meeting' involving the developer, his agent, Building Control staff and where appropriate the Area Engineer, Water Services or Environment Dept. Engineer.

Inspection Requirements:

As stated above, the start up letter informs the developer which areas and elements of infrastructure that the Council will take in charge, the testing and inspections of that infrastructure that the Council will require. It advises the developer of the advance notice that is required (typically 24 hours) when the relevant element of infrastructure is ready for inspection/testing.

In addition to these notified inspections the Building Control Inspection team will undertake a number of unannounced inspections to ensure that the works carried out in the areas to be taken in charge meet the Council's standards.

Standards and Specifications:

The standards and specifications to be complied with in new residential development undertaken in County Kildare are set out in Section 15 of the County Development Plan 2005-2011.

Section 15.3.12 of the Plan identifies two documents that provide guidance to those proposing to undertake residential developments in the County.

The first document, Design Bulletin 32, residential Roads and Footpaths – Layout Considerations (2nd edition), provides guidance on achieving road layouts that contribute to creating attractive sustainable urban form in residential developments. This document has been superseded by the publication of the Manual for Streets (urban design led road standards), published by (UK) Dept. of Transport, 2007.

In addition to this the Dept. of Environment, Heritage and Local Government (DEHLG) has recently published 'Draft Planning Guidelines on Sustainable Residential Developments in Urban Areas' and the Urban Design Manual – A Best

Practice Guide (a companion document to the Draft Planning Guidelines on Sustainable Residential Developments in Urban Areas), Feb. 2008.

In December 2007, Kildare County Council in conjunction with the NDA, published the draft 'Road and Street Design for All – reasonable Accommodation Initiative'.

These documents should be cited in future LAPs and County Development Plans as the relevant guidance documents for new road and street layouts in residential areas.

The second document referred to in Section 15.3.12 of the Plan is the Recommendations for Site Development Works in Housing Areas (RSDWHA), published in 1998 by DEHLG. This document sets out design and construction standards for roads, footpaths, public lighting, watermains, storm and foul sewers in residential areas. The recommendations in this document are based on a wide range of National, British and E.U. standard documents. A full list of these references is included in Appendix A.

The RSDWHA document sets out the construction standards that must be complied with by those undertaking residential developments in Kildare. Any departure from these standards requires the written consent of the Planning Authority.

The publication of the RSDWHA document predates the widespread use of pumping stations in private residential estates and the requirements for the sustainable disposal of surface water from new developments.

Kildare County Council has specific requirements and standards that must be met in relation to new pumping stations and sewerage treatment plants serving residential development which are set out in Appendix B.

The disposal of surface water from new residential development must be provided in accordance with the requirements of the ' greater Dublin Regional Code of Practice for Drainage Works'.

ENFORCEMENT:

Kildare County Council will use the enforcement procedures set out in Part VIII of the Planning and Development Act, 2000 where developers fail to comply with the relevant planning conditions or the standards set out in this document or in the case where the provision of the necessary infrastructure and facilities does not keep pace with the housing element of the development.

Section 35 of the Planning and Development Act, 2000 as amended by Section 9 of the Strategic Infrastructure Act, 2006 enables a planning Authority to refuse planning permission, without recourse to the High Court, to a developer who has substantially failed to comply with a previous planning permission. Kildare County Council will use the provisions of the acts to refuse planning permission, where appropriate.

POST CONSTRUCTION PHASE:

Following the completion of a residential development, the taking in charge of the development can be done either at the request of the developer or the residents of the estate in accordance with the provisions of S. 180 of the Planning and Development Act, 2000.

Estates to be taken in charge at the request of the developer:

The procedures to be followed by the developer with regard to the provision of documentation and the completion of snag lists within an acceptable time frame will be included in the conditions of planning permissions for residential developments.

The Council has prepared a number of advice notes setting out the requirements and procedures to be followed by a developer who wants to have a development taken in charge. These are set out in Appendix C of this report.

A minimum period of one year should elapse from the time that an estate has been completed to the commencement of the statutory taking in charge process. This will allow the Council to observe and assess how the public infrastructure and services (e.g. storm sewer network and road drainage) function under various climatic conditions and to ensure that there is sufficient capacity in the infrastructure to meet the demands of the estate when it is fully occupied (e.g. foul sewerage system and water supply network).

During this period the Council may consult with the residents association in the estate in preparing a comprehensive snag list for the estate.

In order to commence the Taking in Charge process for a development, the developer must write to the Council formally requesting that the development be taken in charge. The Council may prepare a standard form for developers requesting to have their estates taken in charge.

When the conditions of the planning permissions for the development have been complied with, all relevant works have been completed to the satisfaction of the Council and the ACDs and vesting documents have been provided, the County Council will within **two months** commence the statutory procedures for taking the estate in charge.

The bonds provided by the developer on foot of the conditions of the relevant planning permissions will only be returned when the estate has been taken in charge and ownership of the public open spaces has been vested to the County Council.

Estates to be taken in charge at the request of the residents:

It is the Council's preferred option to take estates in charge in co-operation with the developer of the estate. When an estate is taken in charge in this manner, the

development is completed in accordance with the relevant planning permission. The ownership of the open spaces transfers to the County Council. All documents and information required by the Council will be provided by the developer.

However, Section 180 of the Planning and Development Act, 2000 makes provision for taking estates in charge at the request of the 'qualified residents' of the estate. The Council has used this provision in the past to take estates in charge and will continue to do so where appropriate.

The Council has prepared an advice note for the taking in charge of estates at the request of the residents of these estates. The significant differences between taking an estate in charge at the request of the developer and the residents are set out in that advice note which is attached here in Appendix D.

In the majority of cases, the views of the residents would be established by way of a petition signed by the majority of the qualified residents of the estate. Where the Council forms the view that the taking in charge of a particular estate is likely to be contentious, the Council may hold a plebiscite to establish the views of the qualified residents.

OLDER/ABANDONED ESTATES

The Council recognizes that in a small number of older/abandoned estates, the only option available is to take these estates in charge at the request of the residents of the estate.. The only funds available for remedial works in these estates are the performance bonds that were provided by the developer. In many of the older estates the amount of the bond may not be adequate to fund the remedial works required. In recent years provision has been made (in 2008, this figure is €50,000) for the additional cost of taking these older/abandoned estates in charge.

Where public monies are used to complete these estates, the Council will seek to recover these monies as a simple debt through the Courts. In addition, the Council will use the provisions of Section 35 of the Planning and Development Act, 2000 (as amended) to refuse planning permission in the future to developers who fail to complete their residential developments to an acceptable standard.

CONCLUSIONS

This document provides a framework for integrating the process of taking private residential developments in charge into every element of the development process. It sets out the standards and requirements of the County Council that must be complied with by those undertaking new residential developments in the county. It provides a mechanism for taking estates in charge within an acceptable timeframe of their completion either at the request of the developer or the residents of the development. This document confirms the Council's policy for taking 'older/abandoned' estates in charge.

It is hoped that this document will inform residents of private residential developments throughout the county of the Council's policy regarding the taking in charge of private residential developments and provide guidance to those who intend to undertake new residential developments in the county.

Appendix A

References

NATIONAL STANDARDS AUTHORITY OF IRELAND

IS 1: 1991	Portland Cement
IS 5: 1990	Aggregates for Concrete
IS 6: 1974	Concrete Sewer Pipes
IS 20: 1974	Concrete Building Blocks
IS 24: 1973	Test Sieves
IS 36: 1987	Bitumen Roofing Felts
IS 134: 1977	Polyethylene Pipe Type 32
IS 135: 1975	Polyethylene Pipe Type 50
IS 146: 1965	Pre-Cast Concrete Kerbs, Channels, Edgings and Quadrants
IS 261: 1984	Cast Iron Road Furniture
IS 325: 1995	Code of Practice for use of Masonry
IS 424: 1990	Unplasticized Polyvinylchloride (PVC-U) Pipes and Fittings for Buried Drainage and Sewage Systems - Specifications
IS EN 40-1: 1992	Lighting Columns, Definitions and Terms
IS EN 124: 1994	Gully Tops and Manhole Tops for Vehicular and Pedestrian Areas
IS EN 295: 1996	Vitrified Clay Pipes and Fittings and Pipe Joints for Drains and Sewers
IS EN 512: 1995	Fibre-cement Products - Pressure Pipes and Joints
IS EN 545: 1995	Ductile Iron Pipes, Fittings, Accessories and their Joints for Water Pipelines
IS EN 1057: 1996	Copper and Copper Alloys - Seamless, Round Copper Tubes for Water and Gas in Sanitary and Heating Applications
IS EN 10113: 1993	Hot-rolled Products in Weldable Fine Grain Structural Steels
IS EN 55015: 1993	Limits and Methods of Measurement of Radio Disturbance Characteristics of Electrical Lighting and Similar Equipment
IS EN 60238: 1993	Edison Screw Lampholders
IS EN 60598-2-3: 1994	Luminaires for Road and Street Lighting
IS EN 60922: 1992	Ballasts for Discharge Lamps - General and Safety Requirements
IS EN 60923: 1992	Ballasts for Discharge Lamps - Performance Requirements
IS EN 60928: 1997	Auxiliaries for Lamps. A.C. Supplied Electronic Ballasts for Tubular Fluorescent Lamps - General and Safety Requirements
IS EN 60929: 1993	A.C. Supplied Electronic Ballasts for Tubular Fluorescent Lamps - Performance Requirements
IS EN 61000-3-2: 1995	Electromagnetic Compatibility (EMC). Part 3: Limits - Section 2: Limits for Harmonic Current Emissions (Equipment Input Current \leq 16A per Phase)
IS EN 61048: 1993	Capacitors for Use in Tubular Fluorescent and Other Discharge Lamp Circuits - General and Safety Requirements
IS EN 61049: 1994	Capacitors for Use in Tubular Fluorescent and Other Discharge Lamp Circuits - Performance Requirements
IS EN 61184: 1995	Bayonet Lampholders
IS EN ISO 9001: 1994	Quality Systems - Model for Quality Assurance in Design, Development, Production, Installation and Servicing
IS EN ISO 9002: 1994	Quality Systems - Model for Quality Assurance in Production, Installation and Servicing

BRITISH STANDARDS INSTITUTION

BS 63: 1994	Road Aggregates
BS 65: 1991	Specification for Vitrified Clay Pipes, Fittings and Ducts, also Flexible Mechanical Joints for use solely with Surface Water Pipes and Fittings
BS 381C: 1996	Specification for Colours for Identification, Coding and Special Purposes
BS 729: 1994	Specification for Hot Dip Galvanized Coatings on Iron and Steel Articles
BS 750: 1984	Specification for Underground Fire Hydrants and Surface Box Frames and Covers
BS 812: 1995	Testing Aggregates
BS 1010: 1973	Specification for Draw-off Taps and Stopvalves for Water Services (Screw-down pattern)
BS 1199, BS 1200: 1996	Specifications for Building Sands from Natural Sources
BS 1247: 1991	Manhole Steps
BS 1361: 1986	Specification for Cartridge Fuses for A.C. Circuits in Domestic and Similar Premises
BS 1377: 1990	Methods of Test for Soils for Civil Engineering Purposes
BS 2494: 1990	Specification for Elastomeric Seals for Joints in Pipework and Pipelines
BS 2499: 1993	Hot-applied Joint Sealant Systems for Concrete Pavements
BS 3251: 1993	Specification. Indicator Plates for Fire Hydrants and Emergency Water Supplies
BS 3676: 1989	Switches for Household and Similar Fixed Electrical Installations
BS 4449: 1988	Specification for Carbon Steel Bars for the Reinforcement of Concrete
BS 4483: 1985	Specification for Steel Fabric for the Reinforcement of Concrete
BS 4987: 1993	Coated Macadam for Roads and Other Paved Areas
BS 5075: 1985	Concrete Admixtures
BS 5159: 1991	Specification for Cast Iron and Carbon Steel Ball Valves for General Purposes
BS 5163: 1991	Specification for Predominantly Key-operated Cast Iron Gate Valves for Waterworks Purposes
BS 5480: 1990	Specification for Glass Reinforced Plastics (GRP) Pipes, Joints and Fittings for use for Water Supply or Sewerage
BS 5489: 1996	Road Lighting
BS 5649: 1997	Lighting Columns
BS 5834: 1993	Surface Boxes, Guards and Underground Chambers for Gas and Waterworks Purposes
BS 5911: 1994	Precast Concrete Pipes, Fittings and Ancillary Products
BS 6346: 1989	Specification for PVC-insulated Cables for Electricity Supply
BS 6677: 1986	Clay and Calcium Silicate Pavers for Flexible Pavements
BS 6717: 1993	Precast Concrete Paving Blocks
BS 7533: 1992	Guide for Structural Design of Pavements Constructed with Clay or Concrete Block Pavers
BS 7668: 1994	Specification for Weldable Structural Steels
BS 8005: 1990	Sewerage
BS 8301: 1985	Code of Practice for Building Drainage

BS EN 752-1: 1996 (Drains and Sewer system outside Buildings)

Appendix B

Specification for Sewage Treatment Plant

General

- Design and construction should be in accordance with
Environmental Protection Agency Wastewater Treatment Manuals.
Urban Waste Water Treatment Regulations 2001
BS 6297: Code of Practice for design and installation of small sewage treatment works and cesspools.
BS8005: Sewerage
BS8301 : code of practice for Building Drainage
- The Developer is to submit design, construction details and layout plans of the WWTP for approval by the Local authority.

Location and Access

Locate away from houses and buildings to minimise odour and noise.
Locate where it is free from flooding.
Provide suitable access to the WWTP for maintenance purposes.
Provide paved turning area with dished kerb & recessed entrance suitable for 5,000gallon tankers to access WWTP. Also provide master key for gate/locks compatible with existing master key.
Provide suitable site lighting.
Provide suitable lifting equipment and devices to appropriate standards, and reasonable overhead access.
Adequately secured with palisade security fence

Specification

Prior to design stage the Assimilative Capacity of the receiving watercourse should be established based on the 95 percentile flow

The unit waste loading shall be the population equivalent (PE) 60 grams of oxygen BOD5 per day.

Final effluent to comply with E.P.A Act, 1992, Urban Waste Water Treatment Regulations 2001 , Water Pollution Act, 1997 , Water Quality Standards for Phosphorus Regulations SI 258, 1998 and Waste Management (use of sewage sludge in agriculture) Regulations 1998.

Pumping chambers within WWTP should comply with Kildare County Council Specification for pumping station including pumping rate, measurement...etc.

Provision of telemetry equipment in the Control Panel capable of collecting and transmitting data from WWTP to location designated by Local Authority.

Control building should include control panels, Local SCADA telemetry system (high spec computer) , office, Washing and toilets facilities including hot and cold water and showers.

Electricity, 3 phase + 110v supply points

Generator for emergency.

The inlet works should contain

Inlet flume with ultrasonic flow recorder

Duty and assist screens and grit removal plant

Duty and assist inlet pumps each designed to operate intermittently at max 6 DWF

Waste water shall be pumped at average flow rate and storm flows when necessary (use dual speed pumps)

The sewer downstream of inlet works should be designed to avoid turbulence, which would release malodours to the atmosphere.

Water connection points for high pressure washers.

Screens shall be fine type and located in a screen chamber. The screens shall incorporate an automatic cleaning mechanism capable of delivering washed and compressed screenings to automatic bagging unit.

No manual handling of screenings shall be permitted.

To avoid deposition of grit within the fine screen channel the velocity should be between 0.5 and 0.9 metres per second.

The grit removal facility shall be automatic in operation (consider hydro dynamic separators and hydrocyclones).

Provide flow measurements and flow-proportional composite samplers at the inlet and outlet.

Inlet works instrumentation -pH

Final effluent instrumentation - NH3, PO4, NO3, SS..etc

Flow monitoring to be provided at all stages of works and provision for sampling points for automated samplers must be made.

STORM TANKS

Any flow greater than 6 DWF shall overflow to storm tanks.

Storm tanks shall be set in series and contain subsurface mixers.

Storm tanks shall automatically return recycled flows to inlet works during periods of low incoming flow each day.

Metering to record overflow and return flow

All tanks should be watertight so as to permit neither ingress of ground water nor egress of sewage to the ground.

Provision made to avoid tank floatation during construction emptying and maintenance..

Storm tanks shall be sized for 24 hours retention at design storm flow

Provide emergency overflow.

PRIMARY AND SECONDARY TREATMENT

Phosphorus and nitrogen removal

Anaerobic zones adequately sized and with good retention times.

Chemical removal facility as backup to biological phosphorus removal

Tertiary Treatment (polishing)

DESLUDGING

Provide sludge hold tank on site capable of holding sludge for a minimum two weeks.

Metering to record flow to buffer tanks, to holding tanks and to presses.

Provision of sampling points (eg tap valves/draw off)

Provision of inlet valve (6" coupling) for the transfer of sludges by tankers/portable pump one tank to another.

Health and Safety

Provide all hand railings, fencing, security and equipment to comply with health and safety requirements and to the satisfaction of the Local Authority Safety Office.

First aid kits- eye wash facilities & external emergency showers (if ferric chloride storage to be installed)

Risk assessment to be provided on completion of works.

Washing facilities (hot & cold water), toilets & showers.

KILDARE COUNTY COUNCIL**WATER SERVICES DEPARTMENT****Specification for Pumping Stations****Plans**

- The Developer is to submit the design for the rising main for prior approval by the Local Authority.
- The Developer is to submit the pump design for prior approval by the Local Authority.
- The Developer is to submit construction details and layout plans of the pump station for prior approval by the Local authority.

Location

- Locate at least 50 metres away from houses and buildings to minimise odours, nuisance and noise.
- Locate where it is free from flooding.
- Locate to permit an over flow pipe from the pumping station to the nearest public foul sewer, otherwise provide a suitable overflow chamber at the pumping station which will have the capacity to cater for 12 / 24 hours flow from the proposed development, or as required by the Local Authority.

Access

- Provide security fencing as approved by Water Services.
- Provide paved area and dished kerb for van/lorry access to the various chambers.
- Provide a 1.5 metre wide hard standing along the frontage of the control building/kiosk.
- Chambers to be sited at least 3 metres from the doors of the control building/kiosk.
- Chambers to be sited so that they are visible from the position of the control panel.
- Access openings for chambers to be sized and located for maximum ease of access to pumps, valves, etc.
- Provide suitable pneumatic access covers/frames (Surespan or similar approved) for the various chambers for maintenance purposes. Covers to be flush with the slab.
- Provide safety grids under access covers.

General

- Cover slabs, covers, etc., to be positioned to avoid the creation of trips.
- Provide suitable site lighting.
- Provide suitable lifting facility (minimum is a davit socket) and devices to appropriate standards, and reasonable overhead access.
- Control panel kiosk and manhole covers to be vandal proof galvanised steel construction with substantial locking systems.
- Provide a dosing facility to prevent smell/odour (eliminate hydrogen sulphide gas responsible for bad smell).
- Provide a Stand by Generator with a 1,000 litre bunded diesel tank.
- Provide a 2.5 – 5 metre stack to vent gases.

Pump Chamber

- Floor to be benched (45 degrees minimum) so that flow is directed to the pump inlets.
- Provide Ultrasonic level control probes or Multiranger (preferred) situated where they can be accessed for maintenance without the need to enter the chamber.
- Provide galvanised guide / slide rails and stainless steel lifting chains with a lifting eye every metre.
- Pump cables, etc., must be installed in a manner that ensures they will not interfere with the lifting of a pump or become weighed down with debris.
- Provide a penstock-controlled entry at the inlet. Penstock to be capable of being manually operated from the surface.
- The access opening must be positioned so that there is direct access to the guide rails.
- If the means of pump lifting is a davit arrangement then the davit socket and cover must be arranged so that the cover when open will not interfere with lifting out a pump. Davits and davit sockets must be rated to lift twice the weight of each pumpset, with a minimum lifting capacity of 500 kg.
- Provide snap-on/off connectors on pump electrical leads to allow total disconnection from the power supply when working on the pumps. Connectors to be arranged so that operatives are not required to lean over the sump to disconnect them. It may be acceptable (with the agreement of Water Services) to put the snap-on/off connectors in the control building/ kiosk if this is close to the sump and it is possible to thread the pump cables through the duct.

Pump Type and Specification

Specification to comply with Sewers for Adoption, 6th Edition, WRc; EN 752 and the following:

- Submersible duty, assist and (where applicable) standby pumps or equivalent, automatic operation.
- Heat sensors on motor windings.
- Suitable non-return valve on the overflow from the pump sump.
- Flow recorder

Storage Chamber

- Provide a high-level penstock controlled entry from the Pump Chamber. Penstock to be capable of being manually operated from the surface.
- Provide a low-level penstock controlled exit to the Pump Chamber. Penstock to be capable of (a) being manually operated from the surface, or (b) automatically controlled if required by Kildare County Council.
- The floor to be sloped and benched in a manner that will direct flow to the exit pipe.
- Washout facilities to be provided if required by Kildare County Council.

Valve Chamber

- Provide a sluice valve and non-return valve on each rising main from the Pump Chamber.
- Provide a Bauer connection with sluice valve off exit pumping main to allow connection of diesel pump.
- Provide a drain pipe (with a penstock valve) so that any liquid lying in the bottom of the chamber can be drained off to the Pumping Chamber.
- All valves must be installed in a manner that allows them to be operated from the surface via spindles, etc.

Control Building (preferred)/Kiosk

This is to be stand alone beside pumping chamber and to include:

- Flow recording display.
- Pump control panel c/w isolators, fuses etc.
 - Run / duty / standby switch for pumps with manual and automatic changeover.
 - Pump no.1 and 2 starters.
 - Ampmeter.
 - Separate hours run meter for each pump.
 - Run and trip lights for each pump.
 - Oil and water sensors on each pump and seal fail light.
 - Provision to restart pumps
- E.S.B. meter
- 150mm duct for cables between kiosk and pump chamber. Duct to be sealed.
- Plug / input device to enable a portable generator to be directly plugged in and a catflap in the kiosk for the generator cable.
- 13 amp socket.
- Hose reel (fire type) for sump cleaning etc.
- Wash hand basin with hot and cold waters.
- Heater.
- Provision of telemetry equipment in the Control Panel capable of collecting and transmitting data from the pumping station. Data to include flow data, high wet well level sensor, mains power failure, level control system failure, no. 1 pump starter, no. 2 pump starter, no.1 pump running and no.2 pump running. Provide link to location designated by Local Authority.

Health and Safety

Provide all hand railings, fencing, security and equipment to comply with health and safety requirements and to the satisfaction of the Local Authority Safety Office.

Appendix C

The Taking in Charge Process for private residential developments in County Kildare

The following procedures must be followed where an estate is to be taken in charge at the request of the developer:

The Council will engage in this process once;

- (a) All building has been completed.
- (b) All planning conditions complied with.
- (c) All site development works have been substantially completed- with all necessary oversight inspections by Development Control during construction.

To initiate the process the Developer must:-

1. Formally request that the estate be taken in charge by the Council.
2. Provide 3 copies of As Constructed Drawings in the acceptable format and furnish a cd incorporating A.C.Data for Autocad use.
3. Provide a CCTV survey of both the foul sewer and surface water sewer system including any outfall pipes outside of the site.
4. The Council will add the estate to its List of estate for Taking in Charge and will examine A. C. D. s and contact the Developer to arrange site inspections and surveys at the first available opportunity.
5. A visual inspection of roads, paths, open spaces and boundaries is carried out first and a list of remedial works prepared and furnished to the Developer. At the same time a compliance inspection is made in relation to conditions and any departures from these conditions is noted and passed on to the Developer.
6. As remedial works begin the Developer will be asked to provide operatives to open manholes, to facilitate a sewer survey and manhole inspection survey for both foul and surface water sewers including any outfall sewers, rising mains and pumping stations. A remedial list will be furnished.
7. Concurrent with sanitary inspections the Developer will be requested to have prepared and submit the following;
 - (a) Wayleave Map / Docs for any outfall sewers, rising mains, or services outside the property unless these are on the public road.
 - (b) Vesting Map / Docs for all open spaces in the estate transferring ownership to the Council.
 - (c) A review of all complaints from Residents Associations, Councillors and such takes place at this juncture also.

8. Once all remedial works are completed and all conditions met the estate will be listed for Public Display under Section 11 of the Roads Act and Bond Reduction may be considered. Any relevant objection or observation arising during this period will be conveyed to the Developer.
9. Once all legal documents are received and payment of all levies certified then the Engineer certifies that the estate is completed ; Conditions met ; legal docs received ; and all levies paid.
10. This certificate together with a recommendation that the estate be taken in charge is put on the agenda for the Full Council and if members approve the estate is taken charge.

Any remaining bond money will only be returned to the developer when all elements of the Taking in Charge process has been completed.

Please refer to the attached schedule for details required on As Constructed Drawings and on legal maps.

July 2007

Development Control

As Constructed Drawings and Vesting Map requirements Nov. 2002

A. As Constructed Drawings

We require three copies of the estate to a scale of 1/500; Showing the following:-

- Site Boundaries clearly delineated.
- All houses, gardens, open spaces, roads, paths, verges, public lights, hydrants, sluice valves, service boxes, gullies, manhole position for both foul and surface water sewers, including the line of house drains in gardens and their point of connection to the main sewer.
- Road names and / or selected house numbers for each road or cul de sac.
- North Point indicator, proper title, drawing scale and date, Estate name and location.
- A Schedule of Foul Sewers by road showing Manhole No. from; M.H. No. to; Pipe Drain; Sewer Length; Gradient; Invert level at each manhole and cover level at each manhole. House drains need not be included but by any outfall sewer outside the boundary must be clearly surveyed to its point of connection to the public sewer.
- A Schedule of Surface Water Sewers must give similar information to the point of connection to the receiving waters or culvert.
- Any Foul Sewer Pumping station to be shown with its rising main highlighted to the point of discharge. Include any hatch boxes and the like. Note that where a pumping station exists on site more detailed drawings, pump and control data will be required by Sanitary Services.
- Where special features exist on site they should be clearly shown e.g. Approved Overhead Power Line; Gas Main; Regional Watermain or regional sewer, and so on.

For large housing estates where several 1/500 drawings will be required to cover the estate then overlap should be allowed to assist continuity. In these cases a 1/2500 map outlining the site to be taken in charge will be acceptable. Any outfall pipes or rising mains outside the site should be shown on this map also.

For mixed developments where private houses are located in proximity to Apartments, Town Houses, Duplex, Shopping Facilities, Crèches, and the like it will be necessary to clearly delineate on the 1/500 drawings the property boundaries of such facilities or the area over which the Management Company will exercise control for maintenance and repair in the future.

The Council does not take in charge forecourts, parking areas, common areas for any of the above facilities.

B. Vesting Maps

Are to be 1/2500 or 1/1000 original Ordinance Survey Maps or part thereof or an A3 or A4 Certified and Stamped copy of the O.S. Map, covering the entire estate and with the property boundaries clearly highlighted in red.

The estate layout should be indicated and the open spaces, hard play areas and communal areas such as arbours, gardens or woods clearly delineated and coloured green.

The O.S Map Ref. No. the Scale, the North point, the estate name and location to be clearly shown.

A schedule to be written on the O.S map giving the area in hectares of each open space, hard play area etc and showing a Total Area signed by a surveyor or engineer and supplying relevant folio reference information, should also be provided.

To this map should be appended the standard Vesting Document transferring ownership of the above areas to Kildare County Council for the sum of € with the necessary signatures, witnesses etc.

For wayleave purposes for service outside of the site, and not in a public road or estate already taken in charge, then a wayleave map as above will be required, together with the standard wayleave document which grants right of access to Kildare County Council by men/machines for the purposes of maintenance, repair, and improvement to the relevant service.

The minimum wayleave requirement is 10m in width with the service in the middle.

However, depending on the size and type of service a greater width may be necessary in some circumstances. This should be checked with the Council prior to preparation of any map or documentation.

In the rare instance where the Council permits one of its existing mains / sewers in a site to be diverted to facilitate a new development this diversion will be carried out under the supervision of Sanitary Service. Inspectors and a new wayleave should be provided concurrently with the diversion works to the relevant Sanitary Department.

C. CCTV Survey Report for Foul and Surface Sewer Network

Prior to the CCTV survey, the Foul and Storm sewer network shall empty and clean all gullies and pipe runs and removal of debris and silt off site to an approved licence tip.

A CCTV Survey Report should contain the following

- Title/Cover Page indicating Project title, Location, CCTV Survey contractor, Contact person, client details, date.
- Defect Grade Description
- Inspection Report
- Condition/Defect Report containing the following
Photo of Defect,
Description of Defect,
Grade of Defect, (*as per grade Defect Grade Description*)
Identification Number of Defect
Location of Defect
- As constructed drawing showing location of defects with identification number of defect
- Statement of Authenticity from the CCTV Survey contractor.
- Certificate of completion for the Foul/Storm sewer network issued by a professional engineer with professional indemnity insurance.

Appendix D

To : The Director of Services, Planning Department, Kildare County Council.
Re.: Taking In Charge of "The Crescent," Co. Kildare.

We, the undersigned, being qualified electors who own or occupy houses in "The Crescent," having read the attached advice note prepared by Kildare County Council request the council to take the estate in charge under the provisions of Section 180 of The Local Government Planning and Development Act 2000.

NAME	ADDRESS	SIGNATURE	DATE
<u>Daly, Anthony</u>	"The Crescent," County Kildare		
<u>Daly, Fionn</u>	"The Crescent," County Kildare		
<u>Daly, Jimmy</u>	"The Crescent," County Kildare		

ADVICE NOTE TO RESIDENTS

The County Council proposes to take "The Crescent," in charge. In the absence of a request from the developer to take the estate in charge in the conventional manner, it is proposed to take the estate in charge at the request of the qualified electors who are owners or occupiers of the houses involved in accordance with the provisions of Section 180 (1) and (2) (a) of the Planning and Development Act 2000.

These Sections of the Act enable the estate to be taken in charge where requested by the majority of qualified electors who are owners or occupiers of the houses involved.

The Council will consider a petition signed by the majority of the qualified electors as the basis for taking the estate in charge. Before signing the petition the qualified electors should be aware of the difference of taking an estate in charge by this method (i.e. at the request of the qualified electors) and the conventional method (i.e. at the request of the developer)

TIC AT REQUEST OF RESIDENTS:

Section 180 (1) provides for the Taking In Charge (TIC) of estates either at the request of the developer or the residents. The conventional manner for TIC estates is at the request of the developer. The paragraphs below set out the essential differences of taking estates in charge at the request of the developer and at the request of the residents.

Conventional Manner for taking estates in charge:

When an estate is taken in charge in the conventional manner (i.e. with the co-operation of the developer), the public open spaces must be vested in the County Council and the developer is required to provide as constructed drawings showing the location of all services and manholes etc. This is essential to facilitate the future maintenance of the estate. The developer is required to provide a CCTV survey of foul sewers. This is required to ensure that there is no debris or infiltration into the sewers. Finally, the developer is required to rectify any defects or damage to the roads, footpaths, services, open spaces etc. that are to be taken in charge.

Taking estate in charge at the request of the residents:

Where an estate is not taken in charge in the conventional manner and the TIC process is activated at the request of the residents of the estate in accordance with the provisions of Sections 180 (1) and (2).(a) of the Planning and Development Act 2000, ownership of the open spaces will not necessarily transfer to the County Council. The only funds available for remedial works are the performance bonds that were provided by the developer, in many of the older estates the amount of the bond may not be adequate to fund the remedial works required.