



COMHAIRLE CONTAE CHORCAI

CORK COUNTY COUNCIL

LOCAL IMPROVEMENT SCHEME APPLICATION FORM
(for improvement works on private non-public Roads)

*Please read the attached terms and conditions before completing this Application Form
 and return the completed form to:*

Cork County Council, Roads (Finance & Administration), Courthouse, Skibbereen

*Please note that the making of an Application under the Local Improvement Scheme and its
 acceptance / approval by the Local Authority constitutes an Agreement between the Applicants /
 Beneficiaries and the Local Authority, for the purposes of Section 81(4)(a) of the Local
 Government Act 2001*

1. We the Applicants / Beneficiaries as listed on Forms 14(a) and 14(b) attached to this Application, in the Townland(s) of _____ (as at 5 below), hereby apply for assistance by way of the carrying out of work involving the construction or improvement of a non-public road, as described below. If this application is approved and the works are proceeding, we understand that the work will be undertaken by Cork County Council as our Agent. We agree to be bound in all respects by the Terms & Conditions of the Scheme, as attached to this application.
2. We hereby appoint the Representative named at No. 3 below and delegate full power to him / her to act for us in all correspondence and other business arising from this application. We agree to be bound by all correspondence and actions of our Representative.

3. Appointed Representative

3 (a) Name of Representative (Block Capitals)		3 (e) Postal address of representative
3 (b) Signature of Representative		
3 (c) Telephone No. of Representative		
3 (d) Email address of Representative		
		Eircode

4. As appointed representative, I certify that:

Form No.14 (a) (Beneficiaries List) and No.14 (b) (Beneficiary Details – separate Form per Beneficiary) attached contain the names, signatures & other required details of all property / landowners and others whose lands/houses/properties would be served or benefitted by the work being undertaken under this project.

5. Name of townland(s), the subject of grant aided works	
6(a). Approximate road length (in metres) 6(b). Average road width (in metres) 6(c). Total Area of Works (in metres²)	6(a) 6(b) 6(c)
7. Describe the start & end point of proposed works and submit a site location map showing the full length of the road between the start and end points, together with the individual parcels of land marked thereon and cross referenced with Forms 14(a) & 14(b)	
8. Give a comprehensive description of the works proposed under this grant application.	

9. Is the road available for use by the public?	
10. Does the road serve any amenity such as beach, pier, mountain, graveyard, tourist or heritage site?	
11. If so, please give details.	
12. Was the road improved under a previous LIS? Yes / No	
13. If so, please provide date and details of works carried out.	
14(a). Has the separate Form with list of Beneficiaries been fully completed and signed by the Appointed Representative? Yes / No	
14(b). Has the separate Form been fully completed and signed by each Beneficiary and certified by the Appointed Representative? Yes / No	
15. Are all persons whose lands or interests that may be affected in any way by the proposed works, if carried out, prepared to give the necessary consent to the execution of the work? Yes /No <i>Note: separate written consent is required from any such property / landowner who has not joined in this Application. Refer to No. 17 on Terms & Conditions.</i>	
16. Any additional information you wish to give in support of this Application.	

17. Signature of Appointed Representative who is submitting this Application:

18. Date of Application: _____**Checklist for submission**

1. *Application Form - fully completed and signed by the Appointed Representative.*
2. *Completed Form **14 (a) Beneficiaries List** (listing all Beneficiaries) and signed by the Appointed Representative.*
3. ***Beneficiary Details Form 14 (b)** – separate Form completed and signed by each Beneficiary and counter signed by the Appointed Representative.*
4. *Site Location Map.*
5. *Check that Form 14 (a) has been cross referenced with each Form 14 (b) and with site location map by marking the parcels of land on the map with the corresponding Ref. No., e.g. 1,2,3 etc.*
6. *Supporting documentation to verify engagement in agricultural activities, where applicable, for example:*
 - *Herd / Flock No.,*
 - *copy of maps associated with Basic Payment Scheme Application provided by the Department of Agriculture, Food & the Marine (DAFM), or equivalent / alternative documentary evidence, and: - where Applicant is not the registered owner of the land in question,*
 - *a copy of relevant Lease Agreement, and*
 - *Confirmation of the registered owner's (or beneficial owner in the event that the registered owner is deceased) consent to this Application.*

Privacy & Data Protection:

Personal information is collected by Cork County Council to enable the processing of your LIS Application. Cork County Council can legally process this information under the terms of the Local Improvement Scheme and the Local Government Act 2001 and to determine eligibility for the Scheme. Such information will be processed in line with the Council's Privacy policy which is available at www.corkcoco.ie

LOCAL IMPROVEMENT SCHEMES - TERMS AND CONDITIONS

Please note that the making of an Application under the Local Improvement Scheme and its acceptance / approval by the Local Authority constitutes an Agreement between the Applicants / Beneficiaries and the Local Authority for the purposes of Section 81(4)(a) of the Local Government Act 2001

1. Subject to the terms and conditions of the Local Improvement Scheme, a Road Authority may provide assistance by way of the carrying out of work involving the construction or improvement of an eligible non-public road.

An eligible non-public road is a road to which any one of the following applies:

- (a) The road provides access to parcels of lands¹ of which at least two or more are owned or occupied by different persons engaged in separate agricultural activities; **or**
- (b) The road provides access for harvesting purposes (including turf or sea weed) for two or more persons separately and legitimately engaged in such activities; **or**
- (c) The road provides access to at least one parcel of land owned or occupied by a person engaged in agricultural activities AND which separately provides access for harvesting purposes (including turf or seaweed) for at least one other person.

¹“a **parcel of land** is any owned or occupied land that is accessed by the road and used for agricultural purposes. It is recommended that the parcel is at least 1 hectare in size.”

2. Amenity Roads

In addition, works can also be carried out on **Amenity Roads**. Amenity Roads are non-public roads leading to important community amenities such as graveyards, beaches, piers, mountain access points or other tourist / heritage sites. If there are other beneficiaries on the road, Cork County Council may, at its discretion, seek a portion of the local contribution from the other beneficiaries, subject to a cap of €1,200 per beneficiary.

3. Applicants with agricultural holdings must furnish documentation to verify that they are engaged in agricultural activities on the parcel of land accessed by the road project i.e. a herd/flock number and a copy of the maps associated with their Basic Payment Scheme application provided by the Department of Agriculture, Food and the Marine or equivalent / alternative documentary evidence.
4. Where the occupier of the land is not the registered owner, the occupier must provide a copy of the Lease Agreement in place for the land in question, together with confirmation of the consent of the registered owner (or beneficial owner in the event that the registered owner is deceased).

5. All Applicants / Beneficiaries to the Scheme must complete and sign the prescribed Form No. 14 (b) attached to the Application Form giving details of their holdings.

6. Types of Works

Local Improvement Scheme funding may be used for the construction, improvement or reconstruction of roads or bridges. The works must be of an essential and a more substantial nature, such as strengthening weak sections, rut filling, resurfacing and opening water channels. Existing fences may be removed, or set back and new fences provided, where necessary and feasible at reasonable cost and as part of the road project.

7. Non-Eligible Works

The following works are not eligible for grant assistance under the Scheme:

- The provision of new fencing or the replacement of existing fencing on their own, or
- Drainage works on their own, ordinary maintenance, or other minor works, which applicants could do themselves.

8. Applications will be assessed and costed by Cork County Council and prioritised in accordance with the terms of the Scheme. The estimated cost of the work (Cost of Labour, Materials and Equipment), is determined by the Council's Area Engineer and includes VAT. An Administration fee of 10% is also included in the overall cost of the project.

9. The total local contribution must be paid in full to Cork County Council, before the local authority undertakes the approved works on the scheme, subject to Grant funding being available to the Council.

10. The proportion of Local Contribution is as follows:

- a) **10%** of the estimated cost of the project (inclusive of VAT and administration fee) for eligible roads with **up to and including 5 beneficiaries**,
- b) **15%** of the estimated cost of the project (inclusive of VAT and administration fee) for eligible roads with **6 or more beneficiaries**.
- c) The maximum amount of contribution payable by any beneficiary is capped at **€1,200**, provided that all beneficiaries are contributing to the cost of the works. Where all beneficiaries are not willing to contribute, the voluntary contribution will still be calculated on the basis that all of the beneficiaries are contributing, as outlined in the following example:

Cost of Works	Local Contribution (10%)	No. of beneficiaries	No. of beneficiaries contributing	Contribution per Beneficiary	Total Local Contribution
€100,000	€10,000	5	5	€1,200	€6,000
€100,000	€10,000	5	4	€1,500	€6,000

- d) Cork County Council will pay the local contribution of 15% in relation to an **Amenity Road**. However if there are other beneficiaries on an Amenity Road, Cork County Council may, at its discretion, seek a portion of the local contribution from the other beneficiaries, subject to a cap of €1,200 per beneficiary.
11. The Applicants / Beneficiaries must decide amongst themselves how to organise their respective portions of the Local Contribution.
12. The total of the local contributions must be paid as a single sum to the Local Authority before the work begins.
13. Contributions in kind (e.g. free labour or materials) will not be accepted in lieu of cash.
14. The Council may decide not to proceed with the Scheme if:
- The acceptance of the grant offer and the local contribution is not promptly made within the requested time limit, or
 - The Council has no matching grant funding to proceed.
15. The Applicants / Beneficiaries must arrange amongst themselves to provide to Cork County Council, without cost, any lands which may be required for the construction or widening of any roadway or drain.
16. Cork County Council will arrange to carry out the work.
17. All beneficiaries by signing the prescribed form 14(b) must give their full consent to the carrying out of the works, including where required, entry by the Local Authority or its agents to their lands.
All other property / landowners (non-beneficiaries) whose lands or interests may be affected by the proposed work must give their written consent to the carrying out of the work including where required, entry by the Local Authority or its agents to their lands.
18. Cork County Council at its discretion will decide on the specification of the work and on the best manner of carrying it out. The Applicants / Beneficiaries shall not have any claim against Cork County Council for any imperfection which may exist in the finished work, nor for any failure by the Council to complete the full amount of the approved works.

- 19.** Cork County Council shall not have any liability for maintenance of work carried out. The Applicants / Beneficiaries are required, when the Project is completed, to thereafter maintain the work in good order and repair at their own charge and expense, and that the carrying out of any further works will not involve any liability on the part of the Local Authority for subsequent maintenance.
- 20.** There is no obligation on Cork County Council to take in charge a road on which works have been carried out under the Local Improvement Scheme.
- 21.** The funding under this Local Improvement Scheme is being provided by the Department of Rural and Community Development and is subject to compliance with the terms and conditions of the Scheme.