

**Procedures and Details Required for Agreed Plans for The Back-lots / Open Spaces within the Castletown Estate ,Celbridge**  
**(As clarified with Kildare Co. Council on 14<sup>th</sup> May 2010)**

**1) Outline of Procedure**

- a) Following ongoing representations from Castletown Residents' Association (CRA) to Kildare County Council (KCC) the Council now wishes to bring closure, one way or another, to the issue of anti-social activity associated with some of the back-lots and open spaces located in Castletown Estate. In order to address this, KCC has issued a Report (dated 17/02/10) to the Celbridge Area Committee (Local Councillors) outlining the general approach to be taken to deal with the issue.
- b) KCC have asked CRA to assist in the process of reaching an agreed plan for each area. KCC have also asked that a nominated representative(s) should bring forward an agreed plan for each area.
- c) KCC understand that the nominated representative(s) will be elected at a General Meeting of all residents of Castletown. This meeting will also decide on an agreed outline plan for each area. This meeting will be organised by CRA but will be open to all residents of the estate. In order to ensure that the meeting will carry out its business properly, KCC understand that CRA propose to engage the services of an independent and competent person to chair the meeting and to ensure that it is organised and conducted in accordance with appropriate procedures.
- d) The nominated representative(s) will act in accordance with the views of the residents as agreed at the General Meeting. The outline agreed plan in principle for each area will be based on the views of a majority of the residents adjacent to a back-lot / open space and be endorsed by a majority of those members attending and voting on each area at the General Meeting of the residents
- e) A representative of KCC will attend a general information session regarding any issues in relation to the outline area plans, in advance of the General Meeting, where feasible.
- f) Once the outline plans for each area have been agreed in principle at the General Meeting, it will be the responsibility of the nominated representative (s) to compile a document that summarises the agreed position on each area.
- g) It will be the responsibility of the residents adjacent to each area to prepare a detailed plan for their respective areas. A representative of KCC will be available to clarify any issues in relation to the detailed area plans where feasible. The details required by KCC are summarised in Item 2 below.
- h) The details required are more onerous for back-lots where transfer of title will be involved. Other areas will also be voted on and if any changes are proposed, appropriate procedures will apply. For instance, if an area is to remain as green 'open' space, but the residents decide to (and obtain approval of the General Meeting for) the erection of a fence/wall at one or both ends, they will need to specify: materials required, costs, funding etc. The provisions regarding change of use and transfer of title may not apply in these cases.

- i) The nominated representative(s) will also be responsible for compiling the detailed area plans for any area involving a proposed change of use and/or any proposal that will require any development (such as the erection of a wall/fence).
- j) Once the detailed area plans have been compiled, they will be submitted to KCC and will be subject to the approval of:
  - i) Area Manager (KCC), Celbridge Area
  - ii) The Celbridge Area Committee ( Local Councillors)
  - iii) The County Council (Elected Members).
- k) In order to be included as an item on the agenda, KCC will need to receive the relevant details, at least, 21 days in advance of the meeting. This means that documents for consideration at the June 18<sup>th</sup> Local (Celbridge) Area Committee will need to be submitted by May 28<sup>th</sup>. Documents for consideration at the July 16<sup>th</sup> Local (Celbridge) Area Committee will need to be submitted by June 21<sup>st</sup>.
- l) Once approval to proceed from KCC has been obtained, then formal Planning Permission for any proposed change of use must be obtained from KCC. For any such areas, KCC will provide a Letter of Consent in order to facilitate the submission of planning applications.

## **2) Details Required for Area Plans to be considered for change of use by KCC**

Once outline agreement in principle has been reached at the General Meeting, individual area plans for a change of use should include the following details listed below.

Initially :

- a) A map showing the proposed apportionment of land between adjoining householders and confirmation of the agreement of parties to same.
- b) Confirmation that a Planning Application for a change of use will be documented and submitted to KCC, and confirmation that any legal and professional fees will be funded by the residents making the application.
- c) A description of the method and costs of enclosure detailing the type of material to be used and confirmation that site acquisition and any costs of enclosure (for walls/fences etc.) will be funded by the residents party to the agreement.
- d) Confirmation that appropriate insurances will be obtained. This will include:
  - i) Each householder's insurance will be amended to include the new site acquired.
  - ii) During the construction of walls/fences and any other development work required for the enclosure of an area, any contractor so hired will be fully insured to carry out such works.

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