**Disposal of Council Owned Private Sites**

Kilkenny County Council may provide private sites to assist persons to provide their own housing.

**Policy**

1. Sites suitable for disposal will be determined by Kilkenny County Council and will only be disposed of if not required by the County Council for development of social housing.
2. Sites for sale must be advertised in the local newspaper(s) and on the KCC website / social media as appropriate. A notice may also be erected on the site .
3. The Council will prioritise the sale of sites to:

* LA Tenants who surrender their houses back to the LA
* Approved Housing applicants
* First Time Buyers (or buyers who have had a home repossessed previously and who had engaged with the MARP Process)
* Persons from the Area
* In all cases the applicant(s) must meet minimum income criteria for a Council loan

1. If there are more approved eligible applicants than the number of sites available the Council will decide successful applicants by drawing lots in the presence of the current Cathaoirleach or his deputy
2. The Sale of any private site must be approved by the Elected Members at a Council Meeting (Planning and Development Act 2000 and s.183 Local Government Act 2001)
3. Should the purchaser not comply with any condition attached to the sale of the site, the site shall be returned to Kilkenny County Council. The actual purchase price will then be refunded by the Council less administrative charges.
4. The property is sold strictly subject to the purchaser submitting a valid planning application for a dwellinghouse within 6 months and commencement of construction within 6 months of receipt of planning permission. Submission of the planning application is the responsibility of the purchaser and Kilkenny County Council Housing Section will have no role in this matter.
5. The purchaser must pay a deposit to the Council for the site i.e. 10% of sale price. Within 7 days of the issue of a grant of Planning Permission, the purchaser must pay the balance of purchase monies due to Kilkenny County Council.
6. The purchase price shall not include any development levies/charges that will be applicable at Planning Permission stage. Development levies/charges must be paid to the Council before development commences.
7. The site shall be used solely for the erection of a dwellinghouse and the purchaser shall not use the site for any purpose other than that of carrying out the agreed development
8. The site will be marked out by Kilkenny County Council. No boundary markers shall be removed without the prior consent of the Council. No building commencement by way of excavation shall take place on site until boundaries have been agreed with the Council’s staff. The Council’s decision on this matter is final.
9. Site will be sold as is and any further development works are the responsibility of the purchaser. It will be the purchasers responsibility to arrange for all relevant utility connections.
10. Purchasers of sites shall be responsible for any damage caused to road, footpaths, grass margins, sub-walls and piers at boundaries or boundary markers, or damage of any other nature caused by his/her Building Contractor.
11. If the house is resold within 5 years the applicant must repay the difference in the valuation of the site
12. Applicants who are successful in securing the purchase of site must have no monies owing to Kilkenny County Council. These monies must be paid in advance of sale closing
13. Council will review this Policy after one year