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APPLICATION TO KILKENNY COUNTY COUNCIL FOR A LICENCE UNDER SECTION 254  
OF THE PLANNING AND DEVELOPMENT ACTS 2000 - 2018

1. Name of Applicant(s)

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2. Address of Applicant(s)

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Telephone No: -----

Email Address: -----

3. Name Person/Firm by whom drawings were prepared

Name: -----

Address: -----

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Telephone No: -----

Email address: -----

4. Name & Address of Agent (if different from 3 above)

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Telephone No: -----

Email Address: -----

5. Name & Address to which any correspondence is to be sent:

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Tel No: ----- Fax No: -----

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6. (i) If the Applicant is a company registered under the Companies Act 1963 to 1994, state the name of the Directors of the Company (if this space is insufficient, please use a separate sheet)

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(ii) Registered Address of Company: -----

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7. Postal Address/Location -----

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Ordnance Survey Sheet No: -----

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8. Give a description of proposed development:-----

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I/We certify that the information given in this application is correct to the best of my/our knowledge and belief:

Signature of Applicant ----- Date: -----

Signature of Person making application on behalf of Applicant ----- Date: -----

## Information Notes (Licensing of Signs, Appliances, Cables, Etc)

- Q1. What appliances, apparatus and structures are subject to licensing under Section 254 of the Planning & Development Acts, 2000 - 2018, as amended?**
- A. A person shall not erect, construct, place or maintain on, along under or over a public road save in accordance with a licence granted by the Planning Authority, any of the following:
- (a) A vending machine or coin operated machine (not being a weighing machine).
  - (b) A town or landscape map for indicating directions or places.
  - (c) A hoarding, fence or scaffold.
  - (d) An advertisement structure.
  - (e) A cable, wire or pipeline.
  - (f) A telephone kiosk or pedestal.
  - (g) A case, rack, shelf or other appliance, apparatus or structure for displaying articles for the purposes of advertisement or of sale in, or in connection with, any adjacent business premises.
  - (h) Tables and chairs outside a hotel, restaurant, public house or other establishment where food is sold for consumption on the premises.
  - (i) An advertisement consisting of any text, symbol, emblem, model, device or logo.
  - (j) A pipe or appliance with a pipe attachment for dispensing air or water not being a pipe of appliance attached to a petrol or oil pump.
  - (k) A weighing machine.
  - (l) A bring facility.
  - (m) A cabinet used as part of a wired broadcast relay service by a person licensed under the Wireless Telegraphy (Wired Broadcast Relay License) Regulations, 1974, (S.I No. 67 of 1974).
  - (n) A lamp-post.
  - (o) A bridge, arch, tunnel, passage or other similar structure which is used or intended for use other than by the public and was constructed on or after 1 October 1964.
  - (p) A cellar or other underground structure constructed on or after the 1 October 1964.
  - (q) A cable for conducting electricity for domestic or agricultural purposes.
- Q2. Where can I apply?**
- Kilkenny County Council is the relevant Authority for appliances, etc erected/to be erected within the Kilkenny County Council Planning Area.

**Q3. What information does the Planning Authority need?**

1. Completed application form
2. Plans and information as follows –
  - 2 Copies of Site location map to scale of not less than 1:1000 in built up areas and 1:2500 in all other areas are required, with the location of the proposed sign/appliance/etc marked in red thereon.
  - Plans (Scale 1:500 or 1:200 as appropriate) and Elevations (Scales 1:50, 1:20, 1:10 as appropriate) and Sections as are necessary to describe the design, capacity of the sign/appliance/apparatus/structure. If appliance/apparatus/structure as proposed is to be located in part of existing premises the front elevation showing the impact of the proposals on the existing premises is required.
  - Details of advertisement display/text/logo to be used on sign
  - Full details of colours (restrict to 2-3) to be used
  - Full details of support structures
  - Your proposals and commitment to on-going maintenance
  - Photographs of the apparatus, structure, appliance, sign post may additionally be furnished but cannot act as a substitute for these particulars.

**Q4 If I obtain a permit for my proposed appliance etc will I need planning permission for the same appliance?**

- A. No. Section 254 (7) of the Planning & Development Acts, 2000 – 2018 provides that development on/along a public road carried out in accordance with a licence under Section 254 shall be exempted development for the purpose of the Act.

**Q5 If I proceed on carrying out my development and do not obtain a licence what will happen? A.**

- (a) Any person who – erects, constructs, places or maintains an appliance, apparatus or structure referred to in Question (1) on, under, over or along any public road without having a licence, or
- (b) Erects, constructs, places or maintains such an appliance, apparatus or structure on, over or along any public road otherwise than in accordance with a licence, or
- (c) Contravenes any condition subject to which a licence has been granted to him or her.

*Shall be guilty of an offence.*

It is the policy of Kilkenny County Council to prosecute such offenders.

Fines/penalties up to €1,500/6 months imprisonment or both may be imposed by the Court.

**LICENCE FEES UNDER SECTION 254 OF THE ACT IN RESPECT OF SPECIFIED APPLICANCES, APPARATUS AND STRUCTURES**

Column 1 Appliance, Apparatus or Structure	Column 2 Licence Fee
<b>Part 1</b>	
<b>Appliances, apparatus and structures</b>	
(a) A vending machine or coin operated machine (not being a weighing machine).	€125.00
(b) A town or landscape map for indicating directions or places	€25.00
(c) A hoarding, fence or scaffold (not being a hoarding, fence or scaffold bounding a public road	€1,250.00
(d) An advertisement structure	€630.00
(dd) An advertisement structure (being of a fingerpost type not exceeding 1 metre in length) consisting of a direction sign to indicate tourist accommodation.	€50.00
(e) A cable, wire or pipeline (not being a cable for conducting electricity for domestic or agricultural purposes or a drain or waterpipe	€25 .00 per 100 metres length or part thereof
(f) A telephone kiosk or pedestal	€630.00
(g) A case, rack, shelf or other appliance, apparatus or structure for displaying articles, whether or not for the purpose of advertisement or sale in or in connection with any adjacent business premises	€125.00
(h) Tables and chairs outside a hotel, restaurant , public house or other establishment where food is sold for consumption on the premises.	€125 per table
(i) An advertisement consisting of any text, symbol, emblem, model, device or logo	€630.00
(j) A pipe or an appliance with a pipe attachment for dispensing air or water, not being a pipe or appliance attached to a petrol or oil pump.	€25.00
(k) A weighing machine	€63.00
(l) A bring facility	€25.00
<b>Part 2</b>	
(a) A cabinet used as part of a wired broadcast relay system by a person licensed under the Wireless Telegraphy (Wired Broadcast Relay Licence) Regulations, 1974.	€125.00
(b) A lamp-post	€25.00
(c) A bridge, arch, tunnel, passage or other similar structure used or intended for use other than by the public and constructed on or after 1 October 1964	€125.00
(d) A bridge, arch, tunnel, passage or other similar structure used or intended for use other than by the public and constructed on or after 1 October 1964	€125.00
(e) A cable for conduction electricity for domestic or agricultural purposes	€125.00

## **Fees for licences under section 254 of Act**

- (1) Where a licence is granted by a planning authority under section 254 of the Act-
  - (a) to erect, construct, place and maintain, or
  - (b) to maintain, a specified appliance, apparatus or structure referred to in Part 1 of Schedule 12, the amount of the fee to be paid to the planning authority shall, subject to the provisions of article 203, be-
    - (i) where the licence is for a period of one year, the appropriate amount indicated in column 2 of that Schedule opposite the reference in column 1 of that Schedule to the specified appliance, apparatus or structure,
    - (ii) where the licence is for a period of more than one year, an amount equal to the fee for one year for each year or part of a year for which the licence is granted, and
    - (iii) where the licence is for a period of less than one year, an amount equal to one tenth of the fee for one year for each month or part of a month for which the licence is granted.
- (2) Where a licence is granted by a planning authority under section 254 of the Act to erect, construct, place and maintain a specified appliance, apparatus or structure referred to in Part 2 of Schedule 12, the amount of the fee to be paid to the planning authority shall be the amount indicated in column 2 of that Schedule opposite the reference in column 1 of that Schedule to the specified appliance, apparatus or structure, and no fee shall be payable in respect of any renewal of a licence for such an appliance, apparatus or structure.

### **Additional fee for advertising use.**

In the case of-

- (a) any machine or similar appliance, apparatus or structure, more than one quarter of the surface area of which is used for advertising purposes,
  - (b) any town or landscape map more than one third of the surface area of which is used for advertising purposes, and
  - (c) any other appliance, apparatus or structure any part of the area of which is used for advertising purposes,
- the amount of the fee under article 204 shall be increased by the amount of the fee payable under that article in respect of an advertisement structure which is on a public road.