

LEITRIM COUNTY COUNCIL

**PLANNING & DEVELOPMENT ACTS 2000-2017, (Section 254)
PLANNING & DEVELOPMENT REGULATIONS 2001-2017 – Article 202, 203
& Schedule 12**

APPLICATION FOR A LICENCE UNDER SECTION 254

I hereby apply for a licence to erect/construct/ place/maintain an appliance(s)/ apparatus(s)/structure(s) on/under/over/along a public road in accordance with particulars as under:- {strike out above as relevant}

1. **Name of Applicant:** _____

2. **Address:** _____

Phone No: _____ **Particulars of**

appliance(s)/apparatus(s)/structure(s) for which a licence is required:-

3. **Proposed location of appliance(s)/apparatus(s)/structure(s) for which licence is required:-**

The applicant is advised that a site location map to a scale of not less than 1:2500 is also required to identify the location of the proposal.

4. **Period for which licence will be needed:**

From: _____ **To:** _____

5(a) **Amount of fee enclosed herewith:** _____

(b) **Basis of calculation of Fee:** _____

6. **Reference number of relevant planning permission, in the case of a hoarding application. P.** _____

Signature: _____

Date: _____

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DOCUMENTS REQUIRED FOR APPLICATION FOR A LICENCE UNDER SECTION 254.

- (a) Site Location Map - 1/2500 scale - (2 no. copies).
- (b) Site Layout Plan showing location of proposed appliance(s)/apparatus(s)/structure(s) - (2 no. copies).
- (c) Drawing to scale of proposed appliance(s)/apparatus(s)/structure(s) - (2 no. copies).
- (d) Colour Scheme of proposed appliance(s)/apparatus(s)/structure(s).
- (e) In relation to Advertising Signs (Finger –post) these shall be in accordance with Bord Failte specifications

Details of the requirements for a Licence under Section 254 of the Planning & Development Acts 2000-2017, including details of Fees payable, are set out hereunder.

A Licence is required under Section 254 of the Planning & Development Acts 2000-2017 in respect of the erection, construction, placing or maintaining of: –

- (a) a vending machine
- (b) a town or landscape map for indicating directions or places
- (c) a hoarding, fence or scaffold ***(see note)**
- (d) an advertisement structure
- (e) a cable, wire or pipeline
- (f) overground electronic communications infrastructure and any associated physical infrastructure
- (g) a telephone kiosk or pedestal, or
- (h) any other appliance, apparatus or structure, which may be prescribed as requiring a licence under this section

on, under, over or along a public road.

A Licence under Section 254 of the Planning & Development Acts 2000-2017 is not required in respect of the following:

- (a) an appliance, apparatus or structure which is authorised in accordance with a planning permission granted
- (b) a temporary hoarding, fence or scaffold erected in accordance with a condition of planning permission granted
- (c) the erection, construction, placing or maintenance under a public road of a cable, wire or pipeline by a statutory undertaker

A person applying for a Licence under Section 254 shall furnish to the Planning Authority such plans and other information concerning the position, design and capacity of the appliance, apparatus or structure as the authority may require

A licence may be granted by the Planning Authority for such period and upon such conditions as the authority may specify, including conditions in relation to location and design, and where in the opinion of the Planning Authority, by reason of the increase or alteration of traffic on the road or of the widening of the road or of any improvement of or relating to the road, the appliance, apparatus or structure causes an obstruction or becomes dangerous, the authority may by notice in writing withdraw the licence and require the licensee to remove the appliance, apparatus or structure at his or her own expense.

**Planning & Development Regulations 2001-2017
(Article 202, 203 & Schedule 12)**

**Licence Fees under Section 254 of the Planning & Development Acts
2000-2017 in respect of specified appliances, apparatus and
structures**

Schedule 12

Column 1 Appliance, Apparatus or Structure	Column 2 Licence Fee
Part 1	
Appliances, apparatus and structures:	
(a) A vending machine or coin operated machine (not being a weighing machine)	€125
(b) A town or landscape map for indicating directions or places	€25
(c) A hoarding, fence or scaffold (not being a hoarding, fence or scaffold bounding a public road)	€1250
(d) An advertisement structure (other than an advertisement structure specified in paragraph (dd))	€630
(dd) An advertisement structure (being of a fingerpost type not exceeding 1metre in length) consisting of a direction sign to indicate tourist accommodation. Directional signs for other purposes.	€50
(e) A cable, wire or pipeline (not being a cable for conducting electricity for domestic or agricultural purposes or a drain or waterpipe).	€25 per 100m length or part thereof
(f) A telephone kiosk or pedestal	€630
(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
(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
(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
(k) A weighing machine	€63
(l) A bring facility	€25

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Part 2	
(a) A cabinet used as part of a wired broadcast relay system by a person license dunder the Wireless Telegraphy (Wired Broadcast Relay Licence) Regulations, 1974	€125
(b) A lamp-post	€25
(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
(d) A cellar or other underground structure constructed on or after 1 October 1964	€125
(e) A cable for conducting electricity for domestic or agricultural purposes	€125

Article 202 – Fees for Licences under Section 254 of the Act

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 (above), the amount of the fee to be paid to the Planning authority shall be

- (i) where the licence is for a period of 1 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
- (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

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 (above), 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.

Article 203 - Additional Fee for Advertising Use:

In the case of:

- (a) any machine or similar appliance, apparatus or structure, more than ¼ 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

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**** All applications for Section 254 licences should be accompanied by Public Liability Insurance for the sum of a minimum of €1.2 million per single incident. This is the minimum cover required. However, where the development is significant, or where the extent of scaffolding is major (i.e. more than 1 lift high and not tied back into a solid structure) cover of up to €6.7 million per single incident may be required by the Planning Authority prior to the granting of any licence.***