



Appendix G

Correspondence between McCourt Investments and Kildare County Council with respect to the 'Taking in Charge' of the Earls Court Development

McCourt Investments Ltd.

Court, Kilbride.
Clonee. Co. Meath.
Telephone: 086 260 9550

Builders & Developers

Mr. W Hannigan,
Kildare County Council,
Aras Chill Dara,
Devoy Park,
Naas,
Co. Kildare

8th June 2012

**Re: Taking-in-Charge- Reduction of liability under Bonds
Earls Court, Kill.
Planning Ref. No's 756/97 and 04/2081**

Dear Willie,

I refer to our meeting on the above site on Wednesday 30th May 2012 between your goodself, Sean Leahy KCC and myself in connection with the above.

The items discussed were as follows;

- (i) Security of the site at undeveloped areas;
- (ii) The provision of temporary footpaths;
- (iii) A reduction in our liability under the bonds lodged with Kildare County Council.
- (iv) Use of Safety Solutions, Health/Safety consultants to inspect site on a regular basis and the fact that the site is fully covered with Public Liability insurance.

I have now discussed the matter with my Architect John F. O'Connor of JFOC Architects.

We now propose the following works;

- (i) We propose to erect 2.3m high "weldmesh" fencing at the location "A" & "B" indicated on the attached plan and as agreed on site.

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- (ii) We propose to extend the concrete post and concrete rail fence at position "C" on the attached drawing.
- (iii) A new temporary tarmacadam footpath will be constructed between the points "D" & "E" on the map. In addition a new concrete kerb will be constructed and a grass margin provided between the kerb and the footpath.
- (iv) Between the points "F" & "G" a new kerb will be constructed and a grass margin will be provided between the kerb and the fence line marked "A".
- (v) Between the points "H" & "J" a new temporary tarmacadam footpath will be provided at this location. The kerb and grass margin are already in place.

As advised, the development is substantially complete, specifically;

Foul sewer	100% complete	
Surface water	100% complete	
Watermains	100%	complete
Public lighting	100%	complete
Public openspace	100% complete	
Footpaths	Complete except for 170 lin meters of footpath. The cost of the Permanent works to the footpath will be €3, 150.00.	

Most of the roads on the development have been topped with a wearing course. The outstanding works comprise tarmac blacktop to the Avenue and this comprises 3,550 sq. metre at a cost of €10 per sq. metre. The cost of works to fully complete the development will be €38,650.00. As you are aware, the Council retain two bonds in respect of the overall development in the sum of £100,000.00 (€127,000.00) and, a further cash bond in the sum of €252,000.00. Total amount of the bonds €379,000.00.

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Investments Ltd.

Court, Killybride,
Clonee, Co. Meath.
Telephone: 086 260 9550

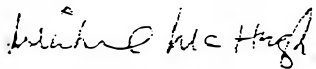
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In the light of the foregoing we would respectfully suggest that our liability under the bonds be reduced to €50,000.00 and we would appreciate confirmation of your agreement to the foregoing. You might also confirm that the Council will be satisfied

with the proposed works set out above. On receipt of confirmation of same we will put the works in hand immediately.

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Yours Faithfully



Michael Mc Hugh

(4)

McCourt Investments Ltd.

Builders & Developers

Court, Kilbride,
Clonee, Co. Meath.
Telephone: 086 260 9550

Mr Willie Hannigan,
Kildare County
Council, Planning Dept,
Arus Chill Dara,
Devoy Park,
Naas,
Co. Kildare

23rd November 2012

**Re; Taking-in-Charge-Reduction of liability under
Bonds Earls Court, Kill
Planning Ref. No's 756/97 and 04/2081**

Dear Willie,

I refer to our meeting on the above site on Thursday 22nd November 2012 between your goodself, Sean Leahy of KCC and myself in connection with the above.

Attached please find enclosed

- (a) CAD of ²⁰constructed drawings from B. D. Surveys
- (b) Copy of report and C.C.T.V. of Foul and Storm sewers from Dyno-Rod as

requested by you at our meeting on the 8th June 2012

Yours Faithfully

Michael Mc Hugh
Michael Mc Hugh





Date: 26th March 2013
Our ref: PP-97/756 & 04/2081

Michael McHugh
McCourt Investments Limited
Court,
Kilbride,
Clonee,
Co. Meath

Re: Planning permission 97/756 & 04/2081
Development at Earls Court, Kill, Co. Kildare

Dear Mr. McHugh,

Following your onsite meeting with representatives of the Building Control Section, Planning Department, Kildare County Council, on 27/2/13 with ACDs and CCTV for this site submitted on 12/11/12. Your letter of 8/6/12 (copy attached) sets out your proposals to complete works on site to address health and safety concerns. A proposal has also been submitted to have the combined cash bonds held by the Council reduced to €50,000.00.

At the meeting of 27/2/13, it was agreed that you would:

- (1) attend to works detailed in letter of 8/6/12 (copy attached),
- (2) the existing bonds of £100,000 €127,000 for 97/756 and €252,000 for 04/2081 would be replaced by a single cash bond of €100,000 that would meet the requirements of the bond conditions of these permissions.

The proposal as outlined above is acceptable to the Building Control Section.

Should you require any further information please contact Development Contributions Section at 045/980843.

Yours sincerely,



A. Rowan
Senior Executive Officer
Planning & Economic Development