

Grant for the Conservation of a Protected Structure Application for a Grant

NOTE: Please read the attached notes carefully before completing the

1. Applicant

Name: _____

Address: _____

PPS Number: Charity Number:

(where applicable)

2. Owner of structure (if not applicant)

Name: _____

Address: _____

PPS Number: Charity Number:

(where

applicable)

3. Structure

Address (if not that of applicant): _____

Age years

Existing use: _____

Proposed use (if different) : _____

Is it protected? (If so, give details): _____

RPS Number: _____

4. Proposed works

Description of works for which grant is sought: _____

Starting date: Completion date:

Estimated Cost: €

Will works be phased? If so, give details:

Description of other proposed works (if any):

5. Statutory requirements

Planning Date Granted Ref No

Permission: Date Granted Ref No

Fire Safety Certificate:

If foregoing are under appeal, give details:

6. Funding

Grant sought: €

Source of funding for remainder of cost: _____

Other public funding applied for: _____

Other public funding received or refused: _____

Have the works been or will the works be the subject of a claim for tax relief under section 482 of the Taxes Consolidation Act, 1997?

7. Personnel employed on works

Architect, etc:

Name: _____

Address: _____

Tax Clearance Certificate Reference No: -

Customer Tax No: -
- Expiry Date: -

Contractor:

Name: _____

Address: _____

Serial No:

C2 Cert. No:

Expiry Date:

8. Contact Details

Name: _____

Address: _____

Tel Home

Tel Work

Fax

E_mail _____

9. Declaration

I certify that: -

- a) I understand and fulfil the terms and conditions of the grant scheme,**
- b) The information provided in the application form and supporting documents is correct and that I will notify the relevant local authority if there is any change in that information,**
- c) My tax affairs are in order, and**
- d) I understand that payment of a grant by a local authority under this scheme does not imply a warranty on the part of the authority or the Minister for the Environment, Heritage and Local Government in relation to the suitability or safety of the works concerned or the state of repair or condition of all or any part of the structure concerned or its fitness for use.**

I understand that the local authority may make any enquiries that it considers necessary to establish my eligibility for a grant, and that the authority's decision is final.

Applicant's Signature: _____

Date: _____

NOTES

1. The terms and conditions of the scheme of grants for the conservation of protected structures are set out in an Explanatory Memorandum. This should be read carefully before making an application for a grant.
2. **The application form must be fully and clearly completed, and must be accompanied by appropriate documents (see 6 below). Incomplete applications will not be accepted.**

3. Question 3 – Structure

- If the structure is not at present in use, the last use must be stated.
- If the structure is protected by any legislation other than the Planning Acts (eg the National Monuments Acts), this must be stated. “Protected” means required by legislation to be conserved.

4. Question 5 - Statutory Requirements

Where a permission or certificate has been applied for but no decision has been made, or where the decision is under appeal, state this, and the date of application or appeal.

5. Question 6 – Funding

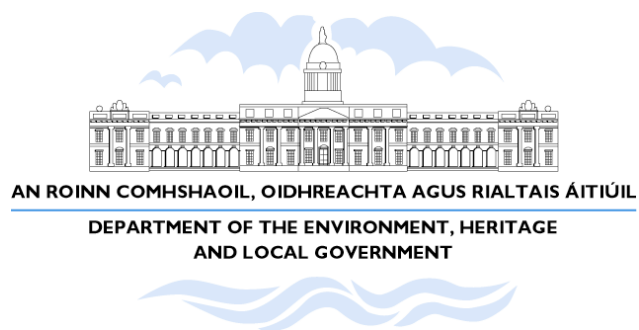
Details of how the cost of the works, other than the amount of the grant sought, is proposed to be funded must be stated. The applicant must indicate the amount of the applicant's personal or business resources being used and any –

- Grants, subsidies or assistance from statutory bodies, or
- Sponsorship or assistance from a non-statutory source,

received or being sought. Where the applicant is carrying out any part of the works directly, or where they are being undertaken by voluntary means, this must also be stated.

6. The following must be attached to all applications –

- Site location map with location of works clearly marked in red
- Written consent of property owner for proposed works (where applicable)
- Copy of planning permission, fire safety certificate or any other statutory approval already obtained
- Detailed cost breakdown of works for which grant is sought
- Photographs of present condition of proposed works site, dated and mounted or colour copied on A4 paper
- Tax Clearance Certificates (as appropriate)
- Method statement for the works. This should set out how the work will be done, what materials will be used and how the fabric of the building will be conserved, and include all necessary plans and drawings. For windows, panelling, staircases, roofs, chimneys and so on, the method statement should emphasise, as far as possible, repair of existing elements rather than facsimile replacement. The works should follow the conservation principles in the Department of the Environment, Heritage and Local Government's Conservation Guidelines.



EXPLANATORY MEMORANDUM

Grant for the conservation of a protected structure

Heritage Policy & Architectural Protection
Department of the Environment, Heritage and Local Government
Dún Scéine
Harcourt Lane
Dublin 2

Introduction

- 1.1 The objective of this scheme is to assist the owner or occupier of a structure, which is protected because of its architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest to undertake conservation works on such structure.
- 1.2 There is no automatic right to a grant under the scheme. Each local authority is allocated a fixed amount of money for a calendar year to meet grant payments. Accordingly, grant applications are prioritised each year within available resources and in accordance with the terms set out in this Explanatory Memorandum.**
- 1.3 Works do not qualify where they begin before the structure concerned is inspected under par. 4.2, except where a local authority considers that the works are or were necessary to eliminate or reduce an immediate risk to the safety or survival of the structure.
- 2.1 A structure qualifies under the scheme if it is included in the Record of Protected Structures of the relevant planning authority. A Record of Protected Structures is included in each development plan by the relevant planning authority under the Local Government (Planning and Development) Act, 2000.
- 2.2 A structure does not qualify if it is owned by a public authority. For this purpose, “public authority” means: -
- (a) a Government Department,
 - (b) the Commissioners of Public Works,
 - (c) a local authority or a regional authority,
 - (d) a harbour authority,
 - (e) a health board,
 - (f) a board or other body established by or under statute,
 - (g) a company in which all the shares are held by, or on behalf of, or by directors appointed by, a Minister of the Government, or
 - (h) a company in which all the shares are held by a board, company, or other body referred to in paragraph (f) or (g).

Qualifying Works

- 3.1 Works qualify under the scheme where they consist of the conservation of one or more elements of a qualifying structure. Qualifying works would, among other things, include: -
- (a) Works necessary to secure the stability of a structure or part of a structure,
 - (b) Works necessary to make a structure weather-proof or damp-proof ,
 - (c) Works necessary to conserve or repair external walls or internal features,
 - (d) Works consisting of temporary repairs, where it is necessary to protect a structure from immediate risks.
- 3.2 Works **do not** qualify under the scheme where, in the opinion of a local authority: -
- (a) They consist of maintenance, alterations or improvements,
 - (b) They are not essential to secure the conservation of the structure,
 - (c) They have an approved cost of less than €1,900,
 - (d) They have been, are, or will be the subject of a claim for relief from income tax or corporation tax under section 482 of the Taxes Consolidation Act, 1997 (formerly Section 19 of the Finance Act, 1982), or

- (e) They are not or were not necessary to eliminate or reduce an immediate risk to the safety or survival of the structure concerned, and they commence before an inspection under par. 4.2 is carried out.
- 4.1 An application for a grant under the scheme may be made to a local authority by an owner or an occupier of a structure, and must be made on Form 1. A local authority may, at its discretion, require an applicant to furnish particulars of his or her interest in the structure concerned.
- 4.2 Where a local authority considers that an application meets the terms and conditions of the scheme, it will carry out an inspection of the structure concerned. If, following such an inspection, the authority is satisfied that the structure and proposed works concerned qualify, it will prioritise the application in relation to other applications made to it, having regard to its current Scheme of Priorities. A Scheme of Priorities is a statement by a local authority of the criteria to be applied by it in determining how applications for grants will be prioritised.
- 4.3 Following the prioritisation carried out under par. 4.2, a local authority will, where it considers that it will be in a position to meet the cost of an application from its financial allocation in the current calendar year, determine an Amount of Grant. Where qualifying and non-qualifying works are combined in a single project, the cost of non-qualifying works is not reckonable for calculating the approved cost of works.
- 4.4 The standard Amount of Grant is 50% of the approved cost or, if appropriate, the revised approved cost (pars. 8.3 and 8.4 refer), subject to a maximum of €13,000. The approved cost is an estimate, calculated by a local authority, of the reasonable cost of qualifying works. All reasonable expenditure to be incurred in relation to the works, such as fees for professional advisors, essential supporting works and services, and insurance, will be reckonable in this regard.**

A local authority may, at its discretion, determine an Amount of Grant lower or, in exceptional circumstances, greater than the standard amount. In making such a determination, the authority will have regard to: -

- (a) The nature, condition and importance (in terms of conservation) of the structure concerned,
- (b) The nature and necessity (in terms of conservation) of the proposed works,
- (c) The cost of the proposed works,
- (d) The amount of any other public funding which has already been paid or is being applied for in respect of the works concerned, and
- (e) The ability of the applicant to meet the cost of the works.

Where a local authority is considering determining an amount of grant in excess of the standard grant it should be conscious of the proportion of its allocation that would be taken up by the grant concerned. A relatively large grant should be considered only where the authority is satisfied that this would contribute more towards achieving the authority's conservation objectives than two or more grants for smaller-scale works to other structures (eg. in 2000, just 6% of the total applications paid exceeded the standard grant. Given that such grant should be only considered in exceptional circumstances, this ratio is considered reasonable and should be borne in mind in future determinations).

An Amount of Grant may not in any circumstances exceed €25,000 or 75% of the approved cost, or, if appropriate, the revised approved cost, whichever is the lesser. Where funding under any other scheme financed by the Exchequer or the EU has been received or approved in respect of the qualifying works concerned, the maximum Amount of Grant available under this scheme is that amount which would bring the total amount of Exchequer or EU funding payable to 75% of the approved cost. However, these maximum grant limits do not restrict a local authority from making a contribution to an owner or occupier from its own resources towards the proportion of the approved cost not covered by a grant under this scheme.

Planning authority notices

- 5.1 Where a planning authority serves notice on an owner or an occupier of a protected structure requiring such person to carry out specified works to prevent the structure from becoming or continuing to be endangered, the authority may, at its discretion, whether or not such person has applied for a grant under this scheme, approve a grant to such person in respect of any or all of the works concerned.

Certificate of Provisional Approval

- 6.1 Having determined an Amount of Grant, a local authority will issue a Certificate of Provisional Approval. A Certificate of Provisional Approval will state the proposed works to which the Certificate relates, the Amount of Grant which has been determined, and the terms and conditions under which provisional approval is being given. Terms and conditions may relate to such matters as : –

- (a) The manner in which the proposed works must be carried out, including the standard of materials and workmanship which must be used,
- (b) The time within which the proposed works must be carried out,
- (c) The supervision which must be undertaken in relation to the proposed works,
- (d) The notification of a local authority as different elements of the proposed works are completed.

- 6.2 A person shall not be entitled to carry out any works solely by reason of having received a Certificate of Provisional Approval under this scheme. All statutory requirements relating to the proposed works, including those arising under the Planning Acts, the Building Control Act and the National Monuments Acts, must be complied with in the normal way.

Carrying out of works

- 7.1 After receipt of a Certificate of Provisional Approval, and where all other statutory requirements have been met, an applicant may begin the approved works. Where works are carried out by contract, the contractor must be registered for VAT and hold a current Form C2 or tax clearance certificate from the Revenue Commissioners.
- 7.2 Local authorities are allocated resources on an annual basis to operate the scheme. It is of the utmost importance, therefore, that approved works are carried out within the time specified in the Certificate of Provisional Approval. Where works are not proceeding in accordance with the Certificate, an authority may, at its discretion : -
- (a) postpone payment of the grant to another year, or
 - (b) cancel the Certificate of Provisional Approval and refuse to pay the grant.

Payment of Grant

- 8.1 On completion of the works, the applicant may claim payment of the grant by signing the declaration incorporated in the Certificate of Provisional Approval and returning it, together with the appropriate documents, to the relevant local authority.
- 8.2 Following receipt of a claim for payment, a local authority will carry out an inspection of the structure concerned to establish that the works have been carried out satisfactorily and in accordance with the Certificate of Provisional Approval. When the authority is satisfied in this regard, it will authorise payment of the grant.

- 8.3 Where a local authority is of the opinion that the works have not been carried out satisfactorily, the authority may, at its discretion: -
- (a) determine a revised approved cost and Amount of Grant,
 - (b) withhold grant payment until the applicant carries out such alterations to the existing works, or such additional works, as may be decided by the authority, or
 - (c) cancel the Certificate of Provisional Approval and refuse to pay the grant.
- 8.4 Where a local authority considers that the actual cost of the qualifying works was less than the approved cost, a revised approved cost and Amount of Grant will be determined.
- 8.5 A local authority can recoup from the Department the amount of any grant paid within its allocation by completing and returning Form 4. For ease of administration, Form 4 should be returned at the end of each quarter, as required.
- 9.1 This scheme came into operation with effect from 26 May 1999, and will continue on a yearly basis until further notice.**
- 9.2 The scheme will be administered by each city and county council (referred to in this Explanatory Memorandum as a "local authority"). All issues relating to the day-to-day operation of the scheme, including dealing with enquiries, applications and payments, determining the Amounts of Grant and prioritising, are matters for the relevant local authority. **A decision by a local authority on any of these matters is final.**
- 9.3 An application for a grant must be received by the relevant local authority not later than

12.30pm, Thursday 12th February 2009

as set by a local authority. In exceptional circumstances, e.g. where there is an immediate risk to the safety or survival of a building, a local authority may, at its discretion, accept an application after the relevant date.

- 9.4 **The issue of a Certificate of Provisional Approval or the payment of a grant under this scheme does not imply any warranty on the part of the local authority concerned or the Minister for the Environment, Heritage and Local Government in relation to the suitability or safety of the works concerned or the state of repair or condition of all or any part of the structure concerned or its fitness for use.**
- 9.5 The engagement of professional advisors in relation to works carried out under the scheme is strongly encouraged.

- IMPORTANT NOTICE -

**BEFORE SUBMITTING YOUR APPLICATION PLEASE
COMPLETE THE FOLLOWING CHECKLIST**

Action Completed	√
Application Form Completed in full	
Site location map (location of works marked in red)	
Detailed cost breakdown for which grant assistance is sought	
Photographs of current condition annotated as appropriate (must include date)	
Method Statement (how the work will be done, materials to be used, how the building will be conserved, include all necessary plans and drawings – works should follow DoEHLG’s Conservation Guidelines)	
Details of professional advice where relevant	
Written consent of owner	
Copy of planning permission, fire certificate or other statutory approval already approved, as appropriate	
Tax clearance certificates for applicant and personnel involved in works (i.e. contractor, architect) as appropriate	

Important Information on Tax Clearance Certificates

In order to make a Government grant payment, at the end of the Conservation Grant Scheme 2009 process, the administrator must ensure that all taxes are in order for both the **applicant** and the **personnel involved in the works** (i.e. contractor, architect).

It is therefore a requirement for the applicant to submit a Tax Clearance Certificate for themselves and for the personnel involved in the works (i.e. contractor, architect) together with the application. If the Tax Clearance Certificates expire before 1st December 2009 an updated Tax Clearance Certificate must be submitted to this office immediately thereafter.

You can apply for a Tax Clearance Certificate by contacting Revenue (Tel. 0749169400, Website: donegal@revenue.ie).