

Road Maintenance Services, Environment and Transportation Department,  
Block 2, Floor 4, Civic Offices, Wood Quay, Dublin 8

Seirbhísí um Chothabháil Bóithre, An Roinn Comhshaoil agus Iompair,  
Bloc 2, Urlár 4, Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8  
T. 01 222 2507 E. [roadmaintenance@dublincity.ie](mailto:roadmaintenance@dublincity.ie)

Mr. Kieran Tarpey,  
Entrust-Services,  
Unit 1D,  
Deerpark Business Centre,  
Oranmore,  
Co. Galway.  
H91 X599

23<sup>rd</sup> January 2023

Dear Kieran,

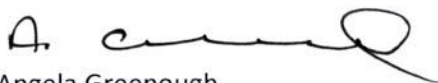
Our reference: **Ref: Telecommunications Cabinets & Associated Pole on the public footpath at R139, Belmayne Avenue, Balgriffin, Clarehall, Dublin 13**

I wish to inform you of the decision for placing a telecommunications cabinet at the above location.

This licence has been granted, please find licence enclosed.

If you require any further information please do not hesitate to contact this office.

Yours sincerely,



Angela Greenough

Assistant Staff Officer



Comhairle Cathrach  
Bhaile Átha Cliath  
Dublin City Council

**DUBLIN CITY COUNCIL**

**LICENCE NO.TIL036-22**

**COMHAIRLE CHATRACH ÁTHA CLIATH**

**Environment & Transportation Department, Civic Offices, Wood Quay, Dublin 8.**

PLANNING AND DEVELOPMENT ACT, 2000.

(SECTION 254)

PLANNING & DEVELOPMENT REGULATIONS 2001.

**LICENCE TO PLACE TELECOMMUNICATIONS  
INFRASTRUCTURE ON THE PUBLIC FOOTPATH/CARRIAGEWAY**

Dublin City Council hereby grants to

**EMERALD TOWER LIMITED**

A five year licence to place and maintain

**On the public footpath at R139 Road, Belmayne Avenue, Balgriffin, Clarehall, Dublin 13**

**Expiry Date of Licence : 16/01/2028**

Underwriter: **Chubb Insurance Co.**

Public Liability Insurance: **IECAN14297**

Expiry Date: **22<sup>nd</sup> APRIL 2023**

*Deirdre Good*

**SENIOR EXECUTIVE ENGINEER  
INFRASTRUCTURE MANAGEMENT UNIT  
ROAD MAINTENANCE SERVICES**

*The granting of this licence does not exempt the licensee from the provisions of any other legislation*

\* **Note:** The Roadworks Control Directive applies to all works on the public footpath/road and a separate permit must be obtained for this.

GENERAL LICENCE CONDITIONS FOR THE PLACING OF A TELECOMMUNICATION CABINETSS AND  
POLE ON PUBLIC ROAD/FOOTPATH.

1. The telecommunications street pole, including associated operator cabinets shall be installed on the site in accordance with the plans as per Drawing No. DN-2928-01-PD-01 and particulars received by the Planning Authority on 18<sup>th</sup> November 2022 where altered or amended by conditions in this Licence.
2. The maximum height of the telecommunications pole shall not be in excess of 15m as indicated on Drawing No. DN-2928-01-PD-03 and the maximum width of the upper end shall not exceed 0.406m as indicated on Drawing No. DN-2928-01-PD-03 received by the Planning Authority on 18<sup>th</sup> November 2022.
3. Any departures from the approved plans and particulars referred to in Condition No. 1 and 2 of this Licence including any alterations to location, layout, design and height of the street pole and associated cabinets shall not be carried out without the written consent of the Planning Authority. A change in use of the pole and or cabinets will require the submission of a new licence application.
4. No additional dishes, antennae or other equipment, other than that indicated on Drawing No. DN-2928-01-PD-03 received by the Planning Authority on 18<sup>th</sup> November 2022 shall be attached to the telecommunications pole or otherwise erected on the site without first obtaining written permission from the Planning Authority.
5. This Licence to place a telecommunication street pole and cabinets on the public footpath is personal to the Licensee and may not be assigned or sub-let.
6. The Licensee may permit Third Party Customers of the Licensee to use the telecommunications street pole and associated operator cabinets subject to the terms of this Licence. Any breach of the terms of this Licence by the Licensees Third Party Customers shall be a breach by the Licensee and the Licensee shall remain fully liable to Dublin City Council for the acts or omissions of any or all Third Party Customer users of the cabinets or pole including negligence.
7. The granting of this licence refers only to the placing of a cabinets and pole on a public road/footpath. It does not permit any advertising on the cabinets. The external finish of the operator cabinets shall be as indicated on the submitted plans.
8. In the event of obsolescence due to advances in technology, the telecommunications street pole and associated operator cabinets shall be removed from the site and the site reinstated at the operators expense.
9. The granting of a Licence is subject to a payment of the appropriate fee & adherence to the conditions herein and does not automatically guarantee the renewal in subsequent years.
10. The granting of this Licence may not be taken as authorisation to proceed with building or other operations in respect of which the permission of Dublin City Council may be necessary under any other legislation.
11. The Licensee shall maintain the area used for the cabinets and pole, and the cabinets and pole in an acceptable condition so as not to constitute a nuisance, e.g. free from graffiti.
12. The Licensee shall indemnify Dublin City Council against all claims, actions, suits, damages and demands by any person arising from injury or damage to person or property in consequence of the placement of the said cabinets and pole on the public road/footpath. The Licensee shall be required to submit for inspection to Dublin City Council, prior to the issuing of any Licence, documentary evidence of Public Liability Insurance for a minimum value of €6.5 million indemnifying Dublin City Council against third party claims. The Licensee shall, when reasonably requested by Dublin City Council and at least annually, produce for inspection insurance certificates to show that the above detailed insurance cover is being maintained.
13. The Licensee shall supply to Dublin City Council a contact name and number that is available at all times, including outside normal working hours, so that any reports of damage to the structure can be made and rectified without delay.

14. Prior to commencement of development the Licensee shall submit details and obtain a Road Opening Licence from The Roadworks Control Unit (RCU) in Dublin city Council. The Licensee shall be liable for the costs associated with any roads closures and reinstatement.
15. The cabinets and pole shall be removed if requested by Dublin City Council. In the event that the area in use is required by Dublin City Council in the performance of its statutory functions such notice as reasonable, as is possible will be given to the licensee. Where applicable, Provisions of Section 55(1) of The Communications Regulation Act, 2002 shall apply where DCC require to relocate or remove the cabinets.
16. If accidental damage is caused to the cabinets and pole or associated network, Dublin City Council will not be responsible for any claims made against it by the utility or their permitted Third Party Customers.
17. All costs incurred by Dublin City Council, including any repairs to the public road and services necessary arising directly as a result of the operation of the licence, shall be at the expense of the licensee. The licensee shall enter into an agreement with Dublin City Council to pay for any repairs to the footpath or public roadway arising directly from the licence.
18. Access for maintenance purposes to public lighting equipment and the associated under-ground or over-head services shall be available at all times.
19. Public lighting equipment shall not be used for any purpose associated with the cabinets or pole.
20. All water main covers, sewer manholes and service access points for utilities shall be accessible at all times. No cabinets or pole shall be positioned over a fire hydrant.
21. The cabinets and pole shall be suitably anchored and of robust and stable construction to prevent movement in adverse wind conditions or when repair works etc are being carried out on the adjacent footpath.
22. The cabinets should incorporate a sloped metal roof at a minimum angle of 45 degrees to discourage the use of the cabinets to gain unauthorised access to the neighbouring property.
23. The telecommunications street pole and associated operator cabinets shall be removed from the site and the site reinstated at the operators expense on the expiration of five years from the date of this Licence, unless before that date a further Licence is obtained for the continuation of the development.

*Any breaches of the licence condition will result in the revocation of the licence and the removal of the cabinets and pole.*