



Ref: TC 28

2nd February, 2018.

TO: An Cathaoirleach
& Each Member of Kilkenny County Council

RE: Taking in Charge of Estates
Section 11 of the Roads Act, 1993
Section 180 of the Planning & Development Act, 2000
As amended by Section 59 of the Planning & Development Act 2010

ESTATE: 35 House Development
at Burgess Court, Kells, Co. Kilkenny

In accordance with the decision of the Council on **15th May, 2017** a notice was published stating that Kilkenny County Council proposed to declare the road in the schedule hereunder to be a public road in accordance with the provisions of Section 11 of the Roads Act, 1993 in order to facilitate the taking in charge of the estate in accordance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act, 2010.

Written representations or objections in relation to the taking in charge were invited from the public. No objections or representations were received and the estate was completed in a satisfactory manner. In addition, the road is considered to be of a public utility. There are little or no financial implications in taking this estate in charge.

The extent of land to be transferred has changed very slightly during the consultation period. To take into account the landowner's desire to retain access to an otherwise land-locked water supply well, a 5m corridor of disused land is to be retained by the landowner as per the attached map

I therefore recommend that Kilkenny County Council resolve to take the estate in charge and that the roads be declared public roads and entered into the roads schedule of Kilkenny County Council.

SIGNED:

Sean McKeown
Director of Services
Planning

