



Comhairle Chontae Chill Chainnigh

Halla an Chontae Sraid Eoin Cill Chainnigh
R95 A39T

Pobail agus Áiteanna Inbhuanaithe a Chruthú

Kilkenny County Council

County Hall John Street Kilkenny
R95 A39T

Creating Sustainable Communities and Places



Ref: TC161

07th July 2022

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 TC161 – Arbourmount (Phase 1), Rockshire, Ferrybank, Co. Kilkenny

In accordance with the decision of the Council on 21st March 2022, 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, however none were received. The Planning Authority is currently collating a schedule of remedial works identified by the various internal service areas. The Special Liquidator of IBRC have repudiated the bond in this case, therefore, the cost of remedial works will be funded from internal resources. The works will be procured arranged, and funded by the local authority. In addition, the road is considered to be of a public utility. Water services assets will be taken in charge by Irish Water upon conclusion of its protocol process.

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:



Denis Malone
A/Director of Services
Planning

