



Comhairle Chontae Chill Chainnigh

Halla an Chontae Sraid Eoin Cill Chainnigh
R95 A39T

Pobail agus Áiteanna Inbhuanaíthe a Chruthú

Kilkenny County Council

County Hall John Street Kilkenny
R95 A39T

Creating Sustainable Communities and Places



Ref: TC154

06th November 2023

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 TC 154 Ogenty, Gowran, Co. Kilkenny

In accordance with the decision of the Council in July 2023, 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. Two submissions were received, both were assessed and taken into consideration, legal advice was obtained and responses were issued. There is legal recourse available to third parties if they wish to challenge the responses given.

Works to bring the development to a suitable standard will be completed after taking in charge and funded from the bond. 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 Owner is currently managing the maintenance of the private well which serves Ogenty. The maintenance arrangements for the well will remain in place until such time as the Gowran - Goresbridge - Paulstown scheme is upgraded and there is a formal connection agreement in place between the Owner and UE. As regards any future developments adjacent to Ogenty, developers as per standard condition of planning are required to enter into water and/or waste water connection agreement(s) with Irish Water.

The attached updated map indicates the area to be Taken in Charge (area within the red line boundary). This includes the roadway, footpaths, public lighting, fire hydrants and open public spaces.

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:

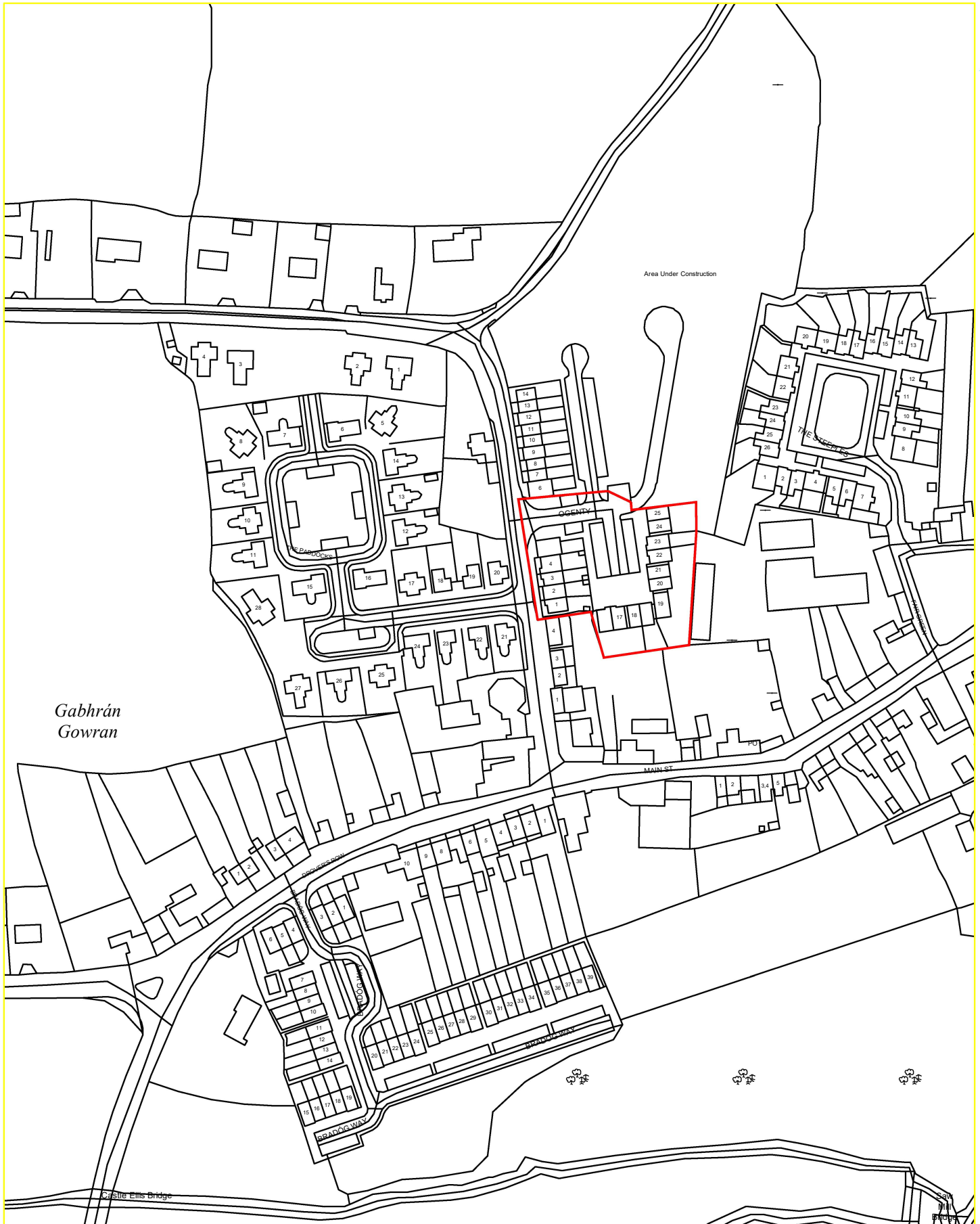
A handwritten signature in black ink, appearing to read 'Sean McKeown', written over a horizontal line.

Sean McKeown
Director of Services
Planning

THIS IS A COMPUTER GENERATED MAP WITH ITM CORDINATES

O.S MAP REF. 4829- b

N663126 N653774



BASED ON ORDNANCE SURVEY OF IRELAND MAP, LICENCE No. KILKENNY CCMA 08/12

E 662689 N653223

DRAFT - INFORMATION PURPOSES ONLY

Taking in Charge at Ogenty, Gowran, Kilkenny

Plot Date: 06/11/2023
Drn by: W Delaney

Comhairle Chontae Chill Chainnigh
Kilkenny County Council
County Hall John Street Kilkenny
Telephone: (056) 7794000
Fax: (056) 7794004
Webpage: www.kilkennyccoco.ie
Serving People - Preserving Heritage

