



## 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



**TO: AN CATHAOIRLEACH AND EACH MEMBER OF  
KILKENNY COUNTY COUNCIL.**

**RE: CARLOW KILKENNY DOG SHELTER AT PAULSTOWN,  
CO. KILKENNY – OPERATION AND MAINTENANCE AGREEMENT.**

Kilkenny County Council proposes to continue with the operational and maintenance works as required at the Carlow Kilkenny Dog Shelter at Paulstown, Co. Kilkenny. All costs are apportioned equally with Carlow County Council. It is recommended that a Section 85 Agreement be extended until 31<sup>st</sup> August 2026 with Carlow County Council so as to have this arrangement on a formal statutory basis.

Members approval is recommended to this joint arrangement with Carlow County Council.

**Signed:**

**Tim Butler**  
**Director of Services**

**Dated:**

10/1/25

## **SECTION 85 AGREEMENT**

**AGREEMENT** made the            day of            2025    between    **KILKENNY COUNTY COUNCIL** of the one part, and **CARLOW COUNTY COUNCIL** of the second part.

WHEREAS: Kilkenny County Council and Carlow County Council are the authorities for administering the Control of Dogs function in their respective administrative areas.

And whereas Kilkenny County Council, in exercise of its power, functions and duties as the authority for administering the Control of Dogs function proposes to carry out all operational and maintenance work at the Carlow Kilkenny Dog Shelter, Paulstown, Co. Kilkenny with the costs being apportioned equally with Carlow County Council.

And whereas Kilkenny County Council at its meeting held on the 21st July 2025, and Carlow County Council at its meeting held on 14<sup>th</sup> July 2025 , have adopted resolutions pursuant to Section 85 of the Local Government Act, 2001, as amended, to enter into an agreement that Kilkenny County Council should exercise the powers, duties and functions, including the powers of Carlow County Council.

NOW THESE PRESENT WITNESS THAT under and by virtue of the provisions of Section 85 of the Local Government Act 2001, as amended, and every other power available to them and each of them enabling and in accordance with the said recited resolutions Kilkenny County Council and Carlow County Council hereby agree that the powers, functions and duties, insofar as they relate to all operational and maintenance works at the Carlow Kilkenny Dog Shelter, Paulstown, Co. Kilkenny shall be exercised by Kilkenny County Council on behalf of the aforementioned local authority and Kilkenny County Council hereby undertakes with the aforementioned local authority to carry out the said powers, functions and duties, on behalf of Carlow County Council on the foregoing terms and Kilkenny County Council hereby agrees with Carlow County Council to indemnify and keep indemnified Carlow County Council against any actions, claims, demands arising out of the carrying out of or the failure to carry out the said powers, duties and functions by Kilkenny County Council.

The agreement to be reviewed on or before the 31<sup>st</sup> August 2026 or earlier by agreement of both Kilkenny County Council and Carlow County Council.

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