



Ref: TC59

09th January 2024

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 TC59 The Greens, Jerpoint West, Thomastown, Co. Kilkenny

In accordance with the decision of the Council in October 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. Survey works have been completed. In relation to outstanding works, a financial settlement was agreed between KCC and the developer. Works to bring the development to a suitable standard will be completed after taking in charge and funded from this settlement. 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. 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:

Sean McKeown
Director of Services
Planning