



Ref: TC133

11th June 2021

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 TC133 - The Green, Ballyfoyle, Co. Kilkenny

In accordance with the decision of the Council on 15th March 2021, 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. Works to bring the development to a standard suitable for taking in charge have been completed. 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 planning authority will upgrade the private water and wastewater infrastructure on behalf of the management company, the private infrastructure will remain the responsibility of the management company.

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