



NOTICE OF A COMPULSORY PURCHASE ORDER UNDER SECTION 76 OF AND THE THIRD SCHEDULE TO THE HOUSING ACT, 1966, AS EXTENDED BY SECTION 10 OF THE LOCAL GOVERNMENT (NO. 2) ACT, 1960 AND AMENDED AND EXTENDED BY THE PLANNING AND DEVELOPMENT ACTS, 2000 (As Amended) INCLUDING SECTION 213 OF THE PLANNING AND DEVELOPMENT ACTS, 2000 (As amended); LOCAL GOVERNMENT ACTS, 1925 – 2019 INCLUDING LOCAL GOVERNMENT (NO. 2) ACT, 1960; ROADS ACTS 1993 – 2015, AND ALL OTHER ACTS. SECTION 10 OF THE LOCAL GOVERNMENT (IRELAND) ACT, 1898, AS AMENDED BY SECTION 11 OF THE LOCAL GOVERNMENT (NO. 2) ACT, 1960 AND SECTION 213 OF THE PLANNING AND DEVELOPMENT ACTS, 2000 (As amended)

COMPULSORY ACQUISITION OF LAND

**Kilkenny County Council Compulsory Purchase Order No. 1 of 2023
Proposed Ballyhale Flood Relief Scheme**

The Kilkenny County Council (hereinafter referred to as “the local authority”) in exercise of the powers conferred upon them by Section 76 of the Housing Act, 1966, and the Third Schedule thereto, as extended by Section 10 of the Local Government (No. 2) Act, 1960 as substituted by Section 86 of the Housing Act, 1966 as amended by Section 6 and the Second Schedule to the Roads Acts, 1993-2015 and as amended by the Planning and Development Acts, 2000 (As Amended), have made an order entitled as above which is about to be submitted to An Bord Pleanála for confirmation.

If confirmed, the order will authorise the local authority to acquire compulsorily the lands and wayleaves described in Part I, II, III and IV of the Schedule hereto for the purposes of the construction & maintenance of the proposed **Ballyhale Flood Relief Scheme** with ancillary works through the townlands of Ballyhale and Kiltorcan.

Owners, lessees and occupiers of the land described in the Schedule will receive individual written notice.

The Board cannot confirm –

- (a) a compulsory purchase order in respect of the land if an objection is made in respect of the acquisition by an owner, lessee or occupier of the land, and not withdrawn,
- (b) an order which authorises the extinguishment of a public right of way if there is an objection to the extinguishment, which is not withdrawn,

until it has caused to be held an oral hearing into the matter and until it has considered the objection and the report of the person who held the oral hearing.

A copy of the order and of the map referred to in it may be seen from Tuesday 16th May 2023 to Tuesday 27th June 2023 (Inclusive of both dates) at the following locations:

- The website of Kilkenny County Council at <https://www.kilkennycoco.ie/eng/services/roads/flood-relief/ballyhale-flood-relief-scheme/>
- The Planning Department of Kilkenny County Council, County Hall, John Street, Kilkenny City. R95A39T between the hours 9am to 1pm & 2pm to 4pm Monday to Friday (Excluding Public Holidays).
- Thomastown Municipal District Office, Ladyswell, Thomastown, Co. Kilkenny R95 TX68, and Callan Municipal District Office, Clonmel Road, Callan, Co. Kilkenny, R95 RK06; from 9am to 1pm & 2pm to 5pm Monday to Friday (Except Public Holidays).
- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1 between the hours 9:15am and 5:30pm Monday to Friday (Excluding Public Holidays).

A Natura Impact Statement and Environmental Impact Assessment Report, for which separate public notice has been given, has been prepared in respect of the development which it is proposed to carry out on the land. Evidence in relation to the likely effects on the environment of the proposed development may also be heard at the oral hearing, if any.

Dated this 3rd May 2023.

**Anne Maria Walsh, County Secretary,
Kilkenny County Council.**