

**KILKENNY COUNTY COUNCIL
KILKENNY BOROUGH COUNCIL**



**Central Access Scheme for the City of Kilkenny
Compulsory Purchase Order (No. 1) of 2011**

Notice of the Confirmation by An Bord Pleanála of a COMPULSORY PURCHASE ORDER made under 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 and amended and extended by the Planning and Development Acts, 2000-2010 including section 213 of the Planning and Development Act, 2000; Local Government Acts, 1925-2009 including Local Government (No.2) Act, 1960; Roads Acts, 1993-2007.

Published in accordance with section 78 (1) of the Housing Act, 1966 as amended by the Planning and Development Acts, 2000 - 2010.

CENTRAL ACCESS SCHEME for the CITY of KILKENNY COMPULSORY PURCHASE ORDER (No.1) of 2011.

An Bord Pleanála has on the 12th December 2011, made a confirmation order confirming the above named compulsory purchase order as respects the land described in the schedule hereto. The said order, as so confirmed, authorises the County Council of the County of Kilkenny to acquire the said land compulsorily. It will become operative three weeks from the date of publication of this notice. A copy of the order as so confirmed and of the map referred to in it may be seen at the following locations:

Kilkenny County Council, County Hall, John Street, Kilkenny (Monday to Friday 9am-1pm and 2pm-5pm).

Kilkenny Borough Council, City Hall, High Street, Kilkenny (Monday to Friday 9am-1pm and 2pm-5pm).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 47 and 47A of the Transport (Railway Infrastructure) Act 2001 (as substituted by section 49 of the Planning and

Development (Strategic Infrastructure) Act, 2006) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 47 (4) of the Transport (Railway Infrastructure) Act, 2001 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 47 (5), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 47 may question only the validity of the decision and the Courts do not adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 47a states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed.

Schedule Part 1 -Land (other than land consisting of a House or Houses unfit for Human habitation and not being rendered fit for human habitation at reasonable expense):

Number on map deposited at the Offices of The local authority	Quantity, description and situation of the land	Owners or reputed owners	Lessees or reputed lessees	Occupiers (except tenants for a month or period less than a month)
104A	Ha: 0.091 Type: Amenity Land Townland: Gardens DED: Kilkeny No.1 Urban County: Kilkeny	Kilkenny Borough Council, City Hall, High Street, Kilkenny	None	Kilkenny Borough Council, City Hall, High Street, Kilkenny
104B	Ha: 0.049 Type: River Townland: Gardens DED: Kilkeny No.1 Urban County: Kilkeny	Kilkenny Borough Council, City Hall, High Street, Kilkenny	None	Kilkenny Borough Council, City Hall, High Street, Kilkenny
104C	Ha: 0.081 Type: River Townland: Friarsinch DED: Kilkeny No.2 Urban County: Kilkeny	Kilkenny Borough Council, City Hall, High Street, Kilkenny	None	Kilkenny Borough Council, City Hall, High Street, Kilkenny
104D	Ha: 0.042 Type: Amenity Land Townland: Friarsinch DED: Kilkeny No.2 Urban County: Kilkeny	Kilkenny Borough Council, City Hall, High Street, Kilkenny	None	Kilkenny Borough Council, City Hall, High Street, Kilkenny
104E	Ha: 0.164 Type: Amenity Land Townland: Newpark Lower DED: Kilkeny No.2 Urban County: Kilkeny	Kilkenny Borough Council, City Hall, High Street, Kilkenny	None	Kilkenny Borough Council, City Hall, High Street, Kilkenny
104F	Ha: 0.004 Type: Amenity Land Townland: Gardens DED: Kilkeny No.2 Urban County: Kilkeny	Kilkenny Borough Council, City Hall, High Street, Kilkenny	None	Kilkenny Borough Council, City Hall, High Street, Kilkenny
104G	Ha: 0.025 Type: Amenity Land Townland: Gardens DED: Kilkeny No.2 Urban County: Kilkeny	Kilkenny Borough Council, City Hall, High Street, Kilkenny	None	Kilkenny Borough Council, City Hall, High Street, Kilkenny

Number on map deposited at the Offices of The local authority	Quantity, description and situation of the land	Owners or reputed owners	Lessees or reputed lessees	Occupiers (except tenants for a month or period less than a month)
106A	Ha: 0.018 Type: Dwelling & Curtilage Townland: Gardens DED: Kilkenny No.1 Urban County: Kilkenny	Michael Minogue, Dean Street, Kilkenny	None	Tom Walsh, Apt No. 1, 21 Vicar Street, Kilkenny John Corcoran, Apt No. 2, 21 Vicar Street, Kilkenny Sean Fox, Apt No. 3, 21 Vicar Street, Kilkenny Tommy Reid, Apt No. 5, 21 Vicar Street, Kilkenny
107A	Ha: 0.030 Type: Dwelling & Curtilage Townland: Gardens DED: Kilkenny No.1 Urban County: Kilkenny	Kilkenny County Council, County Hall, John Street, Kilkenny	None	Kilkenny County Council, County Hall, John Street, Kilkenny
107B	Ha: 0.027 Type: Dwelling & Curtilage Townland: Gardens DED: Kilkenny No.1 Urban County: Kilkenny	Kilkenny County Council, County Hall, John Street, Kilkenny	None	Noreside Resource Centre, 22 Vicar Street, Kilkenny
107C	Ha: 0.042 Type: Industrial Land Townland: Gardens DED: Kilkenny No.1 Urban County: Kilkenny	Kilkenny County Council, County Hall, John Street, Kilkenny	None	Diageo, St. Jame's Gate, Dublin 8
108A	Ha: 0.006 Type: Brewery Land Townland: Gardens DED: Kilkenny No.1 Urban County: Kilkenny	Diageo, St. James Gate, Dublin 8	None	Diageo, St. James Gate, Dublin 8
108B	Ha: 0.203 Type: Brewery Land Townland: Gardens DED: Kilkenny No.1 Urban County: Kilkenny	Diageo, St. James Gate, Dublin 8	None	Diageo, St. James Gate, Dublin 8
108C	Ha: 0.001 Type: Brewery Land Townland: Gardens DED: Kilkenny No.1 Urban County: Kilkenny	Diageo, St. James Gate, Dublin 8	None	Diageo, St. James Gate, Dublin 8
108D	Ha: 0.008 Type: Brewery Land Townland: Gardens DED: Kilkenny No.1 Urban County: Kilkenny	Diageo, St. James Gate, Dublin 8	None	Diageo, St. James Gate, Dublin 8
108E	Ha: 0.018 Type: Brewery Land Townland: Gardens DED: Kilkenny No.1 Urban County: Kilkenny	Diageo, St. James Gate, Dublin 8	None	Diageo, St. James Gate, Dublin 8

Number on map deposited at the Offices of The local authority	Quantity, description and situation of the land	Owners or reputed owners	Lessees or reputed lessees	Occupiers (except tenants for a month or period less than a month)
108Z	Ha: 0.045 Type: Brewery Land Townland: Gardens DED: Kilkenny No.1 Urban County: Kilkenny	Diageo, St. James Gate, Dublin 8	None	Diageo, St. James Gate, Dublin 8
109A	Ha: 0.001 Type: Curtilage Townland: Newpark Lower DED: Kilkenny No.2 Urban County: Kilkenny	Reps. of Paul Doheny, Greensbridge Street, Kilkenny	None	Reps. of Paul Doheny, Greensbridge Street, Kilkenny
110A	Ha: 0.060 Type: Curtilage Townland: Roach Pond DED: Kilkenny No.2 Urban County: Kilkenny	Health Service Executive, Parkgate St. Business Centre, Dublin 8	None	Health Service Executive, Parkgate St. Business Centre, Dublin 8
111A	Ha: 0.066 Type: Commercial Land Townland: Roach Pond DED: Kilkenny No.2 Urban County: Kilkenny	Padmore & Barnes Ltd., Wolfetone Street, Kilkenny	None	Padmore & Barnes Ltd., Wolfetone Street., Kilkenny
111B	Ha: 0.040 Type: Commercial Buildings Townland: Roach Pond DED: Kilkenny No.2 Urban County: Kilkenny	Padmore & Barnes Ltd., Wolfetone Street., Kilkenny	None	Padmore & Barnes Ltd., Wolfetone Street., Kilkenny
111C	Ha: 0.021 Type: Commercial Land Townland: Roach Pond DED: Kilkenny No.2 Urban County: Kilkenny	Padmore & Barnes Ltd., Wolfetone Street., Kilkenny	None	Padmore & Barnes Ltd., Wolfetone Street., Kilkenny
111W	Ha: 0.018 Type: Commercial Buildings Townland: Roach Pond DED: Kilkenny No.2 Urban County: Kilkenny	Padmore & Barnes Ltd., Wolfetone Street., Kilkenny	None	Padmore & Barnes Ltd., Wolfetone Street., Kilkenny
111X	Ha: 0.009 Type: Commercial Land Townland: Roach Pond DED: Kilkenny No.2 Urban County: Kilkenny	Padmore & Barnes Ltd., Wolfetone Street., Kilkenny	None	Padmore & Barnes Ltd., Wolfetone Street., Kilkenny
111Y	Ha: 0.053 Type: Commercial Buildings Townland: Roach Pond DED: Kilkenny No.2 Urban County: Kilkenny	Padmore & Barnes Ltd., Wolfetone Street., Kilkenny	None	Padmore & Barnes Ltd., Wolfetone Street., Kilkenny
111Z	Ha: 0.044 Type: Commercial Land Townland: Roach Pond DED: Kilkenny No.2 Urban County: Kilkenny	Padmore & Barnes Ltd., Wolfetone Street., Kilkenny	None	Padmore & Barnes Ltd., Wolfetone Street., Kilkenny
112A	Ha: 0.289 Type: Development Land Townland: Roach Pond DED: Kilkenny No.2 Urban County: Kilkenny	Citymart Properties Limited, c/o Cilín Hill, Carlow Road, Kilkenny.	None	Citymart Properties Limited, c/o Cilín Hill, Carlow Road, Kilkenny

Dated this day of 25th January 2012.

Michael Delahunty,
County Secretary,
Kilkenny County Council,
County Hall,
John Street,
Kilkenny.

