

KILKENNY COUNTY COUNCIL
COMHAIRLE CHONTAE CHILL CHAINNIGH



**NOTICE OF THE MAKING 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,
TO BE SERVED ON OWNERS, LESSEES AND OCCUPIERS IN ACCORDANCE
WITH ARTICLE 4 (b) OF THE THIRD SCHEDULE TO THE HOUSING ACT, 1966,
AS AMENDED BY THE PLANNING AND DEVELOPMENT ACTS, 2000-2019 (As
Amended)**

COMPULSORY ACQUISITION OF LAND

**Kilkenny County Council Compulsory Purchase Order No. 5 of 2025
South – North Access Road**

(Statutory form explaining your rights in relation to the making of the Compulsory Purchase Order).

To Abbeygate Properties Limited,
of Twelfth Floor,
 Riverpoint,
 Lower Mallow Street,
 Limerick.

Owner or Reputed Owner CPO Plot Ref: 3305, 3307a – 3307i, 3305T, 3307T1 – 3307T2

Occupier CPO Plot Ref: 3305, 3305T

Lessee CPO Plot Ref: N/A

1. 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) and amended by the Planning and Development Acts, 2000-2019 (As Amended) have made an order entitled as above which is about to be submitted to An Coimisiún Pleanála (hereafter "the Commission") for confirmation.

2. If confirmed, the order will authorise the local authority to acquire compulsorily the land described in the Schedule hereto for the purposes of the construction of the **South – North Access Road**.

3. A copy of the order and of the map referred to in it may be inspected during office hours from Wednesday 22nd October 2025 and Wednesday 3rd December 2025 at the following locations:

- Planning Department, Kilkenny County Council, County Hall, John Street, Kilkenny City. A95A397, From 9am to 1pm & 2pm to 4pm Monday to Friday (Excluding Public Holidays).
- Piltown Municipal District Offices, Kilkenny County Council, Ferrybank Shopping Centre, Ferrybank, Co. Kilkenny, X91DE42; from 9am to 1pm & 2pm to 5pm Monday to Friday (Except Public Holidays).
- The offices of An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1 between the hours 9:15am and 5:30pm Monday to Friday (Excluding Public Holidays)

A copy of the order and the map referred will also be available to view between Wednesday 22nd October 2025 and Wednesday 3rd December 2025 on the consultation website: <https://consult.kilkenny.ie/en>

4. The Housing Act, 1966, as amended, provides that if an objection is made to the proposed compulsory acquisition of land, the land in respect of which an objection is duly made by any of the persons upon whom notices of the making of the order are required to be served shall not be acquired compulsorily unless the Commission makes an order to confirm the compulsory purchase order, unless:-

- (a) the objection is withdrawn, or
- (b) the Commission is satisfied that the objection relates exclusively to matters which can be dealt with by the arbitrator by whom the compensation may have to be assessed.

The Commission may, at its discretion, decide not to confirm the Compulsory Purchase Order in respect of such land until it has caused to be held an Oral Hearing into the objection(s) and until it has considered the objection(s) and the report of the person who held the Oral Hearing.

However, regard should be had to the provisions of Section 218 of the Planning and Development Act, 2000 as amended which provide that where as a result of the transfer of functions under section 214, 215, 215A, 215B or 215C of the Planning Development Act, 2000, as amended, the Commission would otherwise be required to hold a local inquiry, public local inquiry or oral hearing, that requirement shall not apply to the Commission but the Commission may, at its absolute discretion, hold an oral hearing in relation to the matter, the subject of the function transferred.

5. Any objection to the order must state in writing the grounds of objection and be sent addressed to An Coimisiún Pleanála at 64 Marlborough Street, Dublin 1, D01 V902, so as to reach the said Board before 5:30pm on Wednesday 3rd December 2025.

6. The Commission, if it thinks fit, may in one or more stages annul the compulsory purchase order or confirm the order, with or without modification.

7. If no objection is received to the proposed compulsory acquisition of land, the objection is withdrawn or the Commission is satisfied that the objection relates exclusively to matters which can be dealt with by the arbitrator by whom the compensation may have to be assessed, the Commission shall inform the local authority, which may then confirm the order with or without modification, or refuse to so confirm it.

8. A person may question the validity of any determination by the Commission to confirm a Compulsory Purchase Order by way of an application for Judicial Review, under Order 84 of the Rules of the Superior Courts as provided for in Section 50 of the Planning and Development Act 2000 (as amended). Further information can be obtained from An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1 (Eircode D01 V902) in respect of the Judicial Review procedure. Further information in respect of the Judicial Review process can also be found on www.citizensinformation.ie. Contact 0818074000 or +353(0)212298178 for details of the locations and operating hours of your local Citizens Information Centre.

9. If land to which the order, as confirmed by either the Commission or the local authority, relates is acquired by the local authority, compensation for the land will be assessed in respect of the acquisition as the value of the land at the date that the relevant notice to treat is served.

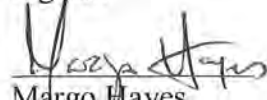
10. In the opinion of the local authority, no part of the land in which you have an interest consists of a house or houses which is/are unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense. If the land to which the order relates is acquired by the local authority, compensation will be assessed in accordance with Part II of the Fourth Schedule to the Housing Act, 1966, and the provisions of the Acquisition of Land (Assessment of Compensation) Act, 1919 as amended by the Acquisition of Land (Reference Committee) Act, 1925, the Property Values (Arbitrations and Appeals) Act, 1960, and the Local Government (Planning and Development) Act, 1963 (as applied by section 265(3) of the Planning and Development Acts, 2000 (As Amended), subject to the modifications contained in the Third Schedule to the Housing Act, 1966.

11. Any dispute in relation to compensation shall be referred to and be determined by a property arbitrator appointed under the Property Values (Arbitrations and Appeals) Act, 1960.

12. A claimant for compensation may, at any time after the expiration of fourteen days from the date on which the relevant notice to treat is served, send to the Secretary, the Reference Committee, Four Courts, Dublin, an application in writing for the nomination of a property arbitrator for the purpose of determining the compensation to be paid. The application should be made in accordance with the Property Values (Arbitrations and Appeals) Rules, 1961 (S.I. No. 91 of 1961).

Dated this 14th day of October 2025.

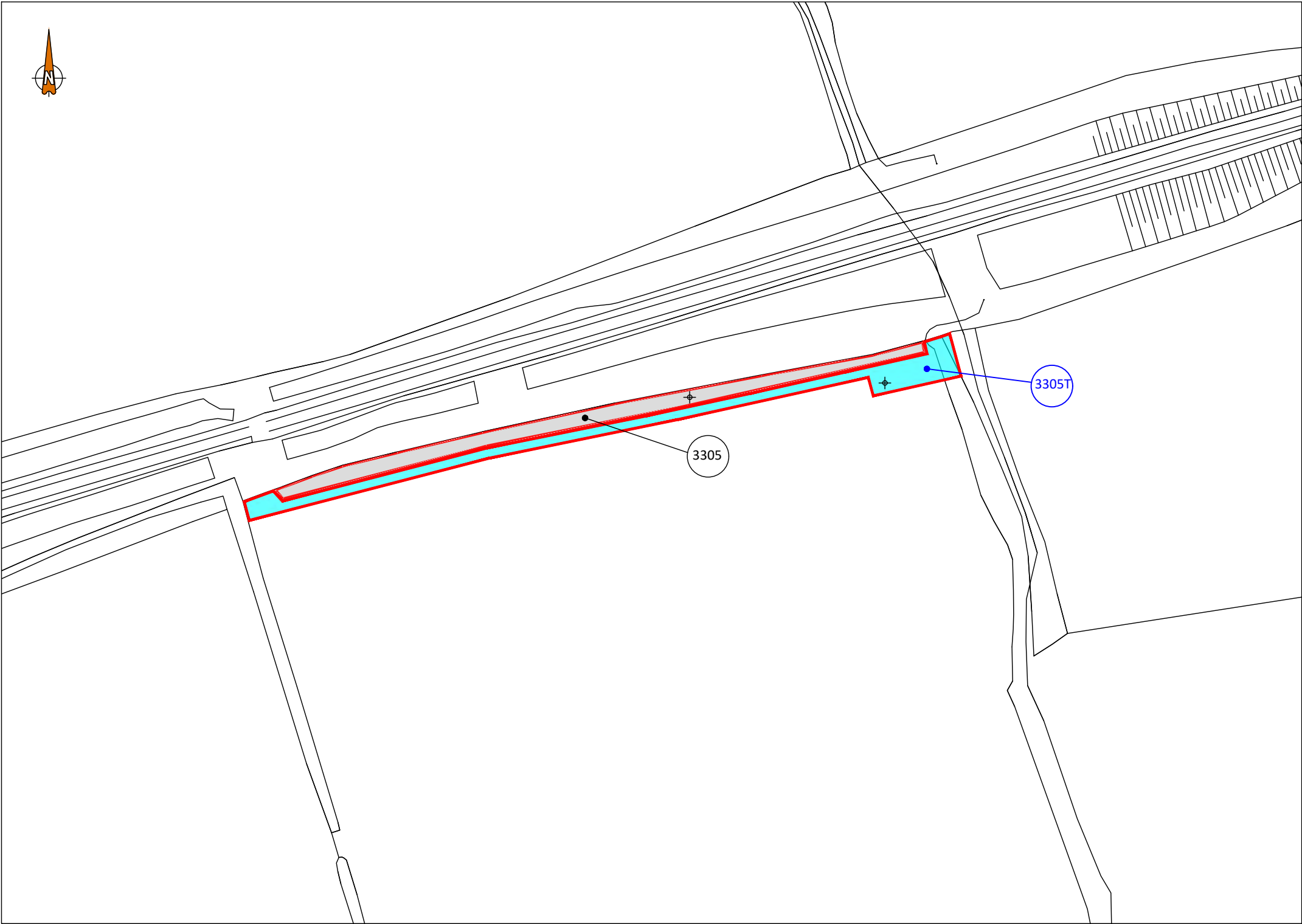
Signed:



Margo Hayes,
County Secretary,
Kilkenny County Council

COMPULSORY PURCHASE ORDER
No. 5 Of 2025
ABBEYGATE PROPERTIES LTD
TO KILKENNY COUNTY COUNCIL

662861 E
613454 N



LEGEND

PERMANENT ACQUISITION
Land to be transferred
shown outlined in red and
shaded grey



PLOT	DESCRIPTION	AREA (Hectares)	Site Centre + Point Coordinates
3305	Agricultural Land	0.0488	E=663010 N=613368
Total Area (Ha):		0.0488	

LEGEND

TEMPORARY ACQUISITION
Land to be transferred shown
outlined in red and shaded
cyan



PLOT	DESCRIPTION	AREA (Hectares)	Site Centre + Point Coordinates
3305T	Agricultural Land	0.0549	E=663053 N=613371
Total Area (Ha):		0.0549	

OWNER NAME:	Abbeygate Properties Ltd	TOWNLAND:	Rathculliheen
OWNER Folio Number:	KK11813	BARONY:	Kilculliheen
OS Sheet:	Extract from 5632-D	Electoral Division:	Kilculliheen

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Tionscadal Éireann
Project Ireland
2040

Comhairle Chontae Chill Chainnigh
Kilkenny County Council

County Hall John Street Kilkenny
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Fax: (056) 7794004
Webpage: www.kilkennycoco.ie
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Dublin Office: 9 Prussia Street, Dublin 7. D07 KT57.
Tel: +353 (0)1 8682000 Web: www.ocsc.ie
Dublin · London · Belfast · Galway · Cork · Birmingham

REV	DATE	DRN	DESCRIPTION	CHKD	APPR
A	21-05-25	RM	DRAFT CPO - FOR COMMENT	PR	AH
B	20-06-25	RM	UPDATED AS PER KCC COMMENTS	PR	AH
C	01-08-25	RM	UPDATED AS PER KCC COMMENTS	PR	AH
D	09-09-25	RM	UPDATED AS PER KCC COMMENTS	PR	AH
E	03-10-25	RM	UPDATED AS PER KCC COMMENTS	PR	AH

SOUTH - NORTH ACCESS ROAD FERRYBANK

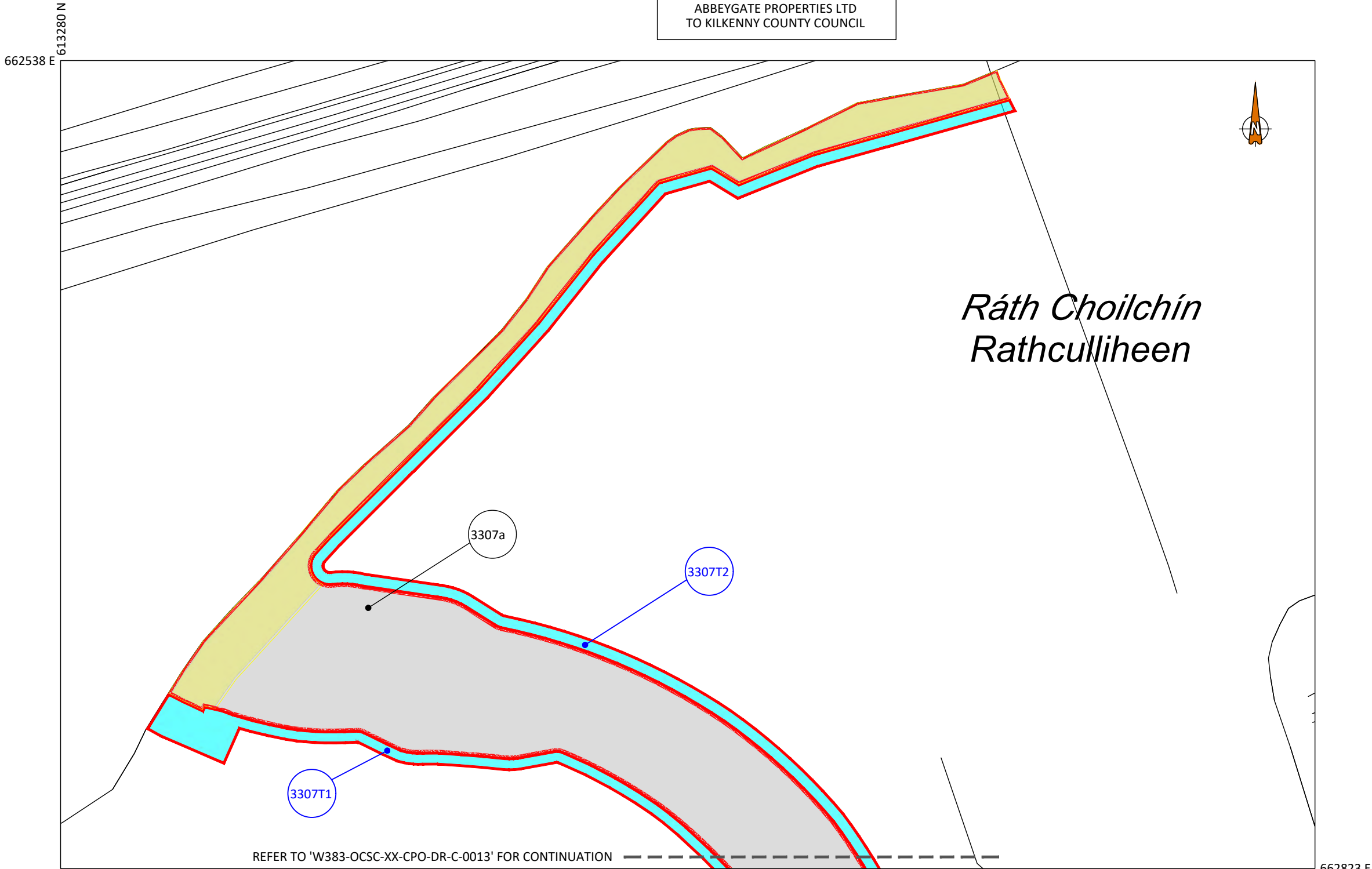
TITLE:
LANDS TO BE COMPULSORILY ACQUIRED
KILKENNY COUNTY COUNCIL
SHEET 7 OF 12

STATUS
CPO

DESIGNED: P. RAGGETT
DRAWN: R. MONTGOMERY
CHECKED: P. RAGGETT
APPROVED: A. HORAN
SCALE AT A3: 1 / 1000

DRAWING No.
W383-OCSC-XX-CPO-DR-C-0010

REV:
E



OWNER NAME:	Vision Fields Developments Ltd & Abbeygate Properties Ltd	TOWNLAND:	Rathculliheen
OWNER Folio Number:	KK29271F	BARONY:	Kilculliheen
OS Sheet:	Extract from 5632-D	Electoral Division:	Kilculliheen

LEGEND

PERMANENT ACQUISITION Land to be transferred shown outlined in Red and shaded Grey	
PERMANENT ACQUISITION Land to be transferred situated in wayleave	

PLOT	DESCRIPTION	AREA (Hectares)	Site Centre + Point Coordinates
3307a	Agricultural Land and Land	1.5109 (0.3453 area within wayleave)	E=662832 N=612969
3307b	Land	0.0032 (0.0003 area within wayleave)	E=662785 N=612879
3307c	Private Road	0.0784 (0.0784 area within wayleave)	E=662766 N=612833
3307d	Land	0.0459 (0.0459 area within wayleave)	E=662753 N=612824
3307e	Land	0.0036 (0.0036 area within wayleave)	E=662739 N=612807
3307f	Land	0.0102 (0.0052 area within wayleave)	E=662735 N=612787
3307g	Public Road	0.0881 (0.0880 area within wayleave)	E=662736 N=612799
3307h	Land	0.0329 (0.0329 area within wayleave)	E=662711 N=612780
3307i	Land	0.0140 (0.0140 area within wayleave)	E=662705 N=612761

Total Area (Ha):	1.7872
Total Area (Ha) within wayleave:	0.6163
Wayleave to be extinguished.	

LEGEND

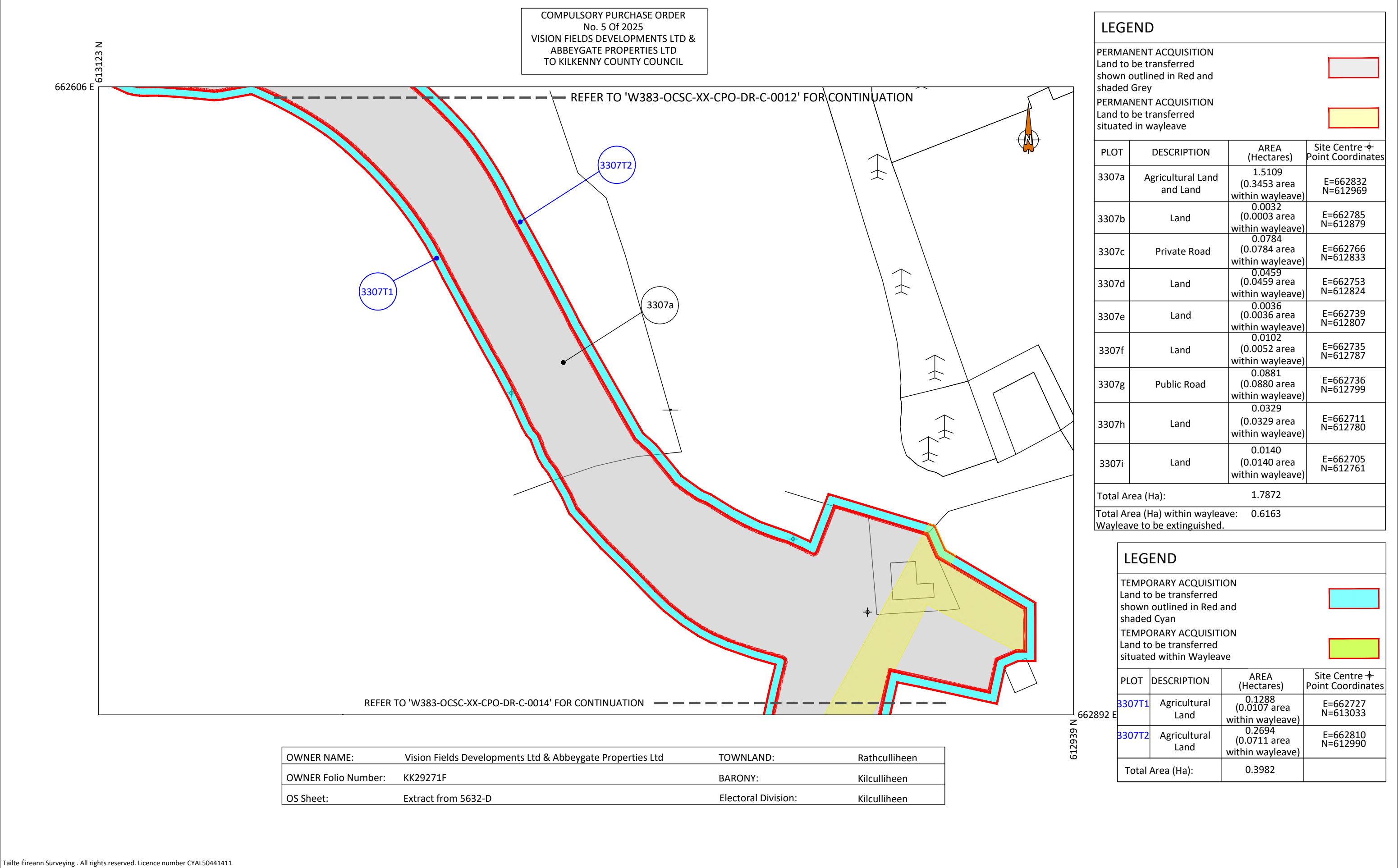
TEMPORARY ACQUISITION Land to be transferred shown outlined in Red and shaded Cyan	
TEMPORARY ACQUISITION Land to be transferred situated within Wayleave	

PLOT	DESCRIPTION	AREA (Hectares)	Site Centre + Point Coordinates
3307T1	Agricultural Land	0.1288 (0.0107 area within wayleave)	E=662727 N=613033
3307T2	Agricultural Land	0.2694 (0.0711 area within wayleave)	E=662810 N=612990

Total Area (Ha):	0.3982
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REV	DATE	DRN	DESCRIPTION	CHKD	APPR
A	21-05-25	RM	DRAFT CPO - FOR COMMENT	PR	AH
B	20-06-25	RM	UPDATED AS PER KCC COMMENTS	PR	AH
C	01-08-25	RM	UPDATED AS PER KCC COMMENTS	PR	AH
D	09-09-25	RM	UPDATED AS PER KCC COMMENTS	PR	AH
E	03-10-25	RM	UPDATED AS PER KCC COMMENTS	PR	AH

SOUTH - NORTH ACCESS ROAD FERRYBANK			
TITLE: LANDS TO BE COMPULSORILY ACQUIRED KILKENNY COUNTY COUNCIL SHEET 9 OF 12		DESIGNED: P. RAGGETT DRAWN: R. MONTGOMERY CHECKED: P. RAGGETT APPROVED: A. HORAN SCALE AT A3: 1 / 1000	REV: E
STATUS CPO	DRAWING No. W383-OCSC-XX-CPO-DR-C-0012		



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Tionscadal Éireann
Project Ireland
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Comhairle Chontae Chill Chainnigh
Kilkenny County Council

County Hall John Street Kilkenny
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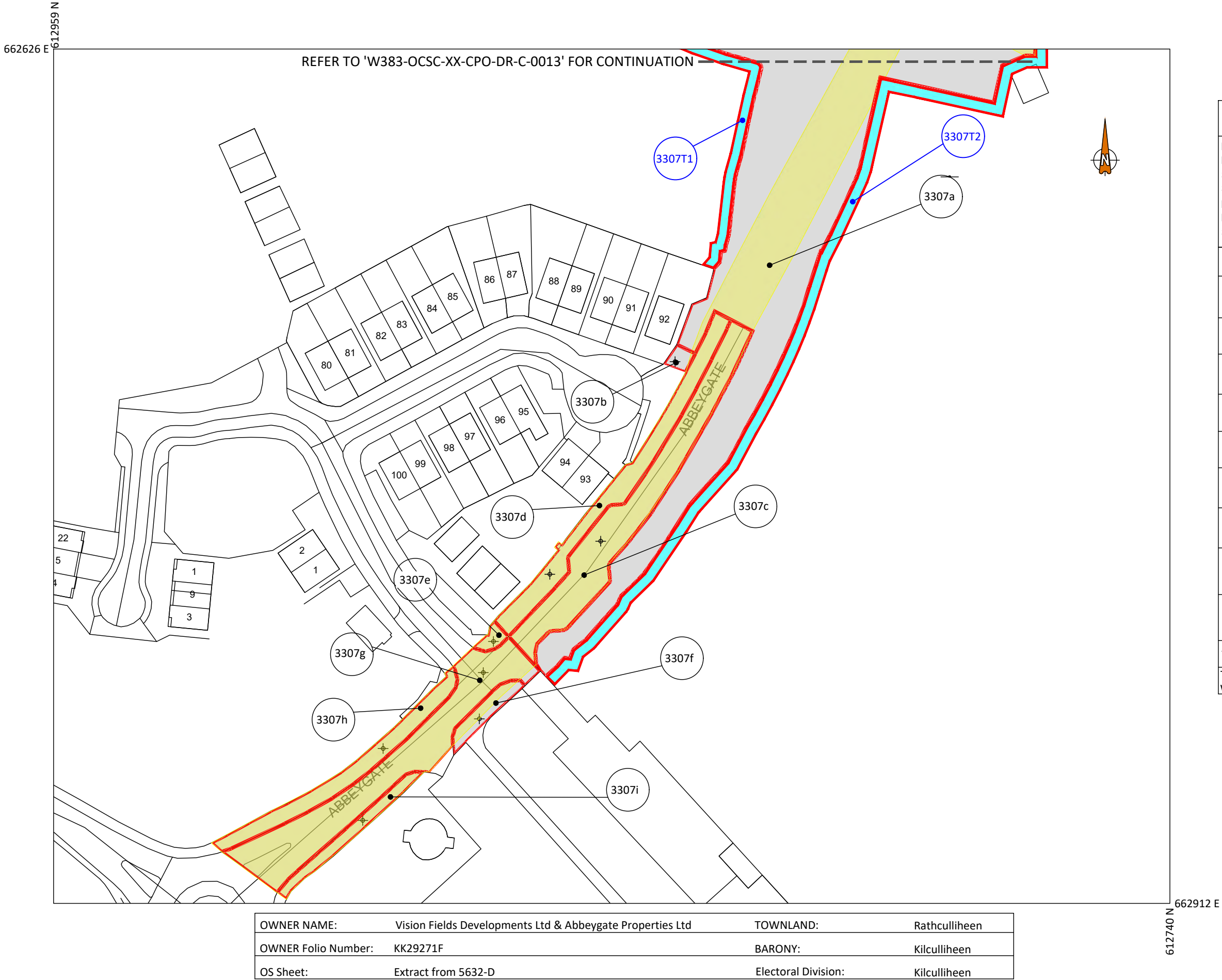
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LANDS TO BE COMPULSORILY ACQUIRED
KILKENNY COUNTY COUNCIL
SHEET 10 OF 12

STATUS
CPO

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APPROVED: A. HORAN
SCALE AT A3: 1 / 1000

DRAWING No.
W383-OCSC-XX-CPO-DR-C-0013

REV:
D



COMPULSORY PURCHASE ORDER
No. 5 Of 2025
VISION FIELDS DEVELOPMENTS LTD &
ABBEYGATE PROPERTIES LTD
TO KILKENNY COUNTY COUNCIL

LEGEND

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KILKENNY COUNTY COUNCIL		CHECKED: P. RAGGETT
SHEET 11 OF 12		APPROVED: A. HORAN
STATUS		SCALE AT A3: 1 / 1000
CPO	DRAWING No.	REV: D
W383-OCSC-XX-CPO-DR-C-0014		