

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 Michael Doyle Civil Engineering Limited,
of Cooladine House,
Enniscorthy,
County Wexford.

Owner or Reputed Owner CPO Plot Ref: 3302a – 3302e & 3302T

Occupier CPO Plot Ref: 3302a – 3302e, 3302T, 3303a – 3303c, 3303T1 – 3303T2

Lessee CPO Plot Ref: 3303a – 3303c, 3303T1 – 3303T2

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.

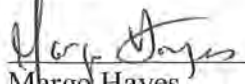
10. In the opinion of the local authority, no part of the land in which you have an interest consists of a house or houses which is/are unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense. If the land to which the order relates is acquired by the 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).

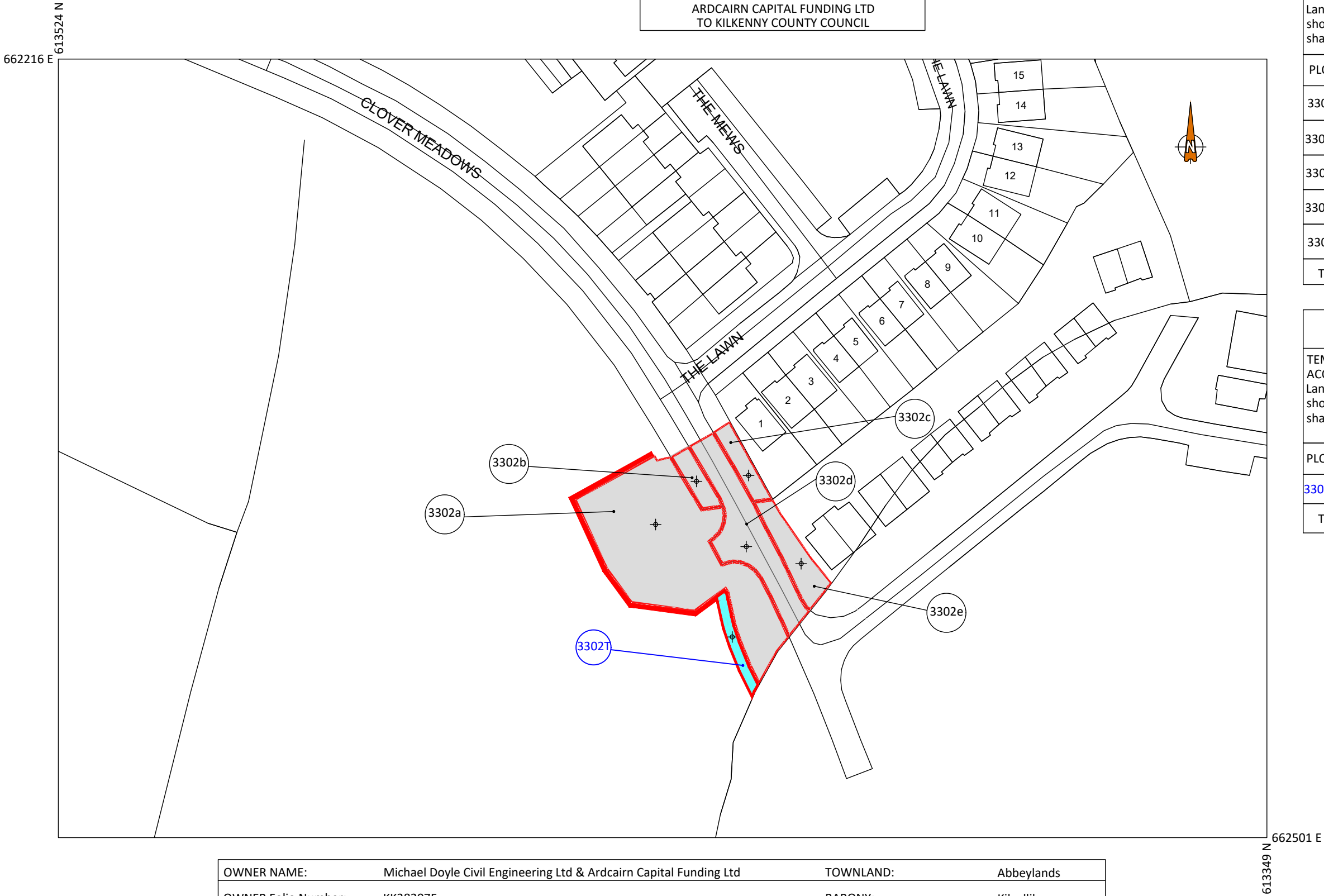
Dated this 14th day of October 2025.

Signed:



Margo Hayes,
County Secretary,
Kilkenny County Council

COMPULSORY PURCHASE ORDER
No. 5 Of 2025
MICHAEL DOYLE CIVIL ENGINEERING LTD &
ARDCAIRN CAPITAL FUNDING LTD
TO KILKENNY COUNTY COUNCIL



LEGEND			
PERMANENT ACQUISITION Land to be transferred shown outlined in red and shaded grey			
PLOT	DESCRIPTION	AREA (Hectares)	Site Centre  Point Coordinates
3302a	Agricultural Land	0.1118	E=662357 N=613414
3302b	Land	0.0076	E=662367 N=613424
3302c	Land	0.0078	E=662379 N=613426
3302d	Private Road	0.0392	E=662378 N=613409
3302e	Land	0.0162	E=662391 N=613405
Total Area (Ha):		0.1862	

LEGEND			
TEMPORARY ACQUISITION Land to be transferred shown outlined in red and shaded cyan			
PLOT	DESCRIPTION	AREA (Hectares)	Site Centre  Point Coordinates
3302T	Agricultural Land	0.0147	E=662375 N=613388
Total Area (Ha):		0.0147	

OWNER NAME:	Michael Doyle Civil Engineering Ltd & Ardcairn Capital Funding Ltd	TOWNLAND:	Abbeylands
OWNER Folio Number:	KK38207F	BARONY:	Kilculliheen
OS Sheet:	Extract from 5632-D	Electoral Division:	Kilculliheen

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Rialtas na hÉireann
Government of Ireland

Tionscadal Éireann
Project Ireland
2040

Comhairle Chontae Chill Chainnigh
Kilkenny County Council



County Hall John Street Kilkenny
Telephone: (056) 7794000
Fax: (056) 7794004
Webpage: www.kilkennycoco.ie
Serving People - Preserving Heritage



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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 3 OF 12

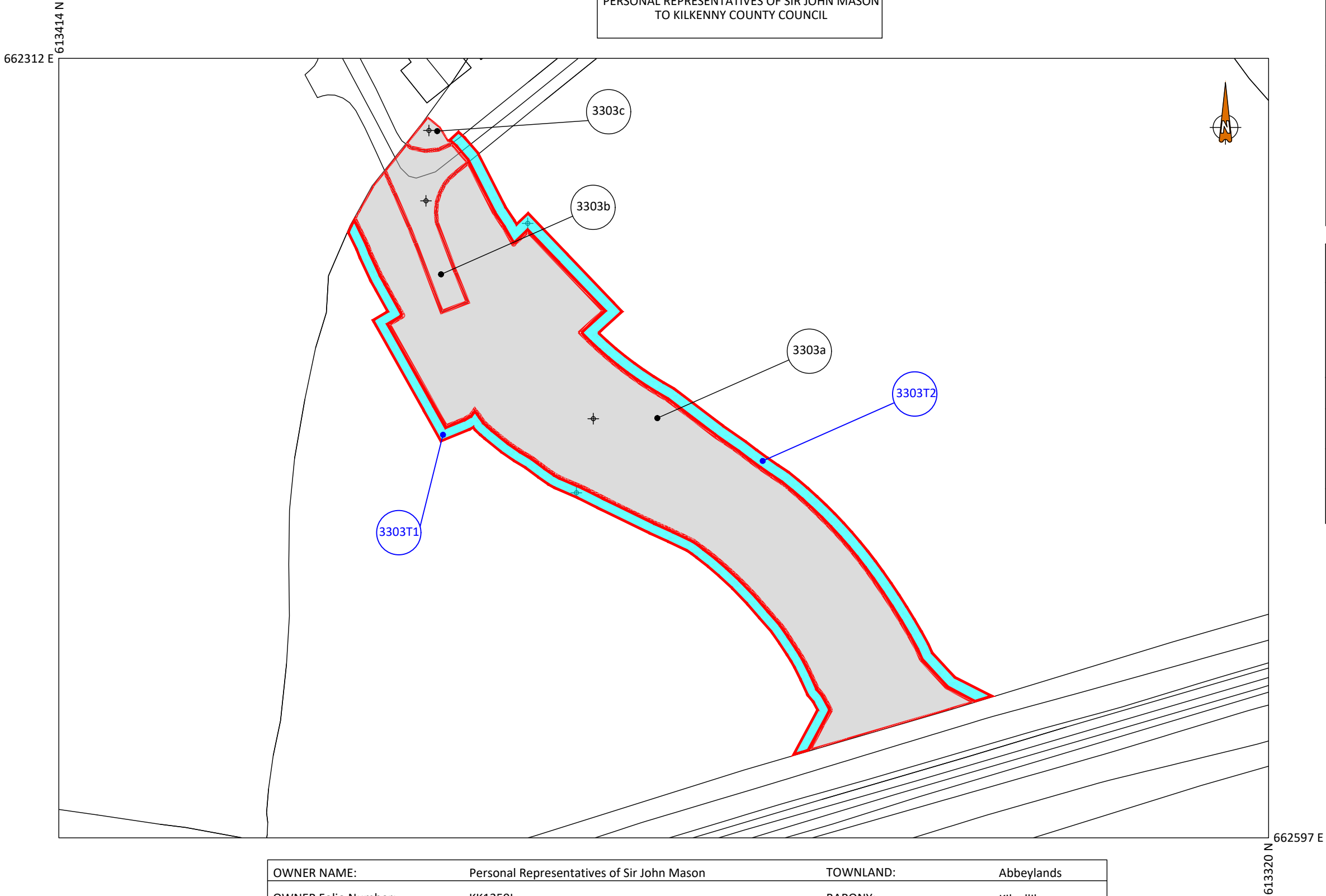
STATUS
CPO

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-0006

REV:
E

COMPULSORY PURCHASE ORDER
No. 5 Of 2025
PERSONAL REPRESENTATIVES OF SIR JOHN MASON
TO KILKENNY COUNTY COUNCIL



LEGEND			
PERMANENT ACQUISITION Land to be transferred shown outlined in red and shaded grey			
PLOT	DESCRIPTION	AREA (Hectares)	Site Centre + Point Coordinates
3303a	Agricultural Land	0.4968	E=662438 N=613329
3303b	Private Road	0.0357	E=662398 N=613380
3303c	Land	0.0051	E=662399 N=613397
Total Area (Ha):		0.5376	

LEGEND			
TEMPORARY ACQUISITION Land to be transferred shown outlined in red and shaded cyan			
PLOT	DESCRIPTION	AREA (Hectares)	Site Centre + Point Coordinates
3303T1	Agricultural Land	0.0561	E=662434 N=613311
3303T2	Agricultural Land	0.0644	E=662375 N=613386
Total Area (Ha):		0.1205	

OWNER NAME:	Personal Representatives of Sir John Mason	TOWNLAND:	Abbeylands
OWNER Folio Number:	KK1359L	BARONY:	Kilculliheen
OS Sheet:	Extract from 5632-D	Electoral Division:	Kilculliheen

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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:			DESIGNED:	P. RAGGETT	
LANDS TO BE COMPULSORILY ACQUIRED			DRAWN:	R. MONTGOMERY	
KILKENNY COUNTY COUNCIL			CHECKED:	P. RAGGETT	
SHEET 4 OF 12			APPROVED:	A. HORAN	
STATUS			SCALE AT A3:	1 / 1000	
CPO		DRAWING No.	W383-OCSC-XX-CPO-DR-C-0007		REV:
					E