

Nine years for aggravated burglary

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A MAN who admitted slashing the face of a pensioner and tying him up and robbing his home was sentenced to nine years in prison, the final two years being suspended at Kilkenny Circuit Court.

Liam Foley, 111 Old Road, Graignamanagh was convicted of the offence at Clohastia, Graignamanagh on January 9, 2011.

Detective Garda Finbar O'Donovan told the court that at 1.30am on the date in question the injured party opened the door of his house to male voices shouting 'gardai open up'. He opened the door to two males who pushed him back and said 'You have money in the house and we want it. The taller of the two men was Liam Foley and the smaller man was Rory Gahan (who was previously convicted of the offence and is currently serving a sentence). The taller man broke two TVs in the house with a hatchet and Liam Foley stole 160 out of the injured party's wallet and gave it to Rory Gahan who put it in his pocket.

Liam Foley stole painkillers from the kitchen and Rory Gahan put them in his pocket. Then Liam Foley went outside and got a black holdall bag that he had brought to the scene. From there he got a bottle of white spirits and put it in the fireplace. The fire came out into the room and Rory Gahan put it out with his jumper. Both men threatened the injured party and demanded the phone which they stole. Foley then went into the

kitchen and asked where the drugs were. One of them smashed the vermin contrail unit which they believed to be an alarm and went to the bedroom and smashed the TV screen.

Foley tied up the injured party using rope and tape and poured white spirits over the injured party's hands and said he was doing it to remove the DNA. Rory Gahan noticed that the binds were loose and Foley removed the binds and tied them again. Gahan said to Foley 'don't do something you will regret'.

Liam Foley got the petrol from where the injured party said it was. He returned and poured petrol over the injured party's hands. Foley produced a small pen knife and slashed the cheek

from the left eye to the mouth. The injured party still has a visible scar from it. Then one of the raiders asked how long before someone would call and the injured party said about a week. The raider took a number of a local taxi driver in the area and they left the house at 2.30am. The injured party managed to free himself and put a plaster on his face and then waited until 8am when he went to a neighbour's house and got medical assistance," added Det Gda O'Donovan.

The court heard that the raiders walked out and back to the house from Graignamanagh. En route back they dumped an axe and a hold all which contained a balaclava, pen knife and gloves into the River Barrow. Afterwards Rory Gahan sent a text to a

taxi driver and called him to make him aware.

The following day the defendant was arrested and he subsequently pointed out to gardai where the hold all was thrown into the river. He also told gardai that he 'regretted his actions'. Evidence was heard that the injured party has difficulty sleeping at night and has installed a CCTV system and has barriers inside the front door. "He was upset by the fact that both men were known to him," added the garda witness.

After arrest Foley, who had difficulties with heroin at the time made admissions to gardai. The court heard that the injured party has a number of previous convictions.

Judge Alice Doyle sentenced Foley to nine years in prison. She suspended

the final two years of the sentence for a period of five years on condition that the defendant be of good behaviour and keep the peace and abstain from all non prescription drugs.

Robbery and assault causing harm charges

Foley was also convicted of robbery, assault causing harm and production of an article in relation to a separate incident which took place in the city centre on December 4, 2011.

Garda John Moloney told the court that the injured party was resident outside of the jurisdiction and was now living in China. On the date in question Liam Foley left an apartment on New Street taking a knife with him and went into the city

centre. He entered a phone shop at Rose Inn Street at 5pm where the injured party was working at the time. There was one customer there at the time.

Foley tried to sell a phone but it was not accepted. Foley took a knife from his pocket and instructed the other man to leave. He then went behind the counter and took money from the cash box. He demanded that the man hand over the wallet and the victim ran from the shop and tried to hold the door to hold Liam Foley inside of the shop. Foley managed to get out of the store with €305 in cash and an iPhone. He went toward Dunnes Stores and the injured party gave chase. Foley turned and the man asked for the cash and

phone back. A struggle ensued between the two of them. He hit the injured party with a knife into the arm and the injured party fell to the ground and Foley ran through Dunnes Stores to the taxi rank and got a taxi back to New Street. He instructed the driver to avoid Rose Inn Street and paid him with a €20 note covered in blood.

"At 6pm he was seen at Cootes Lane with another male. Gardai arrived and met with Foley who matched the description of the suspect and had blood on him. He was arrested and conveyed to Kilkenny Garda Station where he was searched and the money and the phone were found.

The court heard that the defendant who co-operated with gardai was a 28-year-old heroin addict at the time of the offences.

A psychiatric report handed into the court was of the opinion that Foley suffers from an anti-social personality disorder.

Judge Doyle sentenced him to four years for robbery and suspended the final year for a period of two years. She also convicted him of assault causing harm and imposed a two year sentence, of which she suspended one year. She sentenced him to three years for production of an article and suspended the final year. She also ordered that the defendant liaise with the probation and welfare services and abstain from non prescribed drugs and that the sentences run concurrently and be backed to December 2011.

Mayor urges restraint in criticism of politicians

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MAYOR of Kilkenny Sean O'Harain has urged the public to exercise some restraint in their criticism of public figures, and not to engage in abusive or threatening rhetoric.

Politicians are people too, and recent events show that criticism is often taken to heart. The mayor said that there had been calls on a number of occasions to protect people in the council, following abuse from members of the public.

"I think the degree to which some people are willing to go in abusing local representatives online, in the pub, in public is not acceptable," he said.

"They think they can say anything they like. We are not full-time politicians in the council, the vast majority are largely voluntary doing their best."

The council expressed its sympathies to the family of the late minister of state Shane McEntee, who took his own life last month. Family and colleagues have said that severe public pressure and abusive online comments played a part in his death, and an Oireachtas Committee has been established to investigate cyber-bullying and use of social media.

Clr Martin Brett (FG) said that some of the abuse directed at the late Mr McEntee had been appalling and inexcusable.

A seminar on the county suicide prevention plan will take



Ivan McMahon and Eoin Molloy of Kilkenny Triathlon Club were presenting a cheque to Declan McCann of Friends of St Luke's Hospital at the club's AGM last week. Photo: Pat Moore.

Planning and Development Acts 2000 to 2011

NOTICE OF DIRECT PLANNING APPLICATION TO AN BORD

PLEANÁLA IN RESPECT OF A STRATEGIC - INFRASTRUCTURE DEVELOPMENT

Laois and Kilkenny County Councils

In accordance with Section 182A of the Planning and Development Act, 2000 as inserted by the Planning and Development (Strategic Infrastructure) Act, 2006 and amended by the Planning & Development (Amendment) Act, 2010 and the Environment (Miscellaneous Provisions) Act, 2011, EirGrid plc, with the consent and approval of the Electricity Supply Board, gives notice of its intention to make an application to An Bord Pleanála for approval of proposed electricity transmission infrastructure, and associated works in the townlands of Orchard Lower, Kyle, Coolnaback, Money Lower, Loughteeog, Carrigeen (E.D. Timogue), Esker, Ballygomill South, Cremorgan, Baunree, Raheenduff Big, Ballinaclogh Lower, Ballinaclogh Upper, Garryglass, Clarbarrack, Boleybeg, Knockardagur, Agnacross, Boleybawn, Cloghoge and Ironmills or Kilrush in Co. Laois and the townlands of Loughill, Ballyoskill, Ballynalacken, Ballymartin, Tinnalintan, Srleagh, Rathduff, Moatpark, Ballyragget, Donaghmore, Connahy, Foulksrath, Shanganny, Swiftsheath, Tullowglass, Gragara, Mohil, Ballyrafton, Bullockhill, Kilmademoige, Dunmorepark, Radestown South, Radestown North, Kylaroo, Brownstown, Kingsland (E.D. Kilkenny), Archersrath, Cellarstown West, Leggetsrath East, Cellarstown Lower, Cellarstown Upper, Higginstown, Templemartin (E.D. Clara), Rathbourn or Rathenmore and Scart (E.D. Dunbell) in Co. Kilkenny.

The proposed Laois-Kilkenny Reinforcement Project consists of 8 no. interrelated elements as follows:

- A new 400/110kV GIS substation comprising the construction of a new 400/110kV Gas Insulated Switchgear (GIS) substation at Coolnaback and Esker townlands, north of Timahoe, Co. Laois. This substation, in a site area of approx. 7.6 hectares, will consist of: 2 no. Gas Insulated (GIS) substation buildings one operated at 400kV (building dimensions 64m x 15.5m x 13m) and the other operated at 110kV (building dimensions approx. 50m x 11.5m x 12.5m) within a 98m x 117m compound secured by a 2.6m high palisade fence; a 400kV gantry and associated line equipment required to divert the 400kV overhead lines into the 400kV GIS station; 2 no. 400/110kV, 500MVA transformers and 2 no. shunt reactors which will be positioned in transformer bunds between the two substation buildings; associated development including 8 no. separate sedimentation/attenuation ponds (average area 110m²); vehicular access to the substation is via a modification to the existing private road including the existing access point; foul holding tank; and all other ancillary site works.
- A new connection to the proposed Coolnaback substation from the existing Moneypoint - Dunstown 400kV line by way of a 400kV overhead line in 2 no. new single circuit spans (approx. 280m and 295m respectively) connecting to approx. 1.2km of 400kV double circuit line which brings the 400kV circuits to the proposed gantry in Coolnaback 400/110kV substation. The proposal includes: 2 no. new 400kV single circuit angle masts of heights up to approx. 37.3m and 32.3m; 2 no. new 400kV double circuit angle masts both up to approx. 55.5m in height; and 3 no. new 400kV intermediate masts all up to approx. 57.8m in height. An existing 400kV intermediate mast on the existing 400kV line and approx. 150m of existing 400kV overhead line between the two connection points to the Moneypoint - Dunstown 400kV line will be removed.
- A new connection to the proposed Coolnaback substation from the existing Athy - Portlaoise 110kV line by replacing 2 no. existing intermediate polesets with 2 no. lattice steel line/cable interface masts both approx. 21m in height (both these structures are contained within the proposed Coolnaback substation site adjacent to the proposed site compound). Short lengths of underground cable (approx. 100m and 190m in length) will connect the new line/cable interface masts into the 110kV building within the proposed Coolnaback compound. Approximately 150m of existing overhead line will be removed between the 2 no. line/cable interface masts.
- A new 110kV / 38kV / MV substation in Moatpark, Ballyragget, Co. Kilkenny in a site area of approx. 1.5 hectares constructed adjacent to the existing 38kV / MV Ballyragget substation. The proposed 110kV GIS substation (approx. dimensions 50m x 11.5m by 12m high) will be in a compound of 61m x 70m plan area secured by a 2.6m high palisade fence. The compound will also include: a 38kV / MV GIS substation building (approx. dimensions 24.5m x 8m by 7m high); 1 no. 31.5MVA 110/38kV transformer and 1 no. 5MVA 38/20kV transformer positioned in transformer bunds between the substation buildings; a new access road (60m long) from an existing entrance to the substation; 2 no. lightning masts each approx. 14m in height; associated development of a septic tank and percolation area, soakaway pits and all other ancillary site works.
- A new 110kV overhead line between the proposed Ballyragget substation and the proposed Coolnaback substation consisting of approx. 26km of overhead line and 2 no. short lengths of cable at the approach to the proposed Ballyragget and Coolnaback substations. The overhead line will consist of 143 no. double wood polesets up to a maximum height of approx. 22m and 17 no. lattice steel angle masts up to a maximum height of approx. 25m supporting three electrical conductors and two earthwires. Approx. 160m of underground cable connects the proposed Ballyragget 110kV building to a proposed line/cable interface mast within the Ballyragget substation site and approx. 190m of underground cable connects the proposed Coolnaback 110kV building to the line/cable interface mast adjacent to the proposed Coolnaback substation.
- An uprate to the existing Ballyragget - Kilkenny 110kV overhead line consisting of the replacement of all the structures along the existing line with similar structures along the same alignment except for the first 670m out of Ballyragget substation and the first 275m out of Kilkenny substation which are required to be realigned as well as uprated. The development comprises approx. 21.9km of overhead line and 2 no. short lengths of cable at Ballyragget and Kilkenny substations. The overhead line will consist of 90 no. double wood polesets up to a maximum height of approx. 22m and 14 no. lattice steel angle masts up to a maximum height of approx. 25m supporting three electrical conductors. Approx. 215m of underground cable connects the proposed Ballyragget 110kV building to a proposed line/cable interface mast and approx. 50m of underground cable connects the line/cable interface mast to the electrical equipment in Kilkenny substation.
- A new bay in the existing Kilkenny 110kV substation of dimensions measuring approx. 20m x 6m x 5m high consisting of the installation of outdoor air insulated equipment including, circuit breaker, disconnects and instrument transformers mounted on concrete plinths; the removal of the existing end mast; and all other ancillary site works.
- Modifications to existing Athy - Portlaoise 110kV line comprising the replacement of existing structures along a portion of the existing Athy - Portlaoise 110kV line from the proposed Coolnaback substation south-eastwards towards Athy for approx. 2.3km and from the proposed Coolnaback substation north-westwards towards Portlaoise for approx. 1.3km. The replacement structures, which will be of a generally similar form and character to those existing, will be fitted with earthwire. 1 no. existing poleset structure will be replaced with a lattice steel angle mast. The proposed replacement overhead line will thereby consist of 17 no. double wood polesets up to a maximum height of approx. 22m and 2 no. lattice steel angle masts up to a maximum height of approx. 25m.

The application for approval includes all associated and ancillary site works.

An Environmental Report and Natura Impact Statement (NIS) have been prepared in respect of the proposed development.

The planning application, Environmental Report and Natura Impact Statement may be inspected free of charge or purchased on payment of a specified fee during public opening hours for a period of seven weeks commencing on 1st February 2013 at the following locations:

- The Offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1, and,
- The Offices of Laois County Council, Áras an Chontae Portlaoise, Co. Laois, and,
- The Offices of Kilkenny County Council, County Hall, John Street, Kilkenny, Co. Kilkenny.

The application may also be viewed/downloaded at the following website: <http://www.eirgridlaoiskilkenny.ie>

Submissions or observations may be made only to An Bord Pleanála ("the Board") 64 Marlborough Street, Dublin 1 during the above mentioned period of seven weeks relating to:

- the implications of the proposed development for proper planning and sustainable development in the area concerned, and
- the likely effects on the environment or adverse effects on the integrity of a European site, of the proposed development, if carried out.

Any submissions/observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30p.m. on 21st March 2013 and must include the following information:

- the name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- the subject matter of the submission or observation, and
- the reasons, considerations and arguments on which the submission or observation is based in full.

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may in respect of an application for approval decide under Section 182B to:

- approve the proposed development,
 - make such modifications to the proposed development as it specifies in its approval and grant approval in respect of the proposed development as so modified,
 - approve, in part only, the proposed development (with or without specified modifications of it of the foregoing kind), or
 - refuse to approve the proposed development;
- and may attach to an approval under (a), (b), or (c) above such conditions as it considers appropriate.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Section of An Bord Pleanála (Telephone: 01 8588100).

A person may question the validity of any such decision of the Board by way of an application for judicial review, under Order 84 of the Rule of the Superior Courts (S.I. No. 15 of 1986, as amended by S.I. No. 691 of 2011), in accordance with Section 50 of the Planning and development Act, 2000, as amended.

Practical information on the review mechanism can be accessed under the heading Publications - Judicial Review Notice on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie