



Comhairle Cathrach na Gaillimhe
Galway City Council

Halla na Cathrach
Bóthar an Choláiste
Gaillimh
H91 X4K8

City Hall
College Road
Galway
H91 X4K8

Compulsory Acquisition of Land

FORM OF 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 PUBLISHED IN ACCORDANCE WITH ARTICLE 4 (a) OF THE THIRD SCHEDULE TO THE HOUSING ACT, 1966, AS AMENDED BY THE PLANNING AND DEVELOPMENT ACT, 2000 (AS AMENDED) AND UNDER SECTION 213 OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED), AND SECTION 184 OF THE LOCAL GOVERNMENT ACT 2001.

Galway City Council (Bóthar na Chóiste Road Improvement Scheme)

Compulsory Purchase Order No. BnC-CPO-001, 2021 in the townland of Castlegar in Galway City.

Galway City Council (hereinafter referred to as “the local authority”) acting on its own behalf, 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 Act, 1993 and as amended by the Planning and Development Act, 2000 as amended, and the powers conferred upon them by section 213 of the Planning and Development Act 2000 (as amended), have made an order titled 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 land and rights described in the Schedule Part I, Part II and Part IV hereto for the purposes of the construction and widening of approximately 0.516 Km of the Bóthar na Chóiste Road in the townland of Castlegar in Galway City, together with all ancillary works associated therewith, and for the purposes of providing infrastructure to facilitate walking and cycling.

Owners, lessees and occupiers of the land described in the Schedule Part I, Part II and Part IV will receive individual written notice, and any objection by them to the compulsory acquisition of the land or rights described in the Schedule Part I, Part II and Part IV should be made in writing to An Bord Pleanála, 64 Marlborough Street, Dublin, D01 V902 to be received no later than 5.00pm on Friday 31st December 2021.

The order will also authorise the local authority to extinguish the public right of way described in the Schedule Part III hereto, by order made by them after they have acquired the land, where the said public right of way is over the land so acquired or any part thereof, or over land adjacent to or associated with the land so acquired or any part thereof. Any objections to the extinguishing of the said public right of way should be made in writing to An Bord Pleanála, 64 Marlborough Street, Dublin, D01 V902 to be received no later than 5.00pm on Friday 31st December 2021.

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 considered the objection.

An Bord Pleanála has an absolute discretion under section 218 of the Planning and Development Act 2000 (as amended) to hold an oral hearing.

Before making its decision on an application to confirm the Compulsory Purchase Order, An Bord Pleanála must consider any objection made and not withdrawn, any additional submissions or observations made pursuant to a request by An Bord Pleanála under section 217A of the Planning and Development Act 2000 (as amended), and any report of the person who held the oral hearing if such an oral hearing takes place.

The person conducting any oral hearing that may be held in relation to the Compulsory Purchase Order which relates to a development under section 177AE of the Planning and Development Act 2000 (as amended) is entitled to hear evidence on the likely effects on the environment, the likely consequences for proper planning and sustainable development and the likely significant effects on a European Site.

A copy of the order and of the map referred to in it can be viewed on Galway City Council's website at www.galwaycity.ie/BnCcipo. A copy of the order and of the map referred to in it will also be available for public inspection at the Planning Offices of Galway City Council, City Hall, College Road, Galway City, from 5th November 2021 until 31st December 2021 inclusive, between the hours of **9:30 a.m. and 1:00 p.m. (BY APPOINTMENT ONLY)** from Monday to Friday (excluding Public Holidays)

For appointments, please contact planning at 091 536599 or by email planning@galwaycity.ie

Dated 4th November 2021

Schedule Part I

Lands Being Permanently Acquired

Land other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense.

Schedule Part II

Lands Being Temporarily Acquired

Land other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense.

Schedule Part III

Description of Public Rights of Way proposed to be extinguished

Schedule Part IV

Description of the Rights of Way proposed to be compulsorily acquired

