



An  
Bord  
Pleanála

**Board Direction**  
**BD-002367-19**  
**ABP-300490-17**

**Re: Amending Board Order**

**S146A of the Planning and Development Act, 2000, as amended**

The submissions on this file were considered at a Board meeting held on 14/02/2019.

The Board decided to exercise its powers under section 146A(1)(b) of the Planning and Development Act 2000, as amended, to amend its Order of the 16<sup>th</sup> day of January 2019 to confirm the Compulsory Purchase Order

**WHEREAS** the Board made a decision to confirm the Roscommon County Council Compulsory Purchase Order (No.1) 2017 N5 Ballaghaderreen to Scramoge Road Project, based on the reasons and considerations under and subject to the modifications set out in the Schedule, by order dated the 16<sup>th</sup> day of January 2019:

**AND WHEREAS** it has come to the attention of the Board that due to clerical errors some of the references in modification (i) set out in the Schedule to the further plans and particulars received by the Board at the Oral Hearing on the 9<sup>th</sup> day of October 2018 are incorrect,

**AND WHEREAS** it has come to the attention of the Board that due to clerical errors some of the references in modification (ii) set out in the Schedule to the further plans and particulars received by the Board at the Oral Hearing on the 9<sup>th</sup> day of October 2018 are incorrect,

**AND WHEREAS** it has come to the attention of the Board that due to clerical errors some of the references in modification (iv) set out in the Schedule to the further plans and particulars received by the Board at the Oral Hearing on the 9<sup>th</sup> day of October 2018 are incorrect,

**AND WHEREAS** it has come to the attention of the Board that due to a clerical error the reference in modification (v) set out in the Schedule to the further plans and particulars received by the Board at the Oral Hearing on the 9<sup>th</sup> day of October 2018 is incorrect,

**AND WHEREAS** it has come to the attention of the Board that due to a clerical error the reference in modification (viii) set out in the Schedule to the further plans and particulars received by the Board at the Oral Hearing on the 9<sup>th</sup> day of October 2018 is incorrect,

**AND WHEREAS** it has come to the attention of the Board that due to clerical errors some of the references in modification (ix) set out in the Schedule to the further plans and particulars received by the Board at the Oral Hearing on the 9<sup>th</sup> day of October 2018 are incorrect,

**AND WHEREAS** it has come to the attention of the Board that due to a clerical error, a further modification (xiii) should have been included in the Board's Schedule,

**AND WHEREAS** the Board considered that the correction of the above-mentioned matters would not result in a material alteration of the terms of the decision,

**AND WHEREAS** having regard to the nature of the issues involved, the Board decided not to invite submissions in relation to the matter from persons who had made submissions or observations in relation to the compulsory purchase order the subject of these amendments,

**NOW THEREFORE** in accordance with section 146A(1) of the Planning and Development Act 2000, as amended, the Board hereby amends the above-

mentioned decision so that modifications set out in the Schedule of its order and the reason therefor shall be as follows:

### **SCHEDULE**

The Compulsory Purchase Order shall be modified in accordance with details provided in the document titled CPO Amendments October 2018 submitted to the Board at the Oral Hearing on the 9<sup>th</sup> day of October 2018 as follows:

- i. the reduction in area of the following plots
  - Plot No. 470h.201
  - Plot No. 545b.201
  - Plot No. 1025a.201
  - Plot No. 1095b.201
- ii. removal of the following plots
  - No. 1095b.201b
  - No. 1025a.201a
- iii. the inclusion of Mr. Dermot McDermott as occupier of Plot No. 1070a.201
- iv. the inclusion of Ms. Eileen Callaghan as owner or reputed owner of Plot No. 135d.201, Plot No. 135d.202 and Plot No. 135g.201
- v. Revised address details of Mr. David O'Neill and Ms. Cathy Burke as owners or reputed owners of Plot Nos. 220a.201 and 220b.201
- vi. Revised address details of Ms. Maura MacCarthy, Legal Affairs Manager, Coillte of Plot Nos. 245, 470 and 505
- vii. The inclusion of Ms. Bridget Hanily as owner or reputed owner of Plot Nos. 270a.201, 270b.201, 270c.201, 270c.202, 270d.201, 270e.201, 270f.201, 270g.201
- viii. The inclusion of Ms. Josephine McDermott as owner or reputed owner of Plot No. 306a.201
- ix. The subdivision of Plot No. 311a.201 into Plot No. 311a.201 and Plot No. 311a.202 and the inclusion of Ms. Mary McGarry as owner or reputed owner of Plot No. 311a.202 and the inclusion of Mr. William Smyth as owner or reputed owner of Plot No.311a.201
- x. The inclusion of Mr. Anthony Keaveney as occupier of Plot No. 320b.202

- xi. The inclusion of Forais Growth Limited as owner or reputed owner of Plot Nos. 430a.201, 430b.201, 430c.201, 430d.201
- xii. The inclusion of Pawel Szawernoga and Aleksandra Szawernoga as owners or reputed owners of Plot No. 758b.201
- xiii. The inclusion of Mr. Cathal McHugh as owner or reputed owner of Plot No. 810j.201

**Reason:** To take account of updated information in respect of land ownership and certain reductions in area of plots to be acquired.

**Board Member:** \_\_\_\_\_ **Date:** 14/02/2019  
John Connolly