



**An
Bord
Pleanála**

**Board Direction
BD-010946-22
ABP-310377-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/06/2022.

The Board decided to confirm the Compulsory Purchase Order with the modifications as submitted by Wicklow County Council on 20th day of January, 2022, based on the reasons and considerations set out below.

Reasons and Considerations

Having considered the written objections made to the Compulsory Purchase Order, the report and recommendation of the Inspector who conducted the oral hearing into the objections, the purpose of the Compulsory Purchase Order, and also having regard to:

- (a) the need to provide a flood relief scheme at the Avoca River,
- (b) the community need, public interest served and overall benefits, including benefits to the wider area to be achieved from use of the acquired lands,
- (c) the provisions of the current Wicklow County Development Plan and the Arklow Town and Environs Local Area Plan and the policies and objectives stated therein, which specifically identified the need for the proposed flood relief scheme, and
- (d) the proportionate design response to the identified need,

it is considered that, subject to the modifications to the Order (number 2) as set out in the Schedule below, the acquisition by the local authority of the lands in question, as set out in the Compulsory Purchase Order and on the deposited maps, are necessary for the purpose stated, and that the objections cannot be sustained having regards to the said necessity.

SCHEDULE

The Compulsory Purchase Order (Deposit Maps and Schedules) shall be modified as follows:

Plot 101: Part of the lands in Plot number 101 on the marsh side of the proposed Embankment (in the ownership or reputed ownership of Patrick & Patricia Ivory) to be acquired on a temporary basis only, identified as Plot number 101T comprising 0.1789 hectares (0.4423 acres) and be listed or deemed to be listed in Part 11 of the Compulsory Purchase Order Schedule.

Plot 103: Part of the lands in Plot number 103 on the marsh side of the proposed Embankment (in the ownership or reputed ownership of Proinseas O Broinn) to be acquired on a temporary basis only, identified as Plot number 103T comprising 0.5595 hectares (0.13825 acres) and be listed or deemed to be listed in Part 11 of the Compulsory Purchase Order Schedule.

Plot 109: Part of the lands in Plot number 109 located on the east side of the proposed Embankment which can be accessed off Bridgewater roundabout (in the ownership or reputed ownership of Estate of Malachy McDaniel Stone) to be acquired on a temporary basis only, and be listed or deemed to be listed in Part 11 of the Compulsory Purchase Order Schedule.

Plot 124d: The area of Plot number 124d (which lands are owned by Wicklow County Council and leased to Arklow Slipway Limited) to be permanently acquired is to be decreased from 0.2385 hectares (0.589 acres) to 0.0233 hectares (0.0576 acres).

Plot 124d: The remainder of Plot number 124d to be acquired on a temporary basis only, identified as Plot number 124dT comprising 0.2152 hectares (0.5318 acres) and be listed or deemed to be listed in Part 11 of the Compulsory Purchase Order Schedule.

Plot 125: Plot number 125 (in the ownership or reputed ownership of Roadstone Limited) to be acquired on a temporary basis only, identified as Plot number 125T and be listed in Part 11 of the Compulsory Purchase Order Schedule.

Board Member: Patricia Calleary **Date:** 01/07/2022
Patricia Calleary.

