

An
Bord
Pleanála

Board Direction
BD-017590-24
ABP-314654-22

At a meeting held on 19/09/2024, the Board considered:

- (a) the objections made to the Compulsory Purchase Order,
- (b) the report of the Inspector who held the oral hearing and
- (c) the documents and submissions on file generally.

The Board decided to confirm the Order with one modification, the omission of plot 126.a.101 from the order.

Reasons and Considerations

Having considered the objections made to the compulsory purchase order, the report of the Inspector who considered the objections, the purpose of the compulsory purchase order to facilitate the delivery of Galway BusConnects; sustainable public transport and active travel infrastructure, and also having regard to:

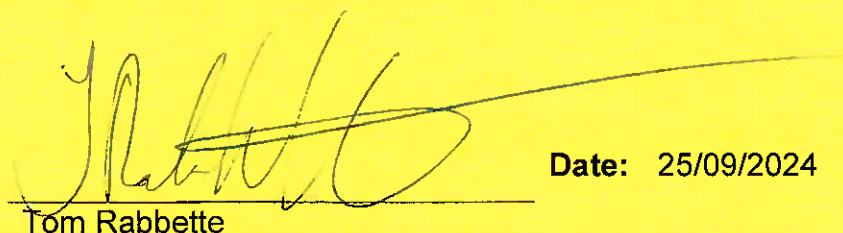
- (i) the constitutional and Convention protection afforded to property rights,
- (ii) the substandard infrastructure provided for along the existing route,
- (iii) the strategic nature of the scheme in the context of reducing carbon emission and climate change,
- (iv) the community need, and public interest served and overall benefits, including benefits to a range of road users to be achieved from use of the acquired lands,

- (v) the proportionate design response to the identified need,
- (vi) the suitability of the lands and the necessity of their acquisition to facilitate the provision of the BusConnects Sustainable Public Transport and Active travel Scheme,
- (vii) the policies and objectives of the Galway City Development Plan 2023-2029,
- (viii) the submissions made to the Board and
- (ix) the report and recommendation of the Inspector,

it is considered that the acquisition of these lands on a permanent and temporary basis, restriction, acquisition and interference of rights of way, by Galway City Council, as set out in the compulsory purchase order and on the deposited maps, is necessary for the purpose stated, which is a legitimate objective being pursued in the public interest, and that the CPO and its effects on the property rights of affected landowners are proportionate to that objective and justified by the exigencies of the common good.

In reaching this conclusion, the Board agrees with and adopts the analysis contained in the report of the person who conducted the assessment of the objections and Oral Hearing and agrees to confirm the Compulsory Order with the omission of plot 126.a.101 from the order.

Board Member:



Tom Rabbette

Date: 25/09/2024