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**Board Direction**  
**BD-017043-24**  
**ABP-318462-23**

At a meeting held on 18/07/24, the Board considered the objections made to the Compulsory Purchase Order, the report of its Inspector as well as the documents and submissions on file.

The Board decided to refuse to grant consent to the compulsory acquisition of the site at 66 O' Connell Street, Dungarvan, County Waterford based on the reasons and considerations set out below.

### **Reasons and Considerations**


Having regard to the current unsightly and objectionable condition of the site, having considered the objection made to the compulsory acquisition, and also:

- (a) The constitutional and Convention protection afforded to property rights,
- (b) The public interest, and
- (c) The provisions of the Waterford City and County Development Plan 2022-2028,

the Board considered that notwithstanding the current unsightly and objectionable condition of the site which detracts to a material degree from the amenity, character and appearance of the surrounding land in the neighbourhood, taking account of the evidence of the ongoing efforts being made by the Notice Party to render the site non-derelict, the Board does not consider that the compulsory acquisition of the site by the local authority is necessary at this time in order to render the site non-derelict.

The Board is not satisfied, therefore, that the objection made cannot be sustained, having regard to that said necessity and that the compulsory acquisition and its effects on the property rights of affected landowners are proportionate to that objective and justified by the exigencies of the common good.

**Board Member**



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Joe Boland

**Date:** 18/07/2024