



An  
Bord  
Pleanála

**Board Direction**  
**BD-019762-25**  
**ABP-320505-24**

At a meeting held on 21/05/2025, 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 without modification for the Reasons and considerations as indicated below.

### **DECISION**

CONFIRM the above Compulsory Purchase Order based on the reasons and considerations set out below.

### **REASONS AND CONSIDERATIONS**

Having considered the objection made to the Compulsory Purchase Order, and the written submissions and observations made to the oral hearing held on the 8<sup>th</sup> day of May 2025, the report and recommendation of the Inspector who conducted the oral hearing into the objection, the purpose of the Compulsory Purchase Order to facilitate a walking trail including all associated works and to formalise the ownership of land that has been taken in charge at Port na hAbhann, Cappoquin, Co. Wexford and having regard to;

- (a) the constitutional and Convention protection afforded to property rights,



- (b) the strategic nature of the walking trail in the context of providing a tourist attraction and local amenity for the town and county,
- (c) the community need for a walking trail (Cappoquin Walking Trail) and safe access to the boathouse, public interest served and overall benefits including local amenity space, safe access, usable green space for the residents of Port na hAbhann, to be achieved from the objective of the Compulsory Purchase Order,
- (d) the design response, which has been appropriately tailored to the identified need,
- (e) the suitability of the lands and the necessity of their acquisition to facilitate the provision of a walking trail including associated works and to formalise the ownership of land that has been taken in charge at Port na hAbhann which the Compulsory Purchase Order will facilitate, and,
- (f) the provisions of the Waterford City and County Development Plan 2022-2028, where the Development Plan expressly provides for the scheme for which the Compulsory Purchase Order is proposed in CPD01 and CPD09,

it is considered that, the acquisition of the subject lands at Port na hAbhann, proposed to be acquired by Waterford City and County Council seeking confirmation of the Compulsory Purchase Order, 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 Compulsory Purchase Order 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 oral hearing into the objection.

**Board Member:**

  
Tom Rabbette

**Date:** 26/05/2025