



An  
Bord  
Pleanála

## Board Direction

**BD-019013-25**

**ABP-321100-24**

At a meeting held on 24/02/2025, the Board considered the objections made to the Compulsory Purchase Order, the documents and submissions on file generally and the requirements of Sections 6, 14, 15 and 16 of the Derelict Sites Act 1990 (as amended).

Having regard to the current unsightly and objectionable condition of the site and dwelling, having considered the objection made to the compulsory acquisition and having regard to the public interest, the constitutional and convention protection afforded to property rights, the provisions of Dublin City Development Plan 2022-2028, and the requirements of the Derelict Sites Act 1990 (as amended) it is considered that the Section 15 notice was not served upon the owner(s) in accordance with the requirements of Section 15(1)(b) of the Act and that the application for compulsory acquisition by the Local Authority has not therefore complied with the provisions of the Act.

The Board decided therefore to refuse to grant consent to Dublin City Council to compulsory acquire the site.

### Notes:

- (i) the Board noted that there was no information on the file in relation to whether a notice under Section 11 of the Derelict Sites Act had been served on the owner. While ordinarily this might have prompted a request for further information, given the substantive reason for not granting consent to the compulsory acquisition this matter was not pursued.

- (ii) The Board further noted that the property was subject to an agreement under the HSE Fair Deal scheme. The Local Authority may wish to consider what interest the HSE have in the ownership of the property for the purposes of Section 15 and any obligation on the Local Authority in this regard in the event of any further action in relation to the compulsory acquisition of this dwelling.

**Board Member:**

Mary Gurrie  
Mary Gurrie

**Date:** 05/03/2025