



## Board Direction

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**Ref: CH3243**

At a further meeting held on February 3rd 2016, 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, by a vote of 4 to 1, to confirm the Order without modification based on the following Reasons and Considerations.

### **Reasons and Considerations.**

Having considered the objections made to the Compulsory Purchase Order and the report of the person who conducted the oral hearing into the objections and having regard to the purposes of the acquisition as set out in the Order, the need to promote the urban regeneration of Gorey town centre, and the backlands of the town centre to the rear of the Market House, in accordance with the policies in the Gorey Town and Environs Local Area Plan 2010 and in particular Objectives RC1 and TC3 of this Plan, it is considered that the acquisition of the land in question is necessary for these purposes and that the objections cannot be sustained against this necessity.

In deciding not to accept the Inspector's recommendation to annul the Compulsory Purchase Order, the Board accepted the case made by the local authority that urban regeneration of this area of land immediately adjacent to and in the backlands behind the Market House, a building of considerable importance to the history of Gorey, as outlined in Section 6.3 of the Gorey Town and Environs Local Area Plan, is in accordance with the

provisions of the Local Area Plan and that there is a community need to encourage and facilitate such urban regeneration. The Board was of opinion, having regard to the documentation on file, including the submissions made during the course of the oral hearing, that such regeneration is a valid purpose within the meaning of the Planning and Development Act, and in the light of relevant case law, and therefore represents a reasonable exercise by a local authority of its powers under the Planning and Development Act in order to achieve a comprehensive redevelopment of an area in need of regeneration for the public good. Furthermore, the Board did not accept the Inspector's interpretation of case law, and considered that the local authority had provided sufficient evidence to establish that this regeneration is desirable in the public interest, and that the regeneration cannot be achieved without the involvement of the local authority, and the use of its powers to assemble the overall site in question.

Board Member: \_\_\_\_\_ Date: 3<sup>rd</sup> February 2016

Philip Jones