



Board Direction

Ref: PL15.CH3249

At a meeting held on March 22nd, 2016, the Board considered:

- (a) the objection 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 2:1 majority), generally in accordance with the recommendation of the Inspector, to ANNUL the Order, for the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

Having considered the objections made to the compulsory purchase order and not withdrawn, the report of the person who conducted the oral hearing into the objections, the purpose for which the lands are to be acquired as set out in the compulsory purchase order and also having regard to the following:

- The documentation on file including the case made by the Local Authority regarding the use of alternative legislative provisions and other suitable alternatives, including other lands, to justify the need for the acquisition at this time,
- The submissions and observations made at the Oral Hearing held on 26th of January 2016 in Dundalk,
- The letter of objection on file in which the objector states, inter alia, that “on resolution of the legal situation, the intention is to restore the property to its former state and resume living there”,

And notwithstanding the numerous supporting policies and objectives in respect of the social housing provision set out in:

- the Louth County Development Plan 2015-2021,
- the Ardee Local Area Plan 2010-2016,
- the “Social Housing Strategy 2020” publication of the Department of Environment, Community and Local Government, 26th of November, 2014,

And notwithstanding the Board’s general support for the principle of acquisition as one of a number of tools available to Local Authorities in the delivery of social housing,

The Board is not satisfied that, in this instance, the acquisition by the local authority of the lands in question, as set out in the order and on the deposited map, has been justified and is necessary, at this stage, for the purposes stated.

Board Member: _____ Date: March 23rd, 2016
Nicholas Mulcahy