



At a meeting held on 2nd May 2018, 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 following reasons and considerations.

Reasons and Considerations

Having regard to the objections made to the compulsory purchase order, and not withdrawn, and also having regard to:

- (a) the purposes of the compulsory acquisition in question,
- (b) the need to ensure the future minimisation of emissions to the environment arising from the site,
- (c) the risk of future environmental pollution given the volume of waste material stored on the site, the unlined nature of the site and the proximity of the site to sensitive environmental receptors, including the Morell River,
- (d) the obligations on Kildare County Council under the EC Environmental Objectives (Groundwater) Regulations 2010,

- (e) the community need, public interest served and overall benefits, including benefits in terms of additional recreational and sports facilities for the residents of Johnstown, Naas and the wider Kildare area arising from the acquired lands,
- (f) the provisions of the Kildare County Development Plan 2017-2023 and the policies and objectives stated therein, which specifically identify the desirability of remediating the Kerdiffstown landfill site and the development of an appropriate end use for the site (Policy WM16),
- (g) the proportionate design response to the identified need, and
- (h) the report and recommendation of the Inspector who conducted the oral hearing into the objections,

it is considered that the acquisition by the local authority of the lands in question, and the extinguishment of rights of way and compulsory acquisition of wayleave rights, as set out in the compulsory purchase order and on the deposited maps, are necessary for the purposes stated and that the objections cannot be sustained having regard to the said necessity.

Board Member

Date: 10th May 2018

John Connolly