

Board Order ABP-301556-18

Local Government (No. 2) Act, 1960

Housing Act, 1966

Planning and Development Acts, 2000 to 2018

Planning Authority: Waterford City and County Council

Application received by An Bord Pleanála on the 4th day of May, 2018 from Waterford City and County Council pursuant to section 76 of, and the Third Schedule to, the Housing Act, 1966 as extended by section 10 of the Local Government (No. 2) Act, 1960 (as substituted by section 86 of the Housing Act, 1966) and the Planning and Development Acts, 2000 to 2018, for confirmation of a compulsory purchase order authorising compulsory acquisition of lands and entitled Waterford City and County Council Vacant Properties, Waterford Compulsory Purchase Order 2018 (No. 2) Clarendon Court, Waterford.

Decision

ANNUL the above compulsory purchase order for the reasons and considerations set out below.

Reasons and Considerations

Having considered the objections made to the compulsory purchase order, 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 having regard to the following:

- The documentation on file including the case made by the local authority;
- The submissions and observations made at the oral hearing held on the 23rd of August 2018;

And notwithstanding the numerous supporting policies and objectives in respect of social housing provision and re-use of vacant houses set out in:

- The Waterford City Development Plan 2013-2019;
- The Waterford City Vacant Homes Action Plan 2017;
- Stated National policy in Rebuilding Ireland: Action Plan for Housing and Homelessness, 2016, and associated Circular letter PL7/2017;

Having regard to the Order and Schedule presented by the local authority and submitted to the Board, the Board is not satisfied that the documentation as submitted complies with the stated requirements of Article 4(b) of the Third Schedule of the Housing Act 1966 in relation to the identification of various owners, lessees and occupiers of the property and the service of notices in relation to the compulsory acquisition of the property and that all owners, occupiers, lessees were not appropriately identified and stated in the documentation prepared, published and advertised by the local authority.

Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this day of 2018

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