

An
Coimisiún
Pleanála

Commission Order ACP-323060-25

Local Government (No. 2) Act, 1960

Housing Act, 1966

Planning and Development Act, 2000, as amended

Planning Authority: Mayo County Council

Application received by An Coimisiún Pleanála on the 16th day of July 2025 from Mayo 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 Act, 2000, as amended, for confirmation of a Compulsory Purchase Order authorising compulsory acquisition of lands and entitled **Mayo County Council Ballina Flood Relief Scheme Compulsory Purchase Order Number 1 of 2025**.

Decision

CONFIRM the Compulsory Purchase Order based on the reasons and considerations set out below.

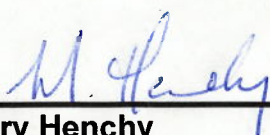
Reasons and Considerations

Having considered the objections made to the Compulsory Purchase Order, and not withdrawn, the report and recommendation of the Inspector, the purpose for which the lands are to be acquired as set out in the Compulsory Purchase Order, and having regard to the following:

- (a) the Constitutional and Convention protection afforded to property rights,
- (b) the need for a Flood Relief Scheme to protect Ballina residents from serious flooding events and to preserve Ballina as an attractive town for development,
- (c) the community need, and public interest served and overall benefits, including benefits to approximately 370 residential and 101 commercial receptors who may potentially be affected by flooding within the River Moy catchment,
- (d) the design response, which has been appropriately tailored to the identified need,
- (e) the suitability of the lands and the necessity of their acquisition to facilitate the provision of the Ballina Flood Relief Scheme,
- (f) the policies and objectives of the Northern and Western Regional Assembly Regional Spatial and Economic Strategy 2020-2032 including regional policy objective 3.11,
- (g) the policies and objectives of the Mayo County Development Plan 2022–2028 and the Ballina Local Area Plan 2024–2030, and
- (h) the submissions made to the Commission,

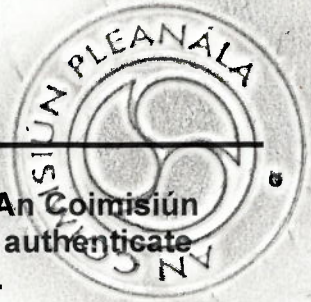
it is considered that, the acquisition by Mayo County Council of the lands in question, and acquisition of wayleaves, private Rights-of-Way on a temporary and permanent

basis and temporary working areas, as set out in the Compulsory Purchase Order and on the deposited maps, is necessary for the purpose stated, which is a legitimate objective being pursued in the public interest, and that the Compulsory Purchase Order and its effects on the property rights of affected landowners are proportionate to that objective and justified by the exigencies of the common good.



Mary Henchy

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this *15th* day of *December* 2025