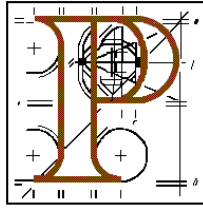


An Bord Pleanála



LOCAL GOVERNMENT (NO. 2) ACT, 1960

HOUSING ACT, 1966

PLANNING AND DEVELOPMENT ACTS, 2000 TO 2016

An Bord Pleanála Reference Number: 07.CH3302

Galway County Council

APPLICATION received by An Bord Pleanála on the 4th day of November, 2016 from Galway 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 2016, for confirmation of a compulsory purchase order dated the 30th day of September, 2016 authorising compulsory acquisition of lands and entitled **“Irish Water Compulsory Purchase (Ballinasloe Sewerage Scheme) Order, 2016.”**

DECISION

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Having considered the objections made to the compulsory purchase order, and not withdrawn, the report and recommendation of the person who conducted the oral hearing into the objections, the purpose for which the lands in question are to be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

- (a) the requirements of the Urban Wastewater Treatment Directive 1991 and the Urban Waste Water Treatment Regulations 2001 - 2010,
- (b) the policies and objectives of the Galway County Development Plan 2015 - 2021 and the Ballinasloe Local Area Plan 2015 - 2021,
- (c) the deficiencies in the existing wastewater and water supply infrastructure in Ballinasloe,
- (d) the purpose for which the lands are to be acquired as set out in the compulsory purchase order,
- (e) the community need, public interest served and overall benefits to be achieved from the proposed development,
- (f) the submissions and observations made at the oral hearing, and
- (g) the report and recommendation of the Inspector,

it is considered that the permanent and temporary acquisition by Irish Water of the lands in question, as set out in the order, schedules and on the deposit map, is necessary for the purposes stated and that the objections cannot be sustained having regard to the said necessity.

In deciding not to accept the Inspector's recommendation to modify the compulsory purchase order so as to remove the ventilation areas and keg room identified by the objector in the documents submitted at the oral hearing, the Board considered that the entirety of the area proposed by Irish Water for a wayleave was justified. The Board was concerned that the exclusion of certain areas could potentially lead to restrictions or unintended consequences for Irish Water in respect of their long term requirement for necessary access to this important piece of utility infrastructure.

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

Dated this day of 2017.