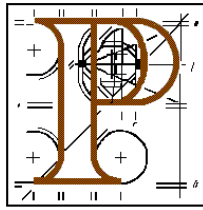


An Bord Pleanála



HARBOURS ACTS 1996 TO 2015

PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

An Bord Pleanála Reference Number: 13.CQ3001

Limerick City and County Council

HARBOURS ACT, 1996 AND THE FOURTH SCHEDULE THERETO, AS AMENDED BY SECTION 7(3) OF THE HARBOURS AMENDMENT ACT 2009 AND THE PLANNING AND DEVELOPMENT ACTS 2000 TO 2015.

WHEREAS in pursuance of section 16 of the Harbours Act, 1996, as amended, Shannon Foynes Port Company made an application to An Bord Pleanála on the 30th day of September 2015 for an Order authorising the compulsory acquisition of 38.2 hectares of land at Durnish, Foynes, County Limerick.

AND WHEREAS An Bord Pleanála gave consideration to the following:

Having considered the objections made to the application for an acquisition order, the report of the person who conducted the oral hearing into the objections and having regard to the purposes of the compulsory acquisition as set out for the development described as follows:

Developing the said land as covered and uncovered storage areas to ensure the implementation of a scheme of development of the harbour of Shannon Foynes Port Company at the Port of Foynes, County Limerick, comprising the reclamation of lands behind the East Jetty and developing associated storage space granted permission under planning register reference number P12/212 issued by Limerick County Council and the joining of the East and West Jetty by constructing a suspended deck structure measuring circa 20 metres deep

by 120 metres long together with necessary revetment walls and jetty furniture and developing associated storage space at lands at Durnish, Foynes, County Limerick,

and having regard to

- (i) the provisions of the 2013 National Ports Policy;
- (ii) the provisions of the Mid-West Regional Planning Guidelines 2010-2022;
- (iii) the provisions of the current Limerick County Development Plan 2010-2016;
- (iv) the provisions of the Strategic Integrated Framework Plan for the Shannon Estuary 2013-2020;
- (v) the objectives and general duties of a Company under the Harbours Acts as set out in sections 11 and 12 of the Harbours Act 1996 to 2015;
- (vi) the scheme of development and maps, plans and book of reference accompanying the application as submitted by the Shannon Foynes Port Company, and
- (vii) the report and recommendation of the Inspector

AND WHEREAS An Bord Pleanála considered that the acquisition of the lands in question by the Shannon Foynes Port Company, as set out in the signed and sealed map entitled Job Number 15043 dated 24th day of September 2015 Revision Number 1 Drawing Title Irish Cement Lands to be Acquired, is necessary for the purpose of ensuring the implementation of the scheme of development of its harbour and without which its implementation would prove impracticable without the lands concerned being included in the scheme, and the objections cannot be sustained having regard to this necessity

NOW THEREFORE in exercise of the powers conferred on it by section 16 of the Harbours Act, 1996, as amended, and the Fourth Schedule thereto and by the Planning and Development Act 2000 to 2015, An Bord Pleanála has decided to make an order authorising the acquisition of land to which the application relates under the Harbours Act 1996, as amended, subject to the modifications set out in the Schedule hereunder.

This Order may be cited as the **Harbours Act 1996, as amended, (Compulsory Acquisition) (Shannon Foynes Port Company) Order 2016.**

SCHEDULE

All lands referenced on Drawing entitled Job Number 15043 dated 24/09/15 Revision Number 1 Drawing Title Limerick County Council Lands to be Acquired being lands within the ownership of Limerick City and County Council shall be omitted entirely from the acquisition and shall not form any part of this Acquisition Order.

Reason: To reflect the Shannon Foynes Port Company request made at the oral hearing held on the 16th day of December 2015 to consider this application to have such lands omitted from the application for acquisition.

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

Dated this day of 2016.