

Application for CPO

1. Location of land (attach map): Main Street (Flynn's) Ardmore, Co. Waterford P36R971

2. Scheme name: RURAL REGENERATION DEVELOPMENT FUND

3. Purpose: The third round of RRDF funding is specifically designed to address long term vacancy and dereliction in the rural areas and to accelerate the provision of residential accommodation within these settlements.

4. Funded by & Job Code: 5320003C/ W266

5. History of attempts to purchase by agreement: None

6. Recommendation to CPO Signed by:



Grade: Senior Executive Planner Date: 14/ 04 /2025

Director of Planning & Property Management Approval:

Date: / 04 /2025

*Documents will be required as evidence in event of oral hearing or arbitration.

7. Planning report prepared by: Eoin Curran **Date:** 09/04/2025

Must be prior to CPO commencement.

8. If applicable:

Is there a business case?

Has structural/condition survey been completed?

EIS/EIA surveys undertaken?

Is Planning history included in Planning Report?



From: Eoin Curran, Executive Engineer
To: David Quinn, Senior Executive Planner

Derelict Sites Register: DS24065.
Property Management Reference: CPA 2025 - No. 07.
Location: 'Flynn's', Main St, Ardmore, Co. Waterford, P36R971.
Property Registration: Site 102 - Building Not Registered, Site 101 - rear garden open space under folio WD682.
Owner/Reputed Owner: Site 101 – rear garden of Main St. Ardmore: Ellen Mary Harris, Ardmore, Co Waterford (registered section of the site).
Site 102 – 2 Storey building at Main St. Ardmore: Michael O'Reilly (deceased), Main Street, Ardmore, Co. Waterford (unregistered section of the site).
Date of Addition to Derelict Sites Register: 13th February 2025.
Proposed end use: Private Residential.
Property on RZLT No – *Main St, P36R971* is not in the RZLT.
Date of Report: 9th April 2025.

DESCRIPTION OF CPO CONTEXT

Waterford City and County Council's Rural Vacancy and Dereliction Fund (RVDF) aims to tackle properties that have been long term vacant and derelict in rural settlements across the County and bring them back into active use - predominately for residential use - for re-sale on the private market. This targeted response to long term vacancy and dereliction in our rural settlements will have a more proportionate impact and significantly enhance the attractiveness of these centres.

The RVDF aligns and is consistent with the aims and objectives of URDF Circulars 03/2023 and 01/2023, Housing for All Plan – which seeks to ensure existing vacant homes are brought back into productive use and is a key priority in terms of sustainable development within communities, and Waterford City and County Council's Development Plan 2022 – 2028.

In line with the identified need to bring existing derelict and long-term vacant properties into use for residential and other purposes, Waterford City and County Council seek to use the powers set out within the Derelict Sites Act (1990) to undertake a compulsory acquisition of the derelict and vacant property at 'Flynn's', Main St, Ardmore, Co. Waterford, P36R971, as depicted in Figure 1 of this report.

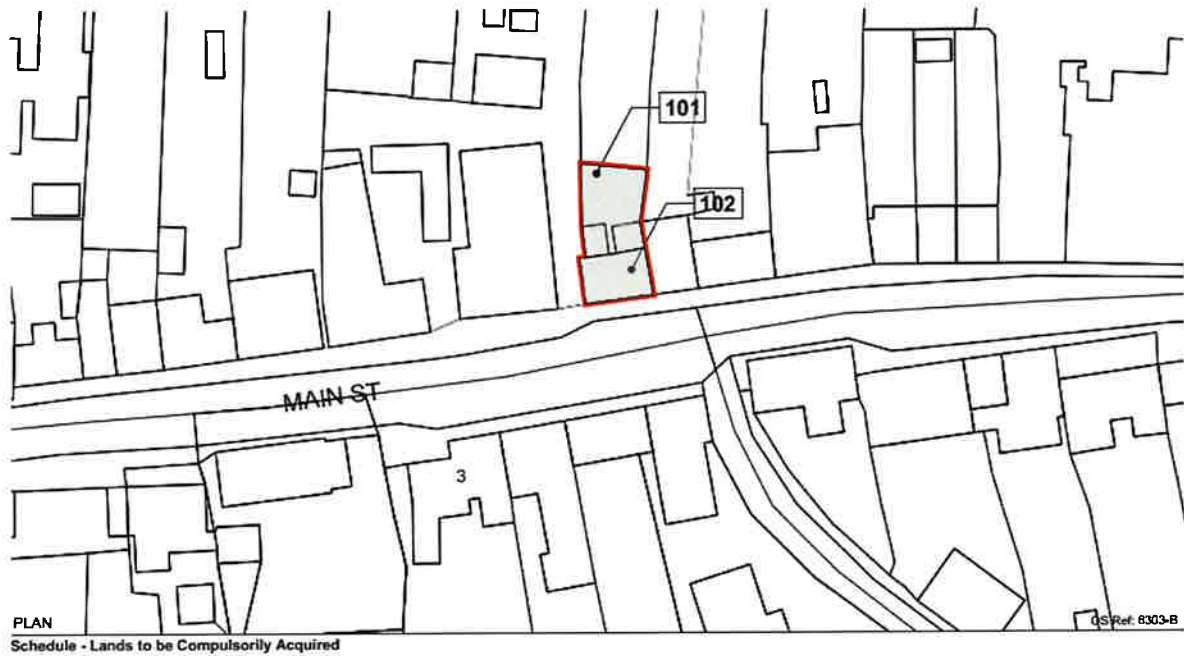


Figure 1: Site Location Main St., Ardmore (site area in red), overall site is not registered with the PRA Land Direct but the rear garden open space (site 101) is under folio WD862 Ellen Mary Harris.

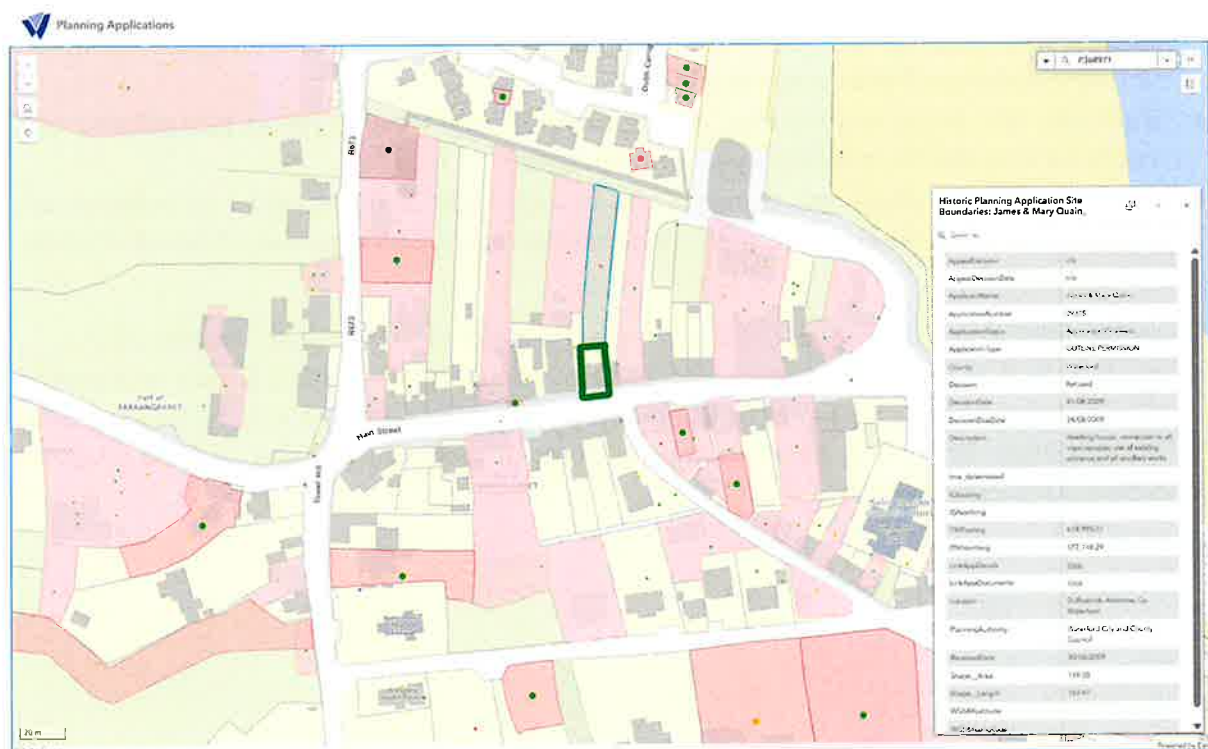


Figure 2: Site outline in green, there are no planning permissions on the property. The open space to the rear has evidence of rubbish, debris and very overgrown vegetation. Adjoining properties are occupied and none of the properties on the terrace have an ongoing active planning applications on them.

Description Of Derelict Site

The subject property is a derelict and long term vacant two storey residential property which appears not to be occupied. The property is a semi detached end of terrace, with similar sized 2 storey properties adjoining it to the east along the streetscape, and to the west lies a private



Image A, & B above from 28th August 2024 during Derelict Site Report Inspection: Front view of the property.



Image C & D above from 28th August 2024 during Derelict Site Report Inspection: Signs of roof damage and side elevation paintwork / plasterwork dirty and the rear open space overgrown of the property.



Images K & L above from 28th March 2025, side elevation and front elevation with damaged roof, gutter, downpipe and flaking paintwork. No change in the condition of the property at Main St., Ardmore.



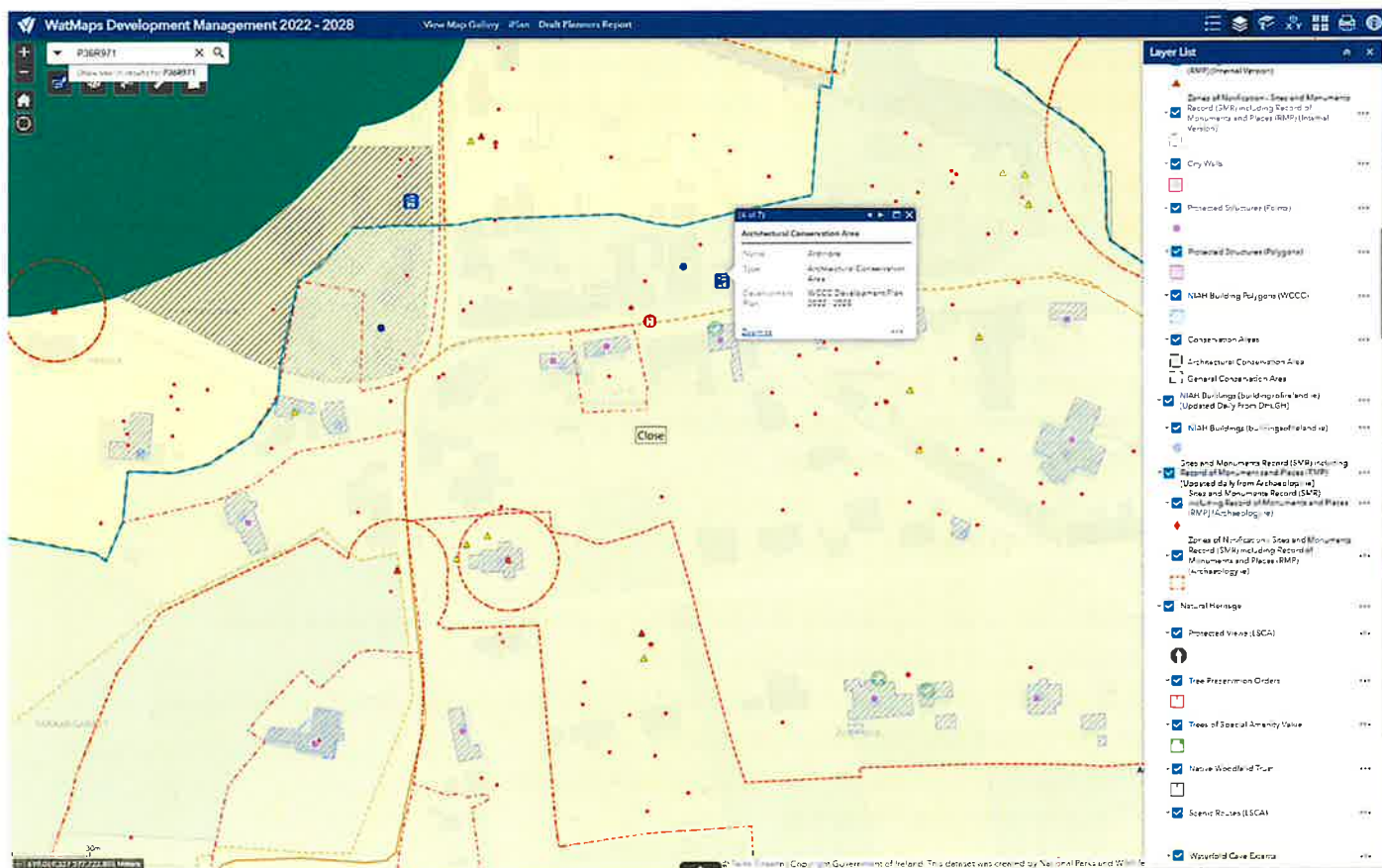
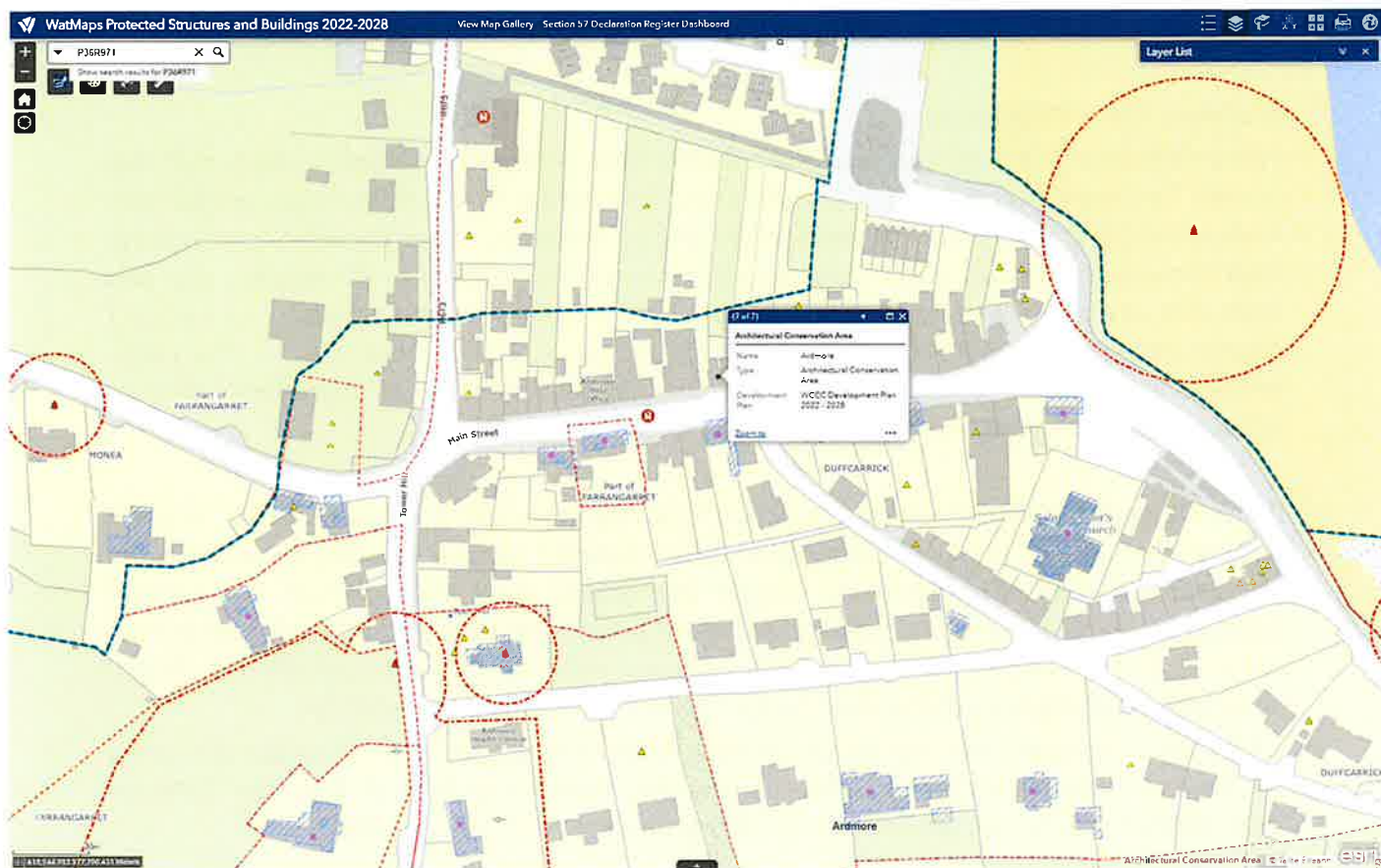
Images M & N above from 28th March 2025, showing overgrown rear garden and rotting and damaged side doorway. No change in the condition of the property at Main St., Ardmore.

HISTORY OF DERELICT SITE CASE

- 28th August 2024 – An initial site inspection undertaken by Planning Authority (PA) and Derelict Sites (DS) report developed.
- 15th October 2024 – CC'd email received from Mr. Richard Lincoln of the Ardmore Town Centre First Housing Sub Group, to Mr. Dominic Creedon, solicitor acting on behalf of the estate of the late Michael O'Reilly, outlining their previous correspondence with Mr. O'Reilly while he was alive, to have the ownership of Flynn's Main St. reconciled by taking out probate on same, and then to move forward with

David Quinn of the DS Team at WCCC Dungarvan Offices on 28th January 2025 at noon. A further reply was received from Marianna noting the invite, and would revert a list of persons that would be available to attend. Marianna also requested that any further Derelict Order / Notices be paused until further discussion was had and that this was confirmed in the previous correspondence from the DS Team. This email was responded to by the DS Team on the 22nd January 2025, acknowledged the list of names, and that no further action would be taken on the property until the meeting was held, and this was further acknowledged by Marianne on 22nd January 2025.

- 23rd January 2025 – An email response was received from solicitor Dominic Creedon noting the Section 8(2) notice of 10th January 2025, and previous conversation, Mr. Creedon put forward his disagreement that the appearance of the property fell into the description of dereliction under Section 3 of the Derelict Site Act 1990. Without prejudice to the above, Mr. Creedon put forward that he is prepared to recommend an engagement of his clients with the DS Team / Council whereby in exchange for the market value of the property it would be disposed to the DS Team. Mr. Creedon also noted that he had previously outlined the legal position of the title of the property and that he advised the DS Team to take advice on these matters and revert when they had done so.
- 27th January 2025 – A further reply email was issued to Mariana Broderick, noting details of the meeting on the 28th January 2025 in Dungarvan and DS Team leader mobile phone details in case of an issues for ease of contact.
- 28th January 2025 – David Quinn met with Marianna Broderick, Elizabeth O Reilly, Courtney, Brenda, and Kerry Griffin, Deirdre O Connell, Bridget Nora Breda O Reilly in the Planning Department, Civic Offices, Dungarvan on the 28.01.25. He explained to them the process outlined in the Derelict Sites Act and where on that timeline we were with the subject site. He further highlighted that it was the Planning Authority's intention to remove the property from dereliction and bring it back into active use. It was stated that the property would be placed on the derelict sites register in the coming weeks and that the family would be notified of this. It was explained that the Planning Authority was in contact with the executor of the late Michael O'Reilly's estate Solicitor Dominic Creedon who is working on perfecting title. The family notified David that this was their biggest issue and it would be their wish to sell the property if title could be obtained or redeem compensation if the property was to be CPA'ed. Marianna Broderick was nominated spokesperson for the group.
- 6th February 2025 – A letter from Dominic Creedon solicitor was received dated 23rd January 2025, it noted a conversation had with David Quinn DS Team Leader on 31st January 2025. The details of the title of the property on Main St. Ardmore were explained, where the late Michale O'Reilly had took possession of the title from the HSE with a copy of a deed of assurance showing good title to the dwelling house. At the rear of the property is a garden which is held with the dwelling house, but did not form part of the HSE title, and would still be in the possessory title to the estate of late Alice Flynn and her family. The letter mentioned a marked up map by the late Vincent O'Connor depicting the portion of the garden that was subject to this possessory title. This map was not attached within the letter and in a written registered letter posted response to Mr. Creedon on 7th February 2025, the DS Team noted this, and requesting that a copy of the deed of assurance from the HSE and the map marked up as described depicting the portion of the garden be issued. Following the issue of the



Owner(s) / Reputed Owner(s)

- Site 101 – Rear garden of Main St. Ardmore: **Ellen Mary Harris, Ardmore, Co Waterford (registered section of the site).**
- Site 102 – 2 Storey building to the front of Main St., Ardmore: **Michael O'Reilly (deceased), C/o Mr. Dominic Creedon, Dominic Creedon & Co. Solicitors, No. 15/16 Washington Street, Cork, T12 E63X.**

RECOMMENDATION

Having regard to the observed condition of the property at 'Flynn's' Main St., Ardmore, Co. Waterford P36R971, in particular its neglected and unsightly state, it is considered that the site materially detracts from the amenity, character and appearance of land in the neighbourhood and is therefore a derelict site within the meaning of Section 3 of the Derelict Sites Act, 1990, as amended.

Subsequently, it is considered reasonable that the local authority seeks to compulsorily acquire the land as outlined in Figure 1, as provided by Section 14 of the Act to render the site non-derelict and to prevent it continuing to be a derelict site.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way



Eoin Curran
Executive Engineer

Date: 09/04/2025

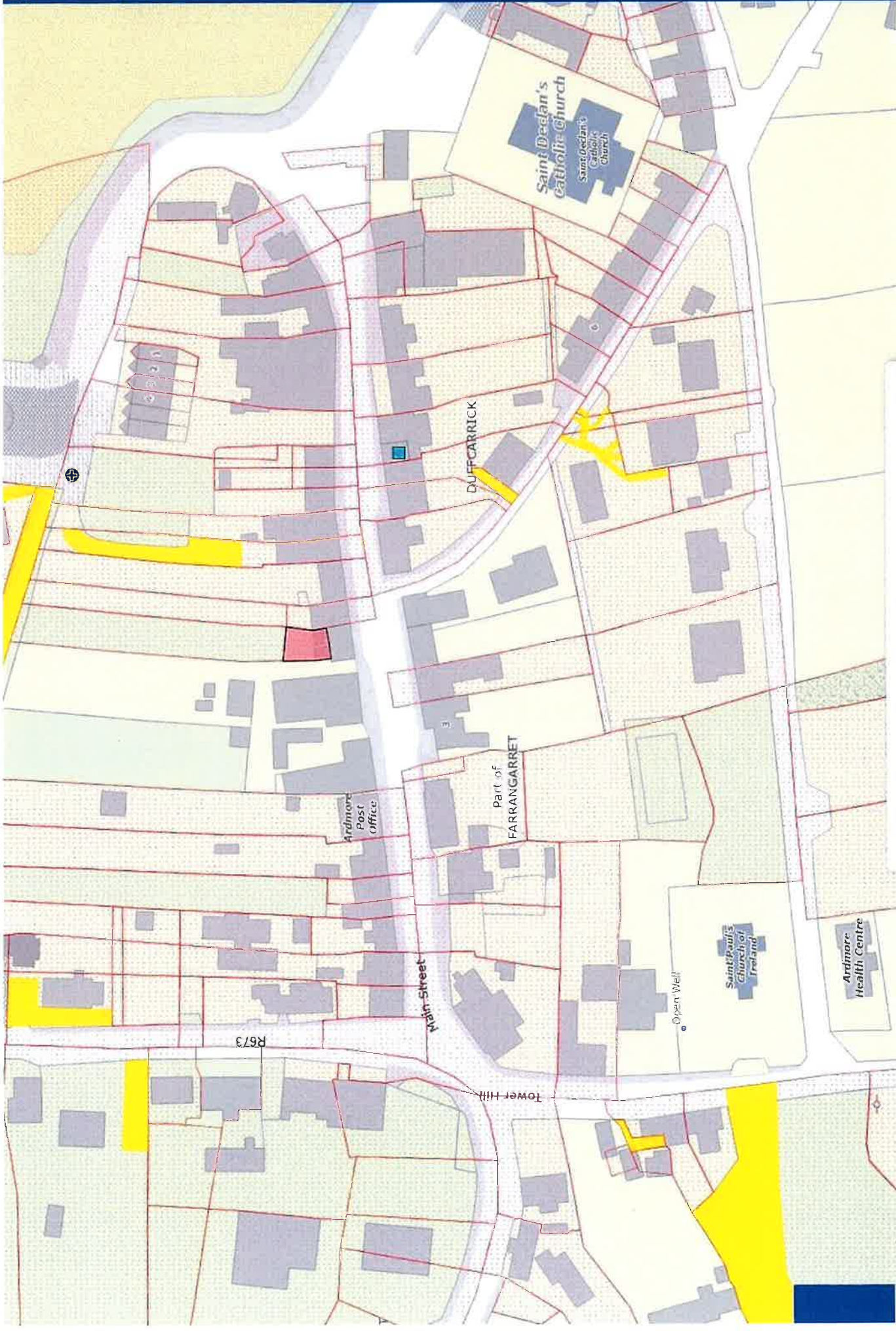


David Quinn
Senior Executive Planner

Date: 14/04/2025

APPENDIX 1

OWNERSHIP & SITE INVESTIGATIONS



Renamed 1 item

✓

✕

Land Registry

County Waterford

Folio 862

Register of Ownership of Freehold Land

Part 1(A) - The Property

For parts transferred see Part 1(B)

No.	Description	Official Notes
1	A plot of ground being part of the Townland of DUFFCARRICK and Barony of DECIES WITHIN DRUM shown as Plan(s) 71 edged RED on the Registry Map (OS MAP Ref(s) Village of Ardmore).	Instrument NO. 19480

Land Registry

County Waterford

Folio 862

Part 1(B) - Property Parts Transferred

No.	Prop No:	Instrument:	Date:	Area (Hectares) :	Plan:	Folio No:

Land Registry

County Waterford

Folio 862

Part 2 - Ownership

Title POSSESSORY VO 07-May-1900 No. 19480

No.	The devolution of the property is subject to the provisions of Part IV of the Registration of Title Act, 1891.
1	<div data-bbox="199 824 359 884">14-NOV-1951 858-11-51</div> <div data-bbox="430 824 1316 884">ELLEN MARY HARRIS (Spinster) of ARDMORE, COUNTY WATERFORD is full owner.</div> <div data-bbox="430 891 890 913">Land Cert Application No.: NA</div> <div data-bbox="430 922 502 945">Date:</div> <div data-bbox="430 952 726 974">Held to the order of</div> <div data-bbox="430 981 1364 1003">Address: HELD TO THE ORDER OF THE REGISTRAR</div>

Land Registry

County Waterford

Folio 862

Part 3 - Burdens and Notices of Burdens

No.	Particulars



Comhairle Cathrach & Contae Phort Láirge
Waterford City & County Council

Our ref: DS24065

The Owner,
Main Street (Flynn's)
Ardmore
Co. Waterford
P36R971

Date: 03/09/2024

RE DS24065 – Main Street (Flynn's) Ardmore Co. Waterford P36R971

Dear Sir/Madam

I am writing to inform you that, following a recent visual inspection by Waterford City and County Council's Derelict Sites Team, it was noted that the above property is currently in an unsightly condition.

Section 9 of the Derelict Sites Act 1990 (as amended) sets out the general duty of the owner or occupier of land and states:

"It shall be the duty of every owner and occupier of land, including a statutory body and a State authority, to take all reasonable steps to ensure that the land does not become or does not continue to be a derelict site."

Waterford City and County Council, for their functions under the Derelict Sites Act, 1990 (as amended), require confirmation of your interest, or every person(s) who to your knowledge have any interest in respect of the property at Main Street (Flynn's) Ardmore Co. Waterford P36R971, within 14 (fourteen) days of the date of this letter. This can be done in writing to the Senior Staff Officer, Derelict and Vacant Sites Team, Waterford City and County Council, Menapia Building, The Mall, Waterford City X91 FXN4, or via email to derelictsites@waterfordcouncil.ie

We would be happy to discuss options and next steps with you concerning the property and have included a leaflet on available grants and relevant contact details.

Yours sincerely

David Quinn
Senior Executive Planner
Derelict and Vacant Sites

Our ref: DS24065


Eoin Curran


From: David Quinn
Sent: Wednesday 16 October 2024 16:16
To: Caroline Prendergast
Subject: FW: Michael O'Reilly's aunts house in Ardmore

Follow Up Flag: Follow up
Flag Status: Flagged

Caroline – can you please save this email below on the files?
Kind regards,
David

From: Richard Lincoln <dicklinc10@gmail.com>
Sent: Tuesday 15 October 2024 20:47
To: David Quinn <dquinn@waterfordcouncil.ie>; deborahom@creedonlaw.ie
Subject: Michael O'Reilly's aunts house in Ardmore

 External email >

 First time sender >

Email to Dominic Creedon (deborahom@creedonlaw.ie)

Dear Dominic,

My name is Dick Lincoln, an old friend of Michael O'Reilly. Sadly, Michael has died. He was a good friend, and he is missed by us all in the village.

I attach below correspondence with Michael and yourself in relation to Flynn's House on Main St. Ardmore. The contents below are self-explanatory, but essentially, we wish, with the help of Waterford City and County Council (WCCC), to bring Flynn's house back into full time use as a home in the village.

I met with David Quinn, from WCCC Vacant Property Section, on Mon Oct 14th.

He would like to communicate with you directly, in order to move this project forward.

I am copying him in on this communication, so that you can both communicate directly.

David Quinn (dquinn@waterfordcouncil.ie)

Thank you for your time

Dick Lincoln

Richard Lincoln <dicklinc10@gmail.com>

to deborahom

Attention Dominic Creedon Solicitor

Dear Dominic,

Eoin Curran

From: Caroline Prendergast
Sent: Monday 21 October 2024 16:48
To: deborahom@creedonlaw.ie
Subject: Main Street (Flynn's) Ardmore, Co. Waterford P36R971
Attachments: First Communication Letter The late Michael O Reilly, co Dominic Creedon.docx

Good evening Dominic,

Please find attached First Communication Letter regarding property of your client, the Late Michael O Reilly as discussed with Mr. David Quinn, Senior Executive Planner,

Kind Regards,

Caroline Prendergast.

Planning Dept./The Mall/Waterford

0818 10 20 20





Comhairle Cathrach & Contae Phort Láirge
Waterford City & County Council

Our ref: DS24065

The late Michael O' Reilly,
c/o Dominic Creedon & Co. Solicitors,
15/16 Washington Street,
Cork
T12 E63X

Date: 22/10/2024

RE DS24065 - Main Street (Flynn's), Ardmore, Co. Waterford P36R971

Dear Dominic,

I am writing to inform you that, following a recent visual inspection by Waterford City and County Council's Derelict Sites Team, it was noted that the above property is currently in an unsightly condition.

Section 9 of the Derelict Sites Act 1990 (as amended) sets out the general duty of the owner or occupier of land and states:

"It shall be the duty of every owner and occupier of land, including a statutory body and a State authority, to take all reasonable steps to ensure that the land does not become or does not continue to be a derelict site."

Waterford City and County Council, for their functions under the Derelict Sites Act, 1990 (as amended), require confirmation of your clients interest, or every person(s) who to your knowledge have any interest in respect of the property at Main Street (Flynn's), Ardmore, Co. Waterford P36R971, within 14 (fourteen) days of the date of this letter. This can be done in writing to the Senior Staff Officer, Derelict and Vacant Sites Team, Waterford City and County Council, Menapia Building, The Mall, Waterford City X91 FXN4, or via email to derelictsites@waterfordcouncil.ie

We would be happy to discuss options and next steps with you concerning the property and have included a leaflet on available grants and relevant contact details.

Yours sincerely

David Quinn
Senior Executive Planner
Derelict and Vacant Sites

Eoin Curran

From: David Quinn
Sent: Tuesday 21 January 2025 17:11
To: Danielle Staff Cantwell
Subject: RE: Derelict Site Notice DS24065 - Property in Ardmore, Co. Waterford.

Thanks for the update Danielle.
Regards,
David

From: Danielle Staff Cantwell <dstaffcantwell@waterfordcouncil.ie>
Sent: Tuesday 21 January 2025 17:08
To: David Quinn <dquinn@waterfordcouncil.ie>
Subject: RE: Derelict Site Notice DS24065 - Property in Ardmore, Co. Waterford.

Hi David

I spoke to Melissa O Connell who was ringing on behalf of her Mother Deirdre O'Connell who is one of 7 siblings (2 recently deceased) who may have a claim on the property, they are interested in possibly selling the property to the council or a cousin may be interested in buying it but cannot at the moment due to the question over ownership and deeds. Melissa is going to send in an email with the details of everyone who is involved in the property.

They may be interested in meeting with you and their solicitor to see what the best plan is for moving forward.

Melissa is going to talk to her Mother, Aunts/Uncles and let me know in her email

Regards
Danielle

From: David Quinn <dquinn@waterfordcouncil.ie>
Sent: Tuesday 21 January 2025 17:02
To: Danielle Staff Cantwell <dstaffcantwell@waterfordcouncil.ie>; Brid Veale <bveale@waterfordcouncil.ie>
Cc: Caroline Prendergast <cprendergast@waterfordcouncil.ie>
Subject: RE: Derelict Site Notice DS24065 - Property in Ardmore, Co. Waterford.

Hi guys,
Sorry I was in a meeting and just seeing these emails now.
[@Danielle Staff Cantwell](#) – any follow up required after your phone call?
Regards,
David

From: Danielle Staff Cantwell <dstaffcantwell@waterfordcouncil.ie>
Sent: Tuesday 21 January 2025 16:21
To: Brid Veale <bveale@waterfordcouncil.ie>; David Quinn <dquinn@waterfordcouncil.ie>
Cc: Caroline Prendergast <cprendergast@waterfordcouncil.ie>
Subject: RE: Derelict Site Notice DS24065 - Property in Ardmore, Co. Waterford.

Eoin Curran

From: Dominic Creedon <dominic@creedonlaw.ie>
Sent: Thursday 23 January 2025 17:08
To: Derelict Sites
Subject: [ORE011/0004]/[Michael O'Reilly (O875)]/[Michael O'Reilly Deceased (RIP)]

Derelict Sites Notice of Intention. Reference DS 24065. Main Street, Ardmore, Co Waterford

Subject to Contract/Contract Denied

Dear Mr Quinn,

I refer to your letter of 10 January forwarding the above notice of intention to make an entry in the derelict sites register of the above property comprised in the estate of Alice Flynn deceased.

As mentioned in the course of our conversation the property does not have the appearance of dereliction and does not fall within section 3 of the Derelict Site Act 1990. It is noted that the Council is satisfied that the property does come within the statutory definition of dereliction. I would differ with the opinion formed by the Council.

Without prejudice to the above position we would be prepared to recommend an engagement with the Council whereby in exchange for agreed compensation/consideration that the above property would be disposed of for market value.

We have already outlined the legal position with regard to the title to the property. It is noted that you are to take advice on these matters and when have done so could you please kindly revert.

Yours faithfully

Dominic Creedon

Dominic Creedon & Co.,
Solicitors,
15/16 Washington Street,
Cork.

Tel: + 353 21 4271801

The information contained in this e-mail, including any attachments, is intended for the sole use of the individual to whom it is addressed and may contain confidential and/or privileged information. If you are not the addressee, you should not read, disclose, distribute, copy, use or rely upon the information contained in this transmission. If you receive this e-mail in error please contact the sender by return and delete this e-mail including any attachments. Email may be susceptible to data corruption, interception and unauthorized amendment, and we do not accept liability for any such corruption, interception or amendment or for the consequences thereof. CYBER CRIME WARNING: Emails can be hacked. Do not rely upon any bank account details sent or received by email. Account details should always be verified independently by hard copy, fax or by telephone call.

Eoin Curran

From: Derelict Sites
Sent: Monday 27 January 2025 14:36
To: Marianna Broderick
Subject: RE: Ardmore dereliction notice.

Categories: Egress Switch: Unprotected

Good afternoon, Marianna

Many thanks for your email.

David Quinn will meet you in the foyer of the Civic offices in Dungarvan tomorrow at noon, in case you need to contact him his mobile number is 087 772 3733.

Kind Regards
Danielle

From: Marianna Broderick <broderickmarianna@gmail.com>
Sent: Monday 27 January 2025 10:52
To: Derelict Sites <derelictsites@waterfordcouncil.ie>
Subject: Re: Ardmore dereliction notice.

Hi Danielle, we are good to go with meeting tomorrow, myself, Elizabeth O Reilly, Courtney, Brenda and Kerry Griffin, Deirdre O Connell, Bridget Nora and Breda O Reilly will be attending. Thanks Marianna.

On Wed 22 Jan 2025, 2:38 p.m. Marianna Broderick, <broderickmarianna@gmail.com> wrote:

Thank you.

On Wed 22 Jan 2025, 2:16 p.m. Derelict Sites, <derelictsites@waterfordcouncil.ie> wrote:



Comhairle Cathrach & Contae Phort Láirge
Waterford City & County Council

From: Marianna Broderick <broderickmarianna@gmail.com>
Sent: Wednesday 22 January 2025 13:32
To: Derelict Sites <derelictsites@waterfordcouncil.ie>
Subject: Re: Ardmore dereliction notice.

Thanks Danielle I will get back to u with list of who will be attending, if u could please send an email just to confirm that the dereliction order will not proceed on Fri the 24th it would be much appreciated thanks again marianna.

On Wed 22 Jan 2025, 1:00 p.m. Derelict Sites, <derelictsites@waterfordcouncil.ie> wrote:



Good afternoon Marianna,

Many thanks for your email which I received on 22/01/2025

Your correspondence has been saved and filed.

Following our phone conversation earlier today, I would like to schedule a meeting between all interested parties and David Quinn, Senior Executive Planner with Waterford City and County Council, in the Dungarvan Civic office on Tuesday, January 28th at noon.

Please confirm if this time is suitable for everyone and specify who will be in attendance.

Waterford City and County Council will not take any further action on the property in the meantime.

2.Elizabeth O Reilly 0872788571

3.Kerry Griffin 0871746989

4.Courtney Griffin 0830360548

5.Brenda Griffin 0876290275

6.Deirdre O Connell 0877631440

7.Tommy/Breda O Reilly 0877588323

8.Bridget O Reilly 0868665195

9.Nora O Reilly 0877716103.

Thanks Marianna.

Eoin Curran

From: David Quinn
Sent: Tuesday 4 February 2025 16:13
To: Caroline Prendergast
Subject: DS24065 Main Street Ardmore P36R971

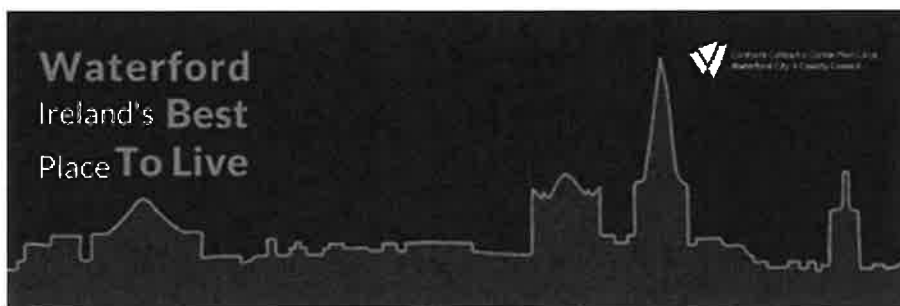
Follow Up Flag: Follow up
Flag Status: Flagged

Caroline – can you please save this email on the files as a record of my meeting with members of the O'Reilly re the above property.

- I met with Marianna Broderick, Elizabeth O Reilly, Courtney, Brenda, and Kerry Griffin, Deirdre O Connell, Bridget Nora Breda O Reilly in the Planning Department, Civic Offices, Dungarvan on the 28.01.25.
- I explained to them the process outlined in the Derelict Sites Act and where on that timeline we were.
- I highlighted that it was our intention to remove the property from dereliction and bring it back into active use. I stated that we would be moving to place the property on the derelict sites register in the coming weeks and would notify them once this was decided.
- I explained that we were in contact with the executor of the late Michael O'Reilly's estate Solicitor Dominic Creedon who is working on perfecting title.
- They notified to be that this was their biggest issue and their desire to sell the property and redeem compensation for same.
- Marianna Broderick was nominated spokesperson for the group and I said that I would touch base with Dominic for an update and report back to her once this was done.

David Quinn |Senior Executive Planner |Derelict Sites Unit
Waterford City and County Council, Menapia Building, The Mall, Waterford City.
X91 FXN4

| T 058 22033 | M 087 772 3733 | Email dquinn@waterfordcouncil.ie



P Before printing, think about the Environment !

OUR REF:

YOUR REF: DC/ ORE011/0004/ NJ

DATE: DS24065

23 Jan. 25

David Quinn,
Senior Executive Planner,
Derelict and Vacant Sites,
Waterford City and County Council,
The Mall,
Waterford

**DOMINIC
CREEDON
& CO.**
SOLICITORS
15-16 Washington Street Cork
Telephone: (021) 4271801/2
Facsimile: (021) 4274876
E-Mail:
reception@creedonlaw.ie
www.creedonlaw.ie
DX 2034 Cork

By email and post – derelictsites@waterfordcountycouncil.ie

**WITHOUT PREJUDICE/ SUBJECT TO CONTRACT/CONTRACT
DENIED**

**Re: DS24065 – Main Street(Flynns), Ardmore,
County Waterford, P36 R971**

Dear Mr Quinn,

We refer to our conversation on the 31st of January 2025. As explained to you Michael O'Reilly took title to the property from HSE. We enclose a copy of the Deed of Assurance from the HSE showing good title to the dwelling house.

At the rear of the property was a garden which was held with the dwelling house but which did not form part of the HSE title. Alice Flynn and her family were in occupation and possession of this property and as such her Estate would have had possessory title to it. That title however is not registered.

We enclose a map marked by the late Vincent O'Connor depicting the portion of the garden that was the subject of possessory title.

You have details of the title to the HSE Section which was purchased by our client detached.

DOMINIC CREEDON, B.C.L., Solicitor
Commissioner for Oaths

MARY O'LEARY, B.A., B.C.L.,
Solicitor

BERNIE DWYER,
Legal Executive

E-Mail:
dominic@creedonlaw.ie
moleary@creedonlaw.ie
bernie@creedonlaw.ie
reception@creedonlaw.ie





Comhairle Cathrach & Contae Phort Láirge
Waterford City & County Council

Our Ref.: DS24065

Your Ref: DC/ORE011/0004/NJ

Mr. Dominic Creedon
Dominic Creedon & Co. Solicitors
15 – 16 Washington Street
Cork

7th February 2025

Re: DS24065 – Main Street (Flynn's), Ardmore, Co. Waterford, P36 R971

Dear Mr. Creedon

I acknowledge receipt of your letter dated 23rd January, which we received on the 6th of February.

There was no attachments to your letter, could you please send on copy of the Deed of Assurance from the HSE and the map marked depicting the portion of the garden that was the subject of possessory title.

Yours sincerely,

Colette O' Brien
Senior Staff Officer
Planning Section
058-22016

APPENDIX 2

CHIEF EXECUTIVE ORDERS (CEO) & SITE NOTICES



Comhairle Cathrach & Contae Phort Láirge
Waterford City & County Council

0103 8936 41E

Mr. Micael O'Reilly (Deceased)
c/o Dominic Creedon Solicitors
15/16 Washington St
Cork
T12 E63X

Our Ref: DS24065

10/01/2025

Re: Notices Under Section 8(2) of the Derelict Sites Act 1990 (as amended)
Owner/Reputed Owner: Mr. Micael O'Reilly (Deceased)
Address: Main Street, Ardmore, Co. Waterford P36R971

Dear Dominic,

Please find enclosed Notices under Section 8(2) of the Derelict Sites Act 1990 (as amended) regarding the property at the above address.

Following a site inspection, it was considered that in the current state, the property falls within the definition of a Derelict Site as set out within Section 3 of the Derelict Sites Act (1990) (as amended) where it states:

"3. —In this section "derelict site" means any land (in this section referred to as "the land in question") which detracts, or is likely to detract, to a material degree from the amenity, character, or appearance of land in the neighbourhood of the land in question because of—

(a) the existence on the land in question of structures that are in a ruinous, derelict, or dangerous condition, or

(b) the neglected, unsightly, or objectionable condition of the land or any structures on the land in question, or

(c) the presence, deposit, or collection on the land in question of any litter, rubbish, debris, or waste, except where the presence, deposit or collection of such litter, rubbish, debris, or waste results from the exercise of a right conferred by or under statute or by common law."

As mentioned in the accompanying section 8(2) notice, you have 14 days to submit your comments to the Council concerning this matter.

We would be happy to discuss options and next steps with you and have included a leaflet on available grants and relevant contact details.

Yours sincerely,

David Quinn
Senior Executive Planner
Derelict and Vacant Sites



Comhairle Cathrach & Contae Phort Láirge
Waterford City & County Council

The late Michael O'Reilly,
c/o Dominic Creedon & Co. Solicitors,
15/16 Washington Street,
Cork
T12 E63X

Our Ref: DS24065

Notice of Intention

Notice under Section 8 (2) of the Derelict Sites Act, (1990) (as amended) of intention to make an entry on the Derelict Sites Register

Waterford City & County Council (hereinafter called the Local Authority) being of the opinion that the land referred to hereunder is a Derelict Site within the meaning of the Derelict Sites Act, 1990, hereby gives notice that it intends to enter particulars of the said land on the Derelict Sites Register in accordance with the provisions of Section 8 (1) of the Derelict Sites Act, 1990.

Any person aggrieved by this Notice may within 14 days from the date of service upon him/her, make representations in writing to Waterford City & County Council, Planning Department, Menapia Building, The Mall, Waterford, X91 FXN4 (the Local Authority), and the Local Authority shall consider any such written representations and then make the entry or not as it thinks proper having regard to such representations.

Description of Property Two-story end-of-terrace house.
Location Main Street, Ardmore, Co. Waterford P36R971
Owner/Reputed Owner: Michael O'Reilly (Deceased)

Note: Lands entered on the Derelict Sites Register may be subject to a levy as provided for under Part 111 of the Derelict Sites Act, 1990

Dated this 10th day of January 2025

Signed:

Signed by:

Ivan Grimes

888530E601A84F3...

Ivan Grimes

Director of Services,
Corporate Services, Culture, Planning, HR and IS

The removal, damage, or defacement of this notice by unauthorised persons is prohibited under Section 6 (subsection 4) of the Derelict Sites Act (1990) (as amended).

Waterford City and County Council, City Hall, The Mall, Waterford.
Comhairle Cathrach agus Contae Phort Láirge, Halla na Cathrach, An Meal, Port Láirge

derelictsites@waterfordcouncil.ie

Tel : 0818 10 20 20

www.waterfordcouncil.ie



Comhairle Cathrach & Contae Phort Láirge
Waterford City & County Council

TO: The Owner
Main Street,
Ardmore,
Co. Waterford
P36R971

Our Ref: DS24065

10/01/2025

Re: Notices Under Section 8(2) of the Derelict Sites Act 1990 (as amended)
Owner/Reputed Owner: Mr. Micael O'Reilly (Deceased)
Address: Main Street, Ardmore, Co. Waterford P36R971

Dear Sir/Madam,

Please find enclosed a Notice under Section 8(2) of the Derelict Sites Act 1990 (as amended) regarding your property at the above address.

Following a site inspection, it was considered that in the current state, the property falls within the definition of a Derelict Site as set out within Section 3 of the Derelict Sites Act (1990) (as amended) where it states:

"3. —In this section "derelict site" means any land (in this section referred to as "the land in question") which detracts, or is likely to detract, to a material degree from the amenity, character, or appearance of land in the neighbourhood of the land in question because of—

(a) the existence on the land in question of structures which are in a ruinous, derelict, or dangerous condition, or

(b) the neglected, unsightly, or objectionable condition of the land or any structures on the land in question, or

(c) the presence, deposit, or collection on the land in question of any litter, rubbish, debris, or waste, except where the presence, deposit or collection of such litter, rubbish, debris, or waste results from the exercise of a right conferred by or under statute or by common law."

As mentioned in the accompanying section 8(2) notice, you have 14 days to submit your comments to the Council concerning this matter.

We would be happy to discuss options and next steps with you and have included a leaflet on available grants and relevant contact details.

Yours sincerely,

David Quinn
Senior Executive Planner
Derelict and Vacant Sites



Comhairle Cathrach & Contae Phort Láirge
Waterford City & County Council

To: The Owner / Occupier

Our Ref: DS24065

Notice of Intention

Notice under Section 8 (2) of the Derelict Sites Act, (1990) (as amended) of intention to make an entry on the Derelict Sites Register

Waterford City & County Council (hereinafter called the Local Authority) being of the opinion that the land referred to hereunder is a Derelict Site within the meaning of the Derelict Sites Act, 1990, hereby gives notice that it intends to enter particulars of the said land on the Derelict Sites Register in accordance with the provisions of Section 8 (1) of the Derelict Sites Act, 1990.

Any person aggrieved by this Notice may within 14 days from the date of service upon him/her, make representations in writing to Waterford City & County Council, Planning Department, Menapia Building, The Mall, Waterford, X91 FXN4 (the Local Authority), and the Local Authority shall consider any such written representations and then make the entry or not as it thinks proper having regard to such representations.

Description of Property Two-story end-of-terrace house.
Location Main Street, Ardmore, Co. Waterford P36R971

Note: Lands entered on the Derelict Sites Register may be subject to a levy as provided for under Part 111 of the Derelict Sites Act, 1990

Dated this 10th day of January 2025

Signed:

Signed by:

Ivan Grimes

Ivan Grimes

Director of Services,

Corporate Services, Culture, Planning, HR and IS

The removal, damage, or defacement of this notice by unauthorised persons is prohibited under Section 6 (subsection 4) of the Derelict Sites Act (1990) (as amended).

Waterford City and County Council, City Hall, The Mall, Waterford.
Comhairle Cathrach agus Contae Phort Láirge, Halla na Cathrach, An Meal, Port Láirge

derelictsites@waterfordcouncil.ie

Tel : 0818 10 20 20

www.waterfordcouncil.ie

Comhairle Cathrach agus Contae Phort Láirge

Waterford City and County Council

CHIEF EXECUTIVE'S ORDER

Subject: Intention to Make Entry on to Derelict Sites Register for Main Street Ardmore Co Waterford P36NN82, Main Street Ardmore P36R971, 26 Morrisons Road Waterford City, 28 Morrisons Road Waterford City, and 3 Priest Road Tramore Co Waterford.

I, Ivan Grimes, Director of Services, Corporate, Culture, Planning, HR & IS, by virtue of the powers conferred on Waterford City & County Chief Executive by the Local Government Act, 2001, as amended by the Local Government Reform Act 2014, and in accordance with Chief Executive Order No. 2024/2,506, dated 21st August, 2024, delegating functions to me under Section 154 of the Local Government Act 2001, hereby make the following order:

That on the recommendation of Mr. David Quinn, Senior Executive Planner. Notice under Section 8(2) of the Derelict Sites Act, 1990 (as amended) be served on:

The Owner/Reputed Owner: Ms. Celine Kiely c/o Joseph P Gordon Solicitors, for the property at Main Street Ardmore Co Waterford, P36NN82.

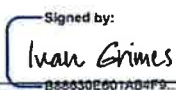
The Owner/Reputed Owner: The late Michael O'Reilly, for the property at Main Street Ardmore Co Waterford P36R971.

The Owner/Reputed Owner: Ms. Catherine Magill, for the property at 26A Morrisons Road Waterford City.

The Owner/Reputed Owner: Ms. Catherine Magill, for the property at 28 Morrisons Road Waterford City.

The Owner/Reputed Owner: Ms Bridget Forristal, for the property at 3 Priests Rod Tramore Co Waterford .

Dated this 10th day of January 2025.

Signed: 
Ivan Grimes
Director of Services
Corporate, Culture, Planning, HR & IS



Comhairle Cathrach & Contae Phort Láirge
Waterford City & County Council

0103 8325 615

Our Ref: DS24065

Mr. Michael O Reilly (Deceased)
c/o Mr Dominic Creedon
Dominic Creedon And Co-Solicitors,
15 -16 Washington Street
Cork
T12 E63X

13/02/2025

Re: Notice Under Section 8(7) of the Derelict Sites Act 1990 (as amended)
Owner / Reputed Owners Michael O Reilly (Deceased)
Address: Main Street, Ardmore, Co Waterford. P36R971

Dear Mr., Creedon

Please find enclosed a Notice under Section 8(7) of the Derelict Sites Act 1990 (as amended) regarding the property at the above address.

Following a site inspection, it was considered that in its current state, the property falls within the definition of a Derelict Site as set out within Section 3 of the Derelict Sites Act (1990) (as amended) where it states:

“3. - In this section “derelict site” means any land (in this section referred to as “the land in question”) which detracts, or is likely to detract, to a material degree from the amenity, character, or appearance of land in the neighbourhood of the land in question because of—

(a) the existence on the land in question of structures that are in a ruinous, derelict, or dangerous condition, or

(b) the neglected, unsightly, or objectionable condition of the land or any structures on the land in question, or

(c) the presence, deposit, or collection on the land in question of any litter, rubbish, debris, or waste, except where the presence, deposit, or collection of such litter, rubbish, debris, or waste results from the exercise of a right conferred by or under statute or by common law

We would be happy to discuss options and next steps with you and have included a leaflet on available grants and relevant contact details.

Yours sincerely,

David Quinn,
Senior Executive Planner,
Waterford City & County Council,
Menapia, The Mall, Waterford



Comhairle Cathrach & Contae Phort Láirge Waterford City & County Council

Waterford City & County Council

Notice of Entry having been made in Derelict Sites Register

Derelict Sites Act 1990, Section 8(7)

To: The Owner / Occupier / Leasee

Waterford City and County Council (hereinafter called the Local Authority) having complied with the provision of Section 8(2) of the Derelict Sites Act, 1990 (as amended), hereby give notice that the site referred to in the schedule hereto and identified by the accompanying map has been entered on the Derelict Sites Register.

The said Register is available for inspection at the offices of the Directorate of Corporate Services and Planning, Waterford City & County Council, Menapia Building, The Mall, Waterford during office hours.

Dated: 13th day of February 2025

Signed:

Signed by:
Ivan Grimes
B88630E601AB4F9

Ivan Grimes
Director of Services
Corporate Services, Culture Planning HR & IS

SCHEDULE

Site No DS24065
Address: Main Street, Ardmore, Co Waterford. P36R971

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Waterford City and County Council, City Hall, The Mall, Waterford.
Comhairle Cathrach agus Contae Phort Láirge, Halla na Cathrach, An Meal, Port Láirge
derelictsites@waterfordcouncil.ie Tel : 0818 10 20 20 www.waterfordcouncil.ie

Comhairle Cathrach agus Contae Phort Láirge

Waterford City and County Council

CHIEF EXECUTIVE'S ORDER

Subject: Entry on to The Derelict Site Register for Main Street, Ardmore, Co Waterford, 26A Morrisson's Avenue, Waterford, and 28 Morrison's Avenue, Waterford

I, Ivan Grimes, Director of Services, Corporate, Culture, Planning, HR & IS, by virtue of the powers conferred on Waterford City & County Chief Executive by the Local Government Act, 2001, as amended by the Local Government Reform Act 2014, and in accordance with Chief Executive Order No. 2024/2,506, dated 21st August, 2024, delegating functions to me under Section 154 of the Local Government Act 2001, hereby make the following order:

That having regard to the Notice issued under Section 8 (2) of the Derelict Sites Act, 1990 (as amended) and having received no written representation or submission within the allotted time that a Notice under Section 8(7) of the Derelict Sites Act, 1990 (as amended) be served on:

The Owner: Mr Michael O Reilly (RIP), C/O Dominic Creedon, for the property at: Main Street, Ardmore, Co Waterford. P36R971

The Owner: Ms. Catherine Magill, for the property at: 26A Morrisson's Avenue, Waterford. X91AH68

The Owner: Ms. Catherine Magill, for the property at: 28 Morrisson's Avenue, Waterford. X91F6CC

Dated this 13th day of February 2025

Signed: Ivan Grimes
Ivan Grimes
Director of Services
Corporate, Culture, Planning, HR & IS

post

Payment method Meter post ☐ Postage stamps ☐ cash ☐ Fee paid ☐

Customer's name and address

Planning
Derelict + Vacant.

Date Customer account number

130224

D D M M Y Y

Item number	Enter below the name and address shown on each item	Declared value	Additional insurance value	Weight KG must be entered	Amount paid
1 RL 0103 8320 8IE	Mr Des Nennessey, Rockfield Ballycashin, Butlerstown Waterford	€ DS24	€ 084	<input type="text"/>	<input type="text"/>
2 RL 0103 8380 9IE	Mr Michael Ian Larkin, Insolvency Service of Ireland, Block 2 sub 8.	€ DS24	€ 086	<input type="text"/>	<input type="text"/>
3 RL 0103 8322 5IE	Limerick, Ni-Chonchaire, Cill Rio Idt. Maol A'choine An Rinn	€ DS24	€ 110	<input type="text"/>	<input type="text"/>
4 RL 0103 8321 1IE	David Towey, Cill Rio Idt. Maol A'choine, An Rinn, Dungarvey	€ DS24	€ 110	<input type="text"/>	<input type="text"/>
5 RL 0103 8323 9IE	Ms Catherine Magill, 26 Castlewoods, Ballinamona, Waterford	€ DS24	€ 092	<input type="text"/>	<input type="text"/>
6 RL 0103 8324 2IE	Ms Catherine Magill 26 Castlewoods, Ballinamona, Waterford	€ DS24	€ 093	<input type="text"/>	<input type="text"/>
7 RL 0103 8325 6IE	Mr. Michael O'Reilly c/o Dominic Creedon, Dominic Creedon Solicitors Cork.	€ DS24	€ 069	<input type="text"/>	<input type="text"/>
8		€	€	<input type="text"/>	<input type="text"/>
9		€	€	<input type="text"/>	<input type="text"/>
0		€	€	<input type="text"/>	<input type="text"/>

Accepting Officer Time Total items on this list Total amount paid €

Registered post Certificate of posting Acceptance Office

APPENDIX 3

DERELICT SITE REPORT



From: Brea Cooke, Executive Technician
To: David Quinn, Senior Executive Planner

Site Particulars

Derelict Sites Reference	DS24065	
Date of Site Inspection	28/08/2024	
Location/Address	Main Street (Flynn's), Ardmore, Co. Waterford P36R971	
	ITM	Area (ha)
	618990, 577696	0.02
Occupied	No	
Owner(s)	<p>Site A: Michael O'Reilly (deceased), Main Street, Ardmore, Co. Waterford (unregistered section of the site).</p> <p>Site B: Ellen Mary Haris, Ardmore, Co Waterford (registered section of the site).</p>	
Reputed Owner	Unknown	
Folio Reference	WD862 for rear of property (See site plan 2 below) unregistered for remaining site / property to the front on Main Street.	
Description of Land	<p>The site is located in the townland of Duffcarrick, on Main Street, Ardmore, P36R971. The site was visited on the 28TH August 2024.</p> <p>Site Inspection Notes</p> <ul style="list-style-type: none"> - Property façade is in a poor state of repair. - Roof tiled finish has signs of vegetation growth and needs to be checked for any weakness or leaks. There are areas where tiles have slipped or are missing. - The plasterwork/paintwork needs cleaning and is also in need of repair in areas. This is currently giving an appearance of neglect at the site. - Gutters and downpipes need to be replaced or repaired. - The building façade needs cleaning and painting. - The front door and windows were showing signs of neglect. - The rear of the property was overgrown with hedging coming out over the side boundary. - The property appeared to be secure, no access was available to the rear. <p>Within Ardmore settlement boundary Within Rural Village Zone Within Zone of Notification Within Architectural Conservation Plan</p>	

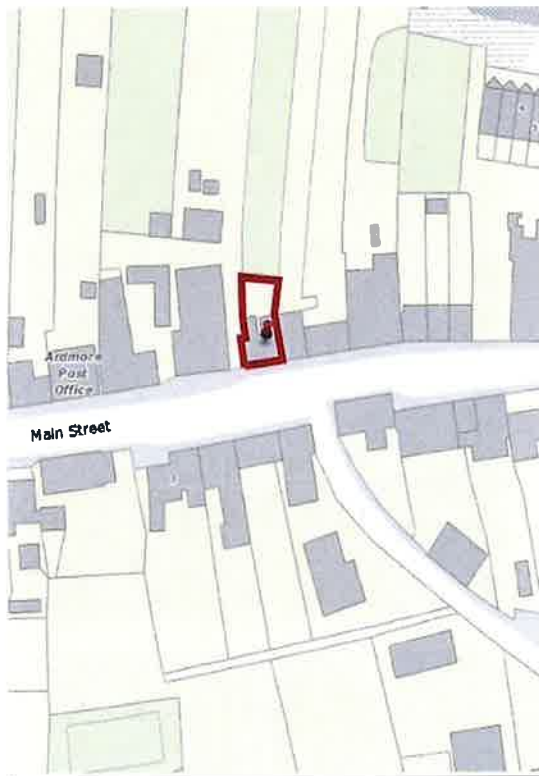
The Derelict Sites Act (1990) provides a definition of a derelict site and states: 3.—In this section “derelict site” means any land (in this section referred to as “the land in question”) which detracts, or is likely to detract, to a material degree from the amenity, character or appearance of land in the neighbourhood of the land in question because of— (a) the existence on the land in question of structures which are in a ruinous, derelict or dangerous condition, or (b) the neglected, unsightly or objectionable condition of the land or any structures on the land in question, or (c) the presence, deposit or collection on the land in question of any litter, rubbish, debris or waste, except where the presence, deposit or collection of such litter, rubbish, debris or waste results from the exercise of a right conferred by or under statute or by common law.

David Quinn

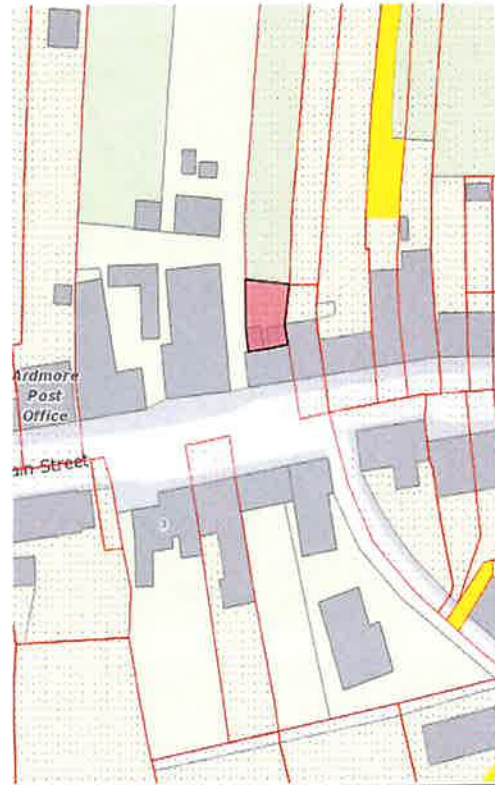
David Quinn
Senior Executive Planner

Date: 25.09.2024

Site Location



Site Plan 1 including rear garden



Site Plan 2 which is registered under Folio WD862

County Waterford

Folio 862

Part 2 - Ownership

Title POSSESSORY VO 07-May-1900 No. 19480

No.	The devolution of the property is subject to the provisions of Part IV of the Registration of Title Act, 1891.		
1	14-NOV-1951 858-11-51	ELLEN MARY HARRIS (Spinster) of ARDMORE, COUNTY WATERFORD is full owner. Land Cert Application No.: NA Date: Held to the order of Address:	HELD TO THE ORDER OF THE REGISTRAR

Ownership details for Site Plan 2

