

BALLINA FLOOD RELIEF SCHEME

Compulsory Purchase Order No.01 of 2025

Case reference: **ACP-323060-25**

Plot References: **URM1-01, URM1-02**

Submission by: **Michael Doherty** (Rathkip, Ballina, Co. Mayo)

Mayo County Council Submission Report

Mayo County Council hereby submits the following comments in response to the general and specific points raised in the submission made by Michael G Bohan Co. Solicitors on behalf of Michael Doherty to An Coimisiún Pleanála.

General

Mayo County Council accepts that there will be an impact on the property comprising Ballina Boat Club, including temporary loss of use of the area by members of the boat club, during construction works.

I can confirm that on behalf of Mayo County Council, I met with members of Ballina Boat Club on site on 24th July 2025. This meeting was requested by the Boat Club following publication of the CPO, including erection of a site for the Boat Club property at Arbuckle Row on 15th July 2025.

At the aforementioned meeting, I provided attendees with a hardcopy of the planning drawings, which set out details of the proposed works on lands comprising plots URM1-01 and URM1-02. I explained the content of the planning drawings to all present and I dealt with queries raised on the day, in so far as information is/was available at this stage of the scheme (Stages 1 & 2). I also explained that Stage 3 (design) would address the finer points of site layout and boundary treatment. I also explained the CPO process, including the rationale for Mayo County Council taking this approach.

Leaving that site meeting, I was satisfied that all those present who engaged in a constructive manner understood the broad details of the flood scheme works in so far as these apply to Ballina Boat club lands (plots URM1-01 and URM1-02).

I also gave a commitment to all present that Mayo County Council would continue to engage with members of Ballina Boat Club through the remaining stages of the flood scheme.

Specific Points raised by Michael G Bohan Co. (solicitor)

- Subject to confirmation of the CPO, Mayo County Council will serve Notice of Entry and Notice to Treat. The Local Authority will liaise with Ballina Boat Club to agree the relocation of their operations including boats and all ancillary equipment to a new temporary site. Once relocation of the Boat Club operations to a new temporary site is complete, the current site will be utilised to construct the new flood defence wall, including all associated infrastructure and it will be utilised as part of a larger compound for the flood scheme works.
- A new Slipway access from Ballina Boat Club to the River Moy estuary will be constructed as part of the Ballina Flood Relief Scheme work, to be located at the same point of the current Slipway.

Please Note: This information was provided as part of my briefing to Ballina Boat Club members, during the on-site presentation of 24th July 2025

- In relation to the provision of information to Michael Doherty, following his visit to Ballina Civic Offices, he was referred to myself (Michael O'Grady) at the Flood Risk Management Section of Mayo County Council. I made a phone call to Mr Doherty on Wednesday 30th July 2025. I went through details of the proposed (Ballina) Flood Relief Scheme, including the CPO process. I also posted out a copy of the CPO maps and schedule and Planning drawings to Mr Doherty on 30th July 2025.

Although immaterial to this process, it is factually incorrect for Mr Doherty to suggest (via Michael G Bohan Co. solicitors) that, '....he did not get any information in relation to the matter of any consequence'.

- Access to lands comprising plots URM1-01 and URM1-02 during Construction works will be limited to personnel directly involved in the construction and delivery of Ballina Flood Relief Scheme.

Ballina Boat Club will be accommodated as outlined in paragraph one above of the *Specific Points raised by Michael G Bohan Co.*

A handwritten signature in black ink, reading "M O'Grady", written over a horizontal dashed line.

Michael O'Grady

Project Engineer.

Ballina Flood Relief Scheme.

Date: 2nd October 2025

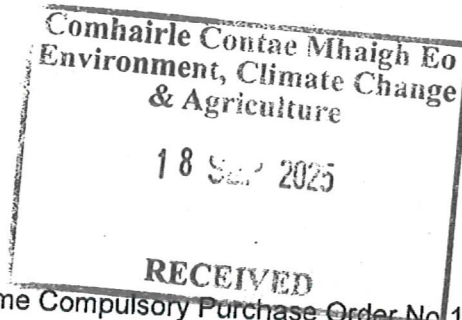
Our Case Number: ACP-323060-25

Your Reference: The Boatyard/Boat Club



An
Coimisiún
Pleanála

Michael G Bohan & Co
7 Teeling Street
Ballina
County Mayo
F26 CA30



Date: 29 August 2025

Re: Mayo County Council Ballina Flood Relief Scheme Compulsory Purchase Order No 1 of 2025
River Moy, County Mayo

Dear Sir / Madam,

An Coimisiún Pleanála has received your letter of objection in relation to the above mentioned compulsory purchase order.

In respect of same, please note that in circumstances where:

- (i) no objections are received by the Commission within the period provided for making objections, or
- (ii) all objections made are subsequently withdrawn, or
- (iii) all objections made relate exclusively to matters which can be dealt with by a property arbitrator the Commission will inform the local authority as appropriate and, in such circumstances, the local authority can itself confirm the order with or without modification or refuse to confirm the order in accordance with the provisions of section 216 of the Planning and Development Act, 2000, as amended.

The Commission has absolute discretion to hold an oral hearing in respect of any application before it, in accordance with section 218 of the Planning and Development Act 2000, as amended. Accordingly, the Commission will inform you on this matter in due course.

If you have any queries in the meantime please contact the undersigned officer of the Commission at laps@pleanala.ie. Please quote the above-mentioned An Coimisiún Pleanála reference number in any correspondence or telephone contact with the Commission.

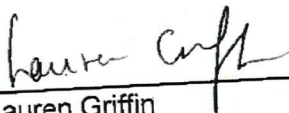
Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

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64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

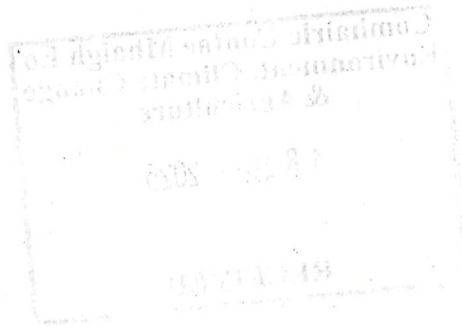
64 Marlborough Street
Dublin 1
D01 V902

Yours faithfully,



Lauren Griffin
Executive Officer
Direct Line: 01-8737244

CH02



Teil
Glao Áitiúil
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Ríomhphost

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64 Marlborough Street
Dublin 1
D01 V902

Lauren Griffin

From: Lauren Griffin
Sent: Friday, 29 August 2025 14:34
To: info@michaelgbohansolicitors.com
Subject: RE: Ballina Flood Relief Scheme

A Chara,

The Commission acknowledges receipt of your email; official correspondence will issue in due course.

Kind regards,

Lauren

From: Michael Bohan <info@michaelgbohansolicitors.com>
Sent: Thursday 28 August 2025 16:10
To: jcondon@mayococo.ie
Cc: SIDS <sids@pleanala.ie>
Subject: Ballina Flood Relief Scheme

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Dear Sirs,

Please see attached letter with enclosures.

Yours faithfully,

MICHAEL G. BOHAN & CO

Michael G. Bohan Co.
Solicitors

No. 7 TEELING STREET,
BALLINA,
COUNTY MAYO.
F26 CA30
DX: 14 011 Ballina

Telephone: 096-78000
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Mr John Condon,
Director of Services,
Mayo County Council,
Aras an Chontae,
The Mall,
Castlebar,
Co. Mayo F23 WF90.

Your Ref:
Our Ref: M/N/
28th August 2025

AND

An Bord Pleanála, 64 Marlborough Street, Dublin 1D01 V902.

RE: Our Client: Michael Doherty, Rathkip, Ballina, Co. Mayo
The Boatyard/Boat Club, Bachelor's Walk, Ballina, Co. Mayo F26 YH68
Ballina Flood Relief Scheme

Dear Sirs,

We have been requested to write to you by our Client relative to your proposed acquisition via a CPO of the property coloured in grey on the map attached hereto. Our Client has stored a boat in a shed adjacent to the property you propose acquiring for in excess of 22 years without fear or favour. He believes that he is entitled to use the shed as of right and in fact may make an application to become the owner of it by way of long possession.

Our Client is concerned to ascertain as to whether or not he will have access to the shed once you complete the CPO of the property coloured in grey on the map attached hereto and start to work on it.

In addition, our Client has instructed us that there is a slipway within the property, a photograph of which is attached. He, along with others, was instrumental in constructing the slipway at his own expense approximately 10 years ago and he is concerned to ensure that access to the river is provided for in the context of the property you now propose acquiring. Will you be installing a new slipway if it's the case that the one identified on the attached photograph is proposed to be removed?

Please note that our Client did call to your Civic Offices at Arran Place, Ballina but unfortunately he did not get any information in relation to the matter of any consequence. Our Client has also instructed us that there was a meeting held on Bachelor's Walk with

Michael O'Grady, an Engineer employed by you, but unfortunately our Client was none the wiser after the meeting as to what your intentions were.

Our Client is also concerned as to how he gains access to and egress from his shed while the construction works are ongoing and furthermore as to how he gains access with his boat to the river again while you are carrying out work on the property. Our Client is an elderly man and has his boat on the river for a number of months each year. It is one of his prime pastimes and the last thing he wants at this stage of his life is to lose access to his shed and the river.

We would now be obliged if you would address the above matters as soon as possible bearing in mind that the last thing our Client wants to do is to institute proceedings in order to protect his position which we trust will not be necessary.

Yours faithfully,

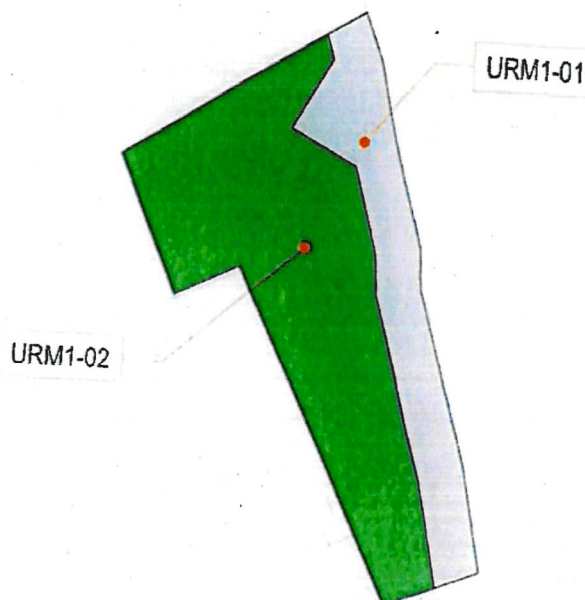
MICHAEL G. BOHAN & CO

Encls/

LEGEND

	PERMANENT ACQUISITION
	PERMANENT RIGHT OF WAY
	PERMANENT WAYLEAVE
	PERMANENT WAYLEAVE & PERMANENT RIGHT OF WAY
	TEMPORARY WORKING AREA
	TEMPORARY WORKING AREA & TEMPORARY RIGHT OF WAY
	TEMPORARY WAYLEAVE

X 525199.89
Y 819382.92



0 10 20 30 40 50 m
SCALE 1:1000

X 524995.39
Y 819317.40

ACQUISITION TYPE	AREA (ha)	PLOT No.
PERMANENT ACQUISITION	0.0857	URM1-01
TEMPORARY WORKING AREA	0.1543	URM1-02



Comhairle Contae Mhaigh Eo
Mayo County Council



WAYLEAVE DETAILS

Pipe Dia/Details: Flood wall

Width of Wayleave (Yellow): n/a
Length of Wayleave (Yellow): n/a
Temporary Working Strip (Green)

BALLINA FLOOD RELIEF SCHEME

LAND OWNER OR REPUTED LAND OWNER

THE TRUSTEES OF BALLINA BOAT CLUB
BACHELORS WALK, BALLINA, CO. MAYO, F26 YH68/ C/O BOURKE, CARRIGG
& LOFTUS SOLICITORS 5 TEELING STREET, BALLINA, CO MAYO, F26 NZV5

DRAWING No.	REV
MCW/15/2015-2016 ACQUISITION	1
DATE	21/05/2014
CHK BY	PJ



