



17th July 2026

XXXX
XXXX
XXXX
XXXXX

**Re: Donegal County Council – Burnfoot Flood Relief Scheme
Compulsory Purchase Order 2026**

A Chara,

Donegal County Council (the “Council”) has submitted an application under Section 175 of the Planning and Development Act 2000 (as amended) in relation to the Burnfoot Flood Relief Scheme, Donegal to An Coimisiún Pleanála and will be submitting the associated application for confirmation of the Burnfoot Flood Relief Scheme, Compulsory Purchase Order 2026 (the “CPO”) in the coming days. You have been identified as an owner, lessee or occupier of, or have rights over or an interest in land referred to in the CPO.

The above entitled Order now made in the prescribed statutory format dated 10th July 2026 and related documents is in substitution for the documentation submitted on 23rd June 2026 to An Coimisiún Pleanála because the intended Compulsory Purchase Order made on the 15th June 2026 was, due to an administrative error, not in the prescribed format in that it described the affected landowners in the Schedule to the CPO only.

A number of documents relating to the CPO are enclosed for your attention. They comprise the following:

- Statutory landowner/interested party notice
- Extracts from the Schedules to the CPO describing the location and extent of the impacted lands and/or rights relating to you;
- Server map(s) showing the location and extent of the impacted land(s) and/or rights; and
- A copy of the DCC privacy statement.

We recommend that you consider these enclosures carefully.

Further information relating to the Burnfoot Flood Relief Scheme, Donegal including a copy of the Environmental Impact Assessment Report, Natura Impact Statement and CPO documentation can be found at the Burnfoot Flood Relief Scheme website at: <https://countydonegalfrs.ie/burnfootfrs/>.

Should you have any queries or require any clarity, please contact Flood Relief Scheme Unit, Donegal County Council.

Mise le meas,

**Shane McMonagle
Senior Executive Engineer
Donegal County Council**

**FORM OF NOTICE OF THE MAKING OF A COMPULSORY
PURCHASE ORDER UNDER SECTION 76 OF AND THE THIRD
SCHEDULE TO THE HOUSING ACT, 1966, AS AMENDED BY
SECTION 198 OF THE RESIDENTIAL TENANCIES ACT, 2004, AS
EXTENDED BY SECTION 10 OF THE LOCAL GOVERNMENT (NO.
2) ACT, 1960 (SUBSTITUTED BY SECTION 86 OF THE HOUSING
ACT, 1966) AND AMENDED AND EXTENDED BY THE PLANNING
AND DEVELOPMENT ACT 2000 (AS AMENDED) (INCLUDING
PART XIV, SECTION 212, SECTION 213 AND SECTION 222
THEREOF); THE ROADS ACTS 1993 AS AMENDED (INCLUDING
SECTION 6 AND THE SECOND SCHEDULE TO THE ROADS ACTS
1993 AS AMENDED; THE LOCAL GOVERNMENT ACTS 1925 TO
2019 INCLUDING SECTIONS 11 AND 184 OF THE LOCAL
GOVERNMENT ACT, 2001 AS AMENDED; THE LOCAL
GOVERNMENT (NO.2) ACT, 1960; THE PLANNING AND
DEVELOPMENT ACT 2000 AS AMENDED**

**AND ALL OTHER ACTS THEREBY ENABLING TO BE TO BE
SERVED ON OWNERS, LESSEES AND OCCUPIERS IN
ACCORDANCE WITH ARTICLE 4 (b) OF THE THIRD SCHEDULE
TO THE HOUSING ACT, 1966 AS AMENDED BY SECTION 198 OF
THE RESIDENTIAL TENANCIES ACT 2004 AND THE PLANNING
AND DEVELOPMENT ACT 2000 (AS AMENDED).**

COMPULSORY ACQUISITION OF LAND

DONEGAL COUNTY COUNCIL (BURNFOOT FLOOD RELIEF SCHEME)

COMPULSORY PURCHASE ORDER, 2026

To: **XXXXXX**
Of: **XXXXXX**

1. Donegal County Council (hereinafter referred to as “the Local Authority”) in exercise of the powers conferred upon them by Section 76 of and the third schedule to the housing act, 1966, as amended by section 198 of the residential tenancies act, 2004, as extended by section 10 of the local government (no. 2) act, 1960 (substituted by section 86 of the housing act, 1966) and amended and extended by the planning and development act 2000 (as amended) (including part xiv, section 212, section 213 and section 222 thereof); the roads acts 1993 as amended (including section 6 and the second schedule to the roads acts 1993 as amended; the local government acts 1925 to 2019 including sections 11 and 184 of the local government act, 2001 as amended; the local government (no.2) act, 1960; the planning and development act 2000 as amended And all other acts thereby enabling to be published in accordance with article 4 (a) of the third schedule to the housing act, 1966 as amended by section 198 of the residential tenancies act 2004 and the planning and development act 2000 (as amended), have made an order (“the Order ”) entitled as above which is about to be submitted to An Coimisiún Pleanála

(hereafter “the Commission”) for confirmation.
The above entitled Order now made in the prescribed statutory format dated 10th July 2026 and related documents is in substitution for the documentation submitted on 23rd June 2026 to An Coimisiún Pleanála because the intended Compulsory Purchase Order made on the 15th June 2026 was, due to an administrative error, not in the prescribed format in that it described the affected landowners in the Schedule to the CPO only.

2. If confirmed, the Order will authorise the Local Authority to acquire compulsorily the land and/or rights described in Parts IIa, IIb, III and IV of the Schedule to the Order (“the Schedule”) for the purposes of a proposed flood relief scheme and ancillary works to mitigate flood risk in the village of Burnfoot, Donegal.
3. A copy of the Order and of the map referred to in it may be seen at:
 - a) The offices of the Local Authority, County House, Lifford, F93 Y622
 - b) The offices of the Local Authority, Public Services Centre, Carndonagh, F93 YV1N
 - c) An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1, D01 V902,

on working days during normal working hours at each venue from the **29th July 2026 to 9th September 2026.**

4. A copy of the Order and of the maps referred to in it are also available on the following website <https://countydonesgalfrs.ie/burnfootfrs/>
5. The Housing Act, 1966, as amended, provides that if an objection is made to the proposed compulsory acquisition of land and/or rights, the land and/or rights in respect of which an objection is duly made by any of the persons upon whom notices of the making of the order are required to be served shall not be acquired compulsorily unless the Commission makes an order to confirm the compulsory purchase order, unless:-
 - a) the objection is withdrawn, or
 - b) the Commission is satisfied that the objection relates exclusively to matters which can be dealt with by the arbitrator by whom the compensation may have to be assessed.
6. The Commission cannot, however, confirm: -
 - a) a compulsory purchase order in respect of the land if an objection is made in respect of the acquisition by an owner, lessee or occupier of the land, and not withdrawn;
 - b) an order which authorises the extinguishment of a public right of way if there is an objection to the extinguishment, which is not withdrawn;
 - c) an order which authorises the acquisition of a private right of way if there is an objection to the acquisition of the private right of way by an owner, lessee or occupier of the private right of way which is not withdrawn,until it has considered the objection.
7. The Commission has an absolute discretion under Section 218 of the Planning and Development Act 2000 (as amended) to hold an oral hearing.

8. Before making its decision on an application to confirm the Order, the Commission must consider any objection made and not withdrawn, any additional submissions or observations made pursuant to a request by the Commission under Section 217A of the Planning and Development Act 2000 (as amended) and any report of the person who held the oral hearing, if such an oral hearing takes place.
9. Any objection to the Order must state in writing the grounds of objection and be sent addressed to **An Coimisiún Pleanála at 64 Marlborough Street, Dublin 1, D01 V902**, so as to reach the said Commission before **5.30 pm on the 9th September 2026**. Any objections which may already have been made to An Coimisiún Pleanála will remain on file and be taken into consideration in its determination on the matter.
10. An Environmental Impact Assessment Report, and a Natura Impact Statement have been prepared in respect of the development which it is proposed to carry out on the land for which separate public notice has been given. Copies of the Environmental Impact Assessment Report and the Natura Impact Statement are available for inspection at locations listed at Point 3 above and on the following website: <https://countydonegalfrs.ie/burnfootfrs/> and can be purchased at the offices listed at (a-c) at Point 3 above.

Submissions or observations in relation to (i) the likely effects on the environment of the proposed development, (ii) the implication of the proposed development for proper planning and sustainable development in the area in which it is proposed to situate the proposed development and (iii) the likely significant effect of the proposed development on European Sites, may be made in writing to the Commission before the **5.30 pm on the 9th September 2026**. Evidence in relation to (i) the likely effects on the environment of the proposed development, (ii) the implication of the proposed development for proper planning and sustainable development in the area in which it is proposed to situate the proposed development and (iii) the likely significant effects of the proposed development on European Sites may be heard at any oral hearing, that may take place.
11. The Commission has an absolute discretion at any time before making its decision to request further submissions or observations in relation to the proposed development and/or to hold meetings with the Local Authority in relation to the proposed development in accordance with Section 217A of the Planning and Development Act 2000 (as amended).
12. The Commission, if it thinks fit, may confirm the compulsory acquisition or any part thereof, with or without conditions or modifications, or may annul the Order or any part thereof.
13. If no objection is received to the proposed compulsory acquisition of land and/or rights, the objection is withdrawn or the Commission is satisfied that the objection relates exclusively to matters which can be dealt with by the arbitrator by whom the compensation may have to be assessed, the Commission shall inform the Local Authority, which may then confirm the Order with or without modification, or refuse to so confirm it.

14. If the land and/or rights to which the Order, as confirmed by either the Commission or the Local Authority relates is acquired by the Local Authority, compensation for the land and/or rights will be assessed in respect of the acquisition as the value of the land and/or rights at the date that the relevant notice to treat is served.
15. In the opinion of the Local Authority, no part of the land in which you have an interest consists of a house or houses which is/are unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense. If the land to which the Order relates is acquired by the Local Authority, compensation will be assessed in accordance with Part II of the Fourth Schedule to the Housing Act, 1966, and the provisions of the Acquisition of Land (Assessment of Compensation) Act, 1919 as amended by the Acquisition of Land (Reference Committee) Act, 1925, the Property Values (Arbitrations and Appeals) Act, 1960, and the Local Government (Planning and Development) Act, 1963 (as applied by section 265(3) of the Planning and Development Act, 2000), subject to the modifications contained in the Third Schedule to the Housing Act, 1966 (as amended).
16. Any dispute in relation to compensation shall be referred to and be determined by a property arbitrator appointed under the Property Values (Arbitration and Appeals) Act, 1960.
17. A claimant for compensation may at any time after the expiration of the fourteen days from the date on which the relevant notice to treat is served, send to the Secretary, the Reference Committee, Four Courts, Dublin an application in writing for the nomination of a property arbitrator for the purpose of determining the compensation to be paid. The application should be made in accordance with the Property Values (Arbitrations and Appeals) Rules, 1961 (S.I. No. 91 of 1961).
18. An extract from the Schedule and Map indicating lands and/or rights in which you may have an interest is attached.
19. If you have any questions or queries in relation to the above or attached map, or if you no longer have an interest in this property or are aware of anyone else who has an interest in this property, please contact us at Flood Relief Scheme Unit, The Old Barracks, Lifford, at floodreliefschemes@Donegalcoco.ie or on 074 9153900.

Dated this 17th of July 2026



Shane McMonagle
Senior Executive Engineer
For and on behalf of the Local Authority

APPENDIX A

CPO SCHEDULE

SCHEDULE

Part I

Lands Being Permanently Acquired

- (i) Land other than land consisting of a house, or houses unfit for human habitation and not capable of being rendered fit for human habitation at a reasonable expense.
- (ii) Permanently acquired lands described in Part I of the Schedule hereto and Coloured Grey with red boundary on the deposited maps.

SCHEDULE – Part II

Lands Being Temporarily Acquired

- (i) Land other than land consisting of a house, or houses unfit for human habitation and not capable of being rendered fit for human habitation at a reasonable expense.
- (ii) Temporarily Acquired Lands described in Part II of the Schedule hereto and Coloured Blue with red boundary on the deposited maps.

SCHEDULE – Part III

Rights Of Way Being Permanently Acquired

- (i) Land other than land consisting of a house, or houses unfit for human habitation and not capable of being rendered fit for human habitation at a reasonable expense.
- (ii) Permanently acquired Rights of Way described in Part III of the Schedule hereto and Coloured Yellow with red boundary on the deposited maps.

SCHEDULE – Part IV

Wayleaves Being Permanently Acquired

- (i) Land other than land consisting of a house, or houses unfit for human habitation and not capable of being rendered fit for human habitation at a reasonable expense.
- (ii) Permanently acquired Wayleaves described in Part IV of the Schedule hereto and Coloured Green with red boundary on the deposited maps.

SCHEDULE – Part I

Lands Being Permanently Acquired

(i) Land other than land consisting of a house, or houses unfit for human habitation and not capable of being rendered fit for human habitation at a reasonable expense.

(ii) Permanently acquired lands described in Part I of the Schedule hereto and Coloured Grey with red boundary on the deposited maps.

Number on Map deposited at the offices of Donegal County Council	Quantity, Situation and Description of the land			Owners or Reputed owners	Lessees	Occupiers
	Area in Hectares	Location	Description of property		Reputed lessees	
XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX		XXXXXX

SCHEDULE – Part II

Lands Being Temporarily Acquired.

(i) Land other than land consisting of a house, or houses unfit for human habitation and not capable of being rendered fit for human habitation at a reasonable expense.

(ii) Temporarily Acquired Lands described in Part II of the Schedule hereto and Coloured Blue with red boundary on the deposited maps.

Number on Map deposited at the offices of Donegal County Council	Quantity, Situation and Description of the land			Owners or Reputed owners	Lessees	Occupiers
	Area in Hectares	Location	Description of property		Reputed lessees	
XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX		XXXXXX

SCHEDULE – Part III

Rights Of Way Being Permanently Acquired

(iii) Land other than land consisting of a house, or houses unfit for human habitation and not capable of being rendered fit for human habitation at a reasonable expense.

(iv) Permanently acquired Rights of Way described in Part III of the Schedule hereto and Coloured Yellow with red boundary on the deposited maps.

Number on Map deposited at the offices of Donegal County Council	Quantity, Situation and Description of the land			Owners or Reputed owners	Lessees	Occupiers
	Area in Hectares	Location	Description of property		Reputed lessees	
XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX		XXXXXX

SCHEDULE – Part IV

Wayleaves Being Permanently Acquired

(i) Land other than land consisting of a house, or houses unfit for human habitation and not capable of being rendered fit for human habitation at a reasonable expense.

(ii) Permanently acquired Wayleaves described in Part IV of the Schedule hereto and Coloured Yellow with red boundary on the deposited maps.

Number on Map deposited at the offices of Donegal County Council	Quantity, Situation and Description of the land			Owners or Reputed owners	Lessees	Occupiers
	Area in Hectares	Location	Description of property		Reputed lessees	
XXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX		XXXXXX



X: 638019
Y: 923716

X: 637901
Y: 923620

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CYAL60338216 © National Mapping Division of Tallte Éireann



LEGEND

Schedule Part I - Lands Being Permanently Acquired.



Schedule Part II - Lands Being Temporarily Acquired.



Schedule Part III - Permanent Right of Way.



Schedule Part IV - Permanent Wayleave.



Townlands Boundary



rev	amendments	drawn	date

CLIENT



PROJECT

BURNFOOT
FLOOD RELIEF SCHEME

TITLE Compulsory Purchase Order 2026
Owners or Reputed Owners:

xxxxx
xxxxxxx

Project Number	Sheet Size	Drawing Scale
IBE2204	A4	1:500

Drawing Number

IBE2204_Bt_CPO_LO_xxxx

Drawn by	Status	Revision
KC	Planning	-
Checked By	Approved By	Date
FC	BQ	31/03/2026



**Comhairle Contae
Dhún na nGall**
Donegal County Council

Privacy Statement – Donegal County Council

1. Introduction

Donegal County Council is responsible for the provision of an extensive range of services such as Housing, Roads, Planning, Community Development etc.

In order to provide these services the Council routinely collects and processes a significant amount of personal data (as defined in the Data Protection Acts and General Data Protection Regulations 2016). This data may be submitted by you on an application form, via our website or in correspondence/direct contact with us.

2. Need for A Privacy Statement

This privacy statement is designed to help you understand why we need to obtain personal information and how we process it and to demonstrate our commitment to privacy and to assure you that in all your dealings with the Council we will ensure the security of the data you provide to us.

We may also obtain personal data from government departments/statutory agencies or other third parties in order to comply with regulations or legislative requirements.

Donegal County Council's commitment is that the personal data you may be required to supply us is:-

- Obtained lawfully, fairly and in a transparent manner.
- Obtained for only specified, explicit and legitimate purposes.
- Adequate, relevant and limited to what is necessary for the purpose for which it was obtained.
- Recorded, stored accurately, securely and where necessary kept up to date.
- Kept only for as long as is necessary for the purposes for which it was obtained.
- Kept in a form which permits identification of the data subject.
- Processed only in a manner that ensures the appropriate security of the personal data, including protection against unauthorised or unlawful processing.

3. Sharing Data

The Council may share your Personal Data with other public bodies and regulatory authorities in order to comply with regulations or legislative requirements.

4. Information We Collect

If you wish to apply for a particular service from the Council you will be asked for a varying amount of personal details (in some cases the personal information of dependants may be required) in order to support your application. Donegal County Council will set out the information we require in a series of separate and distinct application forms relevant to each service.

The types of personal data you may be asked to supply can include the following:-

- a) Contact details to allow for sufficient communication with you. You do not have to provide all contact details but providing more such as email, address, telephone contact no., makes it easier to communicate with you.
- b) Details of your personal circumstances which you are required by law to supply as part of your application process.
- c) Your own financial details which are required to by law to supply to support your application.

5. Data Protection Policy

The Council has a Data Protection Policy which explains how the Council is committed to ensuring the security of any personal data you provide to us.

6. Records Retention Policy

The National Records Retention Policy provides detail in relation to the time period for which your personal data will be retained by Donegal County Council and what will happen to it after the time period has expired.

7. Your Rights

You have the right to request access to personal data held about you, obtain confirmation as to whether data concerning you exists, be informed of the content and source of data and check its accuracy. If the data held by the Council is found to be inaccurate you have the right to change, remove, block, or object to the use of, personal data held by the Council. In certain circumstances blocking access to data may delay or remove access to a service to you. Please note that to help protect your privacy, we take steps to verify your identity before granting access to personal data.

In addition you have a right to:-

- Exercise data portability, i.e., obtain a transferable copy of information we hold to transfer to a third party/provider.
- Obtain details of any transfer of data to a third country (outside the European Economic Area) and safeguards in place.
- Obtain details of any automated decision making.

To exercise these rights, you can make a Subject Access Request. This request can be made in writing or electronically, to the Council's Data Protection Officer.

8. Data Protection Contact Details

For all enquiries relating to Data Protection you can contact the Council at:

Phone: 074 9153900

Email: dpo@donegalcoco.ie

Postal Address: Donegal County Council
County House
The Diamond
Lifford P.O.
Co. Donegal
F93 Y622

Right of Complaint to the Office of the Data Protection Commissioner

If you are not satisfied with the outcome of the response you received from Donegal County Council in relation to your request, then you are entitled to make a complaint

to the Data Protection Commissioner who may investigate the matter for you.

The Office of the Data Protection Commissioner's website is www.dataprotection.ie

or you can contact their Office at:

Lo Call Number : 1890 252 231

E-mail: info@dataprotection.ie

Postal Address: Office of the Data Protection Commissioner
Canal House
Station Road
Portarlinton
Co. Laois
R32 AP23