



**COMHAIRLE CONTAE MHAIGH EO
MAYO 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 EXTENDED BY SECTION 10 OF THE LOCAL GOVERNMENT (NO. 2) ACT 1960 (AS SUBSTITUTED BY SECTION 86 OF THE HOUSING ACT 1966) AND AMENDED AND EXTENDED BY SECTION 6 AND THE SECOND SCHEDULE OF THE ROADS ACT 1993 AND THE PLANNING AND DEVELOPMENT ACTS 2000 – 2013, THE HOUSING ACTS 1966 TO 2009, THE LOCAL GOVERNMENT ACTS 1925 TO 2012 AND THE ROADS ACTS 1993 TO 2007, PUBLISHED IN ACCORDANCE WITH ARTICLE 4 (a) OF THE THIRD SCHEDULE TO THE HOUSING ACT 1966.

COMPULSORY ACQUISITION OF LAND

N60 BALLA TO CLAREMORRIS ROAD REALIGNMENT AT HEATHLAWN

**THE COUNTY COUNCIL OF THE COUNTY OF MAYO
COMPULSORY PURCHASE**

[Acquisition of Lands for Road Construction and Improvement at Pollavaddy, Garhawnagh, Carrowgarve, Rathduff, Knocknamoghalaun, Heathlawn, Brees and Ballintleva Townlands in the District Electoral Division of Balla and the County of Mayo and at Barnagreggaun Townland in the District Electoral Division of Mayo and the County of Mayo]

ORDER 2013 (No. 3)

MAYO COUNTY COUNCIL, (hereinafter referred to as “the Local Authority”) in exercise of the powers conferred upon them by section 76 of the Housing Act, 1966, and the Third Schedule thereto, as extended by section 10 of the Local Government (No. 2) Act, 1960 as substituted by section 86 of the Housing Act, 1966 as amended by section 6 and the Second Schedule to the Roads Act, 1993, as amended, and as amended by the Planning and Development Acts 2000 – 2013, have made an Order entitled as above which is about to be submitted to An Bord Pleanála (hereinafter referred to as “the Board”) for confirmation.

If confirmed, the Order will authorise the Local Authority to acquire compulsorily the land described in the First Schedule hereto, and to extinguish the private and public rights of way described in the Second Schedule hereto for the purposes of providing the following:

- Improvement of the existing N60 National Secondary Route comprising the construction of a Type 2 Single Carriageway road (7.0m wide carriageway with 0.5m wide hard strips and verges approximately 0.75m to 3.0m wide) for a distance of approximately 3.6km;
- Construction of a Cycleway 2.5m wide and a 2.0m wide segregation zone alongside the improved N60 for a distance of approximately 3.6km;
- Improvement of 5 No. side road junctions;
- Extinguishment of Rights of Way;
- Excavation of the existing road;
- Excavation of land adjacent to the existing road;
- Construction of a new road;
- Construction of culverts;
- Construction of Drainage works incorporating Sustainable Drainage Systems (SuDS);
- Earthworks including excavation of unacceptable roadwork’s material;
- Disposal / recovery of unacceptable roadwork’s material;
- Utility Diversions;

- Road Pavement and Road Markings;
- Access and Accommodation Works;
- Landscaping;
- Ancillary Road Works and Traffic Management.

Owners, lessees and occupiers of the land described in the First Schedule will receive individual written notice.

Any objection to the compulsory acquisition of land described in the First Schedule should be made in writing to **An Bord Pleanála, 64 Marlborough Street, Dublin 1**, before 5.00pm on **Friday 28th March 2014**.

The Order will also authorise the Local Authority to extinguish the public and private rights of way described in the Second Schedule hereto, by order made by them after they have acquired the land, where the said rights of way are over the land so acquired or any part thereof, or over land adjacent to or associated with the land so acquired or any part thereof. Any objections to the extinguishing of the said rights of way should be made in writing to **An Bord Pleanála, 64 Marlborough Street, Dublin 1**, before 5.00pm on **Friday 28th March 2014**.

The Board cannot confirm –

- 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,
- the extinguishment of a private right of way or an order which authorises the extinguishment of a public right of way if there is an objection to the extinguishment, which is not withdrawn,

until it has caused to be held an oral hearing into the matter and until it has considered the objection and the report of the person who held the oral hearing. However regard should be had to the provisions of Section 218 of the Planning and Development Act, 2000 as amended which provide that where as a result of the transfer of functions under section 214, 215, 215A, 215B or 215C of the Planning and Development Act, 2000, as amended, the Board would otherwise be required to hold a local inquiry, public local inquiry or oral hearing, that requirement shall not apply to the Board but the Board may, at its absolute discretion, hold an oral hearing in relation to the matter, the subject of the function transferred.

An Environmental Impact Assessment (EIA) Screening process was carried out for the project, and Mayo County Council has determined that the project would not have a significant effect on the environment, and that EIA is not required.

A Natura Impact Statement, for which separate public notice has been given, has been prepared in respect of the development which it is proposed to carry out on the land to which the Order relates. Evidence in relation to the Natura Impact Statement may also be heard at the oral hearing, if any.

A copy of the Order and of the maps referred to in it and the Natura Impact Statement may be inspected at:

The offices of Mayo County Council, National Roads Design Office, Glenpark House, The Mall, Castlebar, County Mayo;

between the hours of 9.30am to 1.00pm and 2.00pm to 4.30pm on Mondays to Fridays (public holidays excluded) from **Wednesday 12th February 2014** to **Friday 28th March 2014** (inclusive of both dates).

Submissions and observations in relation to the Natura Impact Statement may be made in writing to the Board before 5.00pm on **Friday 28th March 2014**.

FIRST SCHEDULE AND SECOND SCHEDULE ATTACHED HERETO

Dated, this 10th day of February 2014.

Signed: J. Condon
County Secretary
Mayo County Council