



Comhairle Contae Mhaigh Eo
Mayo County Council



Claremorris Closed Landfill Remediation Project.
Compulsory Purchase Order, 2022.

FORM OF NOTICE OF THE MAKING OF A COMPULSORY PURCHASE ORDER FOR THE PURPOSES OF THE HOUSING ACT, 1966, TO BE SERVED ON OWNERS, LESSEES AND OCCUPIERS IN ACCORDANCE WITH ARTICLE 4 (b) OF THE THIRD SCHEDULE TO THE SAID ACT, AS AMENDED BY THE PLANNING AND DEVELOPMENT ACT, 2000

1. 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 amended by the Planning and Development Act, 2000), have made an Order entitled as above which is about to be submitted to An Board Pleanála (hereafter “the Board”) for confirmation.
2. If confirmed, the Order will authorise the local authority to acquire compulsorily the lands described in the Schedules to this Notice for the purposes of the Housing Act, 1966 (as amended and extended).
3. A copy of the Order and of the Map referred to in it is on public display and may be seen at the following Offices of Mayo County Council between the hours of 9.30am to 1.00pm and 2.00pm to 4.30pm each day during which said Offices are open from the transaction of business, **for a period commencing from Wednesday the 1st of June 2022 to Wednesday the 20th of July 2022** (inclusive of both dates).:
 - Claremorris Area Office, Kilcolman Road, Claremorris, Co. Mayo F12 P383
 - Planning Office, Áras an Chontae, The Mall, Castlebar F23 WF90

A copy of the Order will also be available to view online on our Public Consultation Portal www.consult.mayo.ie.


Owners, lessees and occupiers of the lands described in the Schedules will receive individual written notice. Unknown owners and unknown lessees of the land described in this Schedules will be notified by way of a copy of this Notice being erected on the lands.

4. Any objections to the Order should be addressed to **An Board Pleanála, 64, Marlborough Street, Dublin1** so as to reach the Board **before 5.30pm on Wednesday the 20th of July 2022**

5. The Board cannot confirm a Compulsory Purchase Order in respect of the lands if an objection is made in respect of the acquisition by an owner, lessee or occupier of the land, and not withdrawn. An Board Pleanála has an absolute discretion under Section 218 of the Planning and Development Act, 2000 (as amended) to hold an Oral Hearing. Before making its decision on an application to confirm the Compulsory Purchase Order, the Board must consider any objection(s) made and not withdrawn, any additional submissions or observations made pursuant to a request by the Board under Section 217A of the Planning and Development Act, 2000 (as amended) and in the event of an Oral Hearing being held, any report of the person who conducted the Hearing.
6. An Board Pleanála may confirm the Compulsory Purchase Order or any part thereof with or without modifications or may annul the Compulsory Purchase Order or any part thereof.
7. If no objection is received to the proposed compulsory acquisition of land, the objection is withdrawn or the Board 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 Board shall inform the local authority, which may then confirm the Order with or without modification, or refuse to so confirm it.
8. If land to which the Order, as confirmed by either the Board or the local authority, relates is acquired by the local authority, compensation for the land will be assessed in respect of the acquisition as the value of the land at the date that the relevant Notice to Treat is served.
9. 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.
10. 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.
11. A claimant for compensation may, at any time after the expiration of 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).
12. An application is also being made to An Board Pleanála under Section 177AE of the Planning and Development Act 2000 (as amended), for which separate notice has been given, and for which a Natura Impact Statement has been prepared in respect of the development which is proposed to be carried out on the lands.
13. Submissions and observations in relation to that application in relation to the implications of the proposed development for proper planning and sustainable development of the area concerned; the likely effects on the environment and the likely significant effects on a European Site may be made in writing to An Bord Pleanála, 64 Marlborough Street, Dublin, D01 V902, to be received no later than **5.30pm on Wednesday the 20th of July 2022.**

14. The person conducting any Oral Hearing that may be held in relation to the Compulsory Purchase Order which relates to a development under section 177AE of the Planning and Development Act 2000 (as amended) is entitled to hear evidence on the likely effects on the environment, the likely consequences for proper planning and sustainable development and the likely significant effects on a European Site.

Dated the 24th day of May 2022



Kevin Kelly
Chief Executive
Mayo County Council

SCHEDULE 1

Lands Proposed to be Permanently Acquired

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 reasonable expense.

Reference on map deposited at the offices of the local authority	Quantity, description and situation of land	Owner or reputed owner	Lessee or reputed lessee	Occupier
1	Area: 7,352.60 m ² Type: Grassland / Scrub Townland: Clare ED: Claremorris County: Mayo	Unregistered Lands	Unregistered Lands	Mayo County Council