



Comhairle Cathrach
& Contae Luimnigh

Limerick City
& County Council

PUBLIC NOTICE

FORM OF NOTICE OF A COMPULSORY PURCHASE ORDER FOR THE PURPOSES OF THE HOUSING ACT, 1966 (AS AMENDED), TO BE PUBLISHED IN ACCORDANCE WITH ARTICLE 4 (A) OF THE THIRD SCHEDULE TO THE SAID ACT, AS AMENDED BY THE PLANNING AND DEVELOPMENT ACTS, 2000-2019

COMPULSORY ACQUISITION OF LAND

LIMERICK CITY AND COUNTY COUNCIL DOCK ROAD IMPROVEMENT SCHEME – UPGRADE OF ATLAS AVENUE AND COURTBRACK AVENUE JUNCTIONS COMPULSORY PURCHASE ORDER 2021

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 AND AMENDED AND EXTENDED BY THE PLANNING AND DEVELOPMENT ACTS, 2000 – 2019, INCLUDING SECTION 213 OF THE PLANNING AND DEVELOPMENT ACT, 2000 (AS AMENDED), SECTION 10 OF THE LOCAL GOVERNMENT (IRELAND), ACT 1898 AS AMENDED BY SECTION 11 OF THE LOCAL GOVERNMENT (NO.2), ACT, 1960, THE LOCAL GOVERNMENT ACTS, 1925 – 2019, INCLUDING SECTIONS 11 AND 184 OF THE LOCAL GOVERNMENT ACT, 2001 AND THE LOCAL GOVERNMENT (NO. 2), ACT 1960, (AS AMENDED), THE HOUSING ACTS 1966-2015, THE ROADS ACTS 1993 – 2015 AND ALL OTHER ACTS THEREBY ENABLING

The Limerick City and County Council (hereinafter referred to as "the Local Authority") in exercise of the powers conferred upon it 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 of and the Second Schedule to the Roads Acts, 1993 -2015 and as amended and extended by the Planning and Development Acts, 2000 -2019, has made an order entitled as above which is about to be submitted to An Bord Pleanála ("the Board") for confirmation.

If confirmed, the order will authorise the Local Authority to permanently acquire compulsorily the land described in the Schedule Part II hereto, and to extinguish the private rights of way described in the Schedule Part V hereto for the purposes of providing road improvements comprising:

- Widening of the Dock Road/Atlas Avenue junction layout
- Synchronised Traffic Lights
- Improved cycleway/footway facilities
- Public lighting
- Accommodation works
- Associated site works

At Dock Rd, Limerick.

Owners, lessees and occupiers of the land described in the Schedule Part II hereto and of the private rights of way to be extinguished described in Schedule Part V hereto will receive individual written notice. Any objections to the compulsory acquisition of the land and to extinguishment of the said rights of way should be made in writing to **An Bord Pleanála, 64 Marlborough Street, Dublin, 1 D01 V902 before 5.30 pm on Monday 6th December 2021.**

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.

A copy of the order and the deposit map referred to in it may be inspected at the following locations during the listed hours (with the exception of Saturdays, Sundays and public holidays) from **Friday 22nd October 2021 to Monday 6th December 2021.** A copy of the order and deposit map will also be available for inspection online during the above timeframes at <http://mypoint.limerick.ie>.

(i)	Limerick City and County Council, Corporate Headquarters, Merchant's Quay, Limerick, V94 EH90	Monday to Friday - 9am to 5pm
(ii)	Limerick City and County Council, Council Offices, Dooradoyle, Limerick, V94 WV78	Monday to Friday - 9am to 5pm

SCHEDULE PART II AND SCHEDULE PART V ATTACHED HERETO
DATED THIS 22nd DAY OF October 2021

Laura Flannery
Senior Executive Officer
Corporate Services

SCHEDULE PART II

LAND TO BE PERMANENTLY ACQUIRED

(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)

Number on map deposited in the offices of the Local Authority	Quantity, Description and Situation of the Land	Owners or Reputed Owners	Lessees or reputed Lessees	Occupiers
101a.01	Area (ha) 0.004 Folio No: 13692L Description Unused land Parish St. Michael's Townland Barony ED Ballinacurra County Limerick	Jack Fitzgerald Limited Shannon Street, Limerick	None	
102.a.01	Area (ha) 0.141 Folio No: unknown Description Commerical Lands Townland Barony ED County Limerick	Pat Gleeson Lisnagry, Co. Limerick	Kelliher Electrical Dock Road, Limerick	Kelliher Electrical Dock Road, Limerick

SCHEDULE PART II

LAND TO BE PERMANENTLY ACQUIRED

(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)

Number on map deposited in the offices of the Local Authority	Quantity, Description and Situation of the Land	Owners or Reputed Owners	Lessees or reputed Lessees	Occupiers
103a.01	Area (ha) 0.006 Folio No: 6263L Description Commerical Lands Parish St. Michael's Townland Corkanree Barony Pubblebrien ED County Limerick	Zinc Properties Limited Four Elms, Drombanna, County Limerick	Limerick Glass Atlas Avenue, Dock Rd Limerick, V94 A3C8	Limerick Glass Atlas Avenue, Dock Rd Limerick, V94 A3C8
104b.01	Area (ha) 0.028 Folio No: 22393 Description Public Road Parish St. Michael's Townland Barony ED Ballinacurra County Limerick	Resource Property Investment Fund PLC Davy House, 49 Dawson Street, Dublin 2	None	Limerick City and County Council Merchants Quay, Limerick
104b.02	Area (ha) 0.040 Folio No: 22393 Description Public Road Parish St. Michael's Townland Barony ED Ballinacurra County Limerick	Resource Property Investment Fund PLC Davy House, 49 Dawson Street, Dublin 2	None	Limerick City and County Council Merchants Quay, Limerick
105b.01	Area (ha) 0.567 Folio No: unknown Description Townland Barony ED County Limerick	Limerick City and County Council Merchants Quay, Limerick	None	Limerick City and County Council Merchants Quay, Limerick
106b.01	Area (ha) 0.019 Folio No: Public Road Description Townland Barony ED County Limerick	Unknown	None	Limerick City and County Council Merchants Quay, Limerick
107b.01	Area (ha) 0.005 Folio No: Public Road Description Townland Barony ED County Limerick	Unknown	None	Limerick City and County Council Merchants Quay, Limerick

SCHEDULE PART V

RIGHTS OF WAY TO BE EXTINGUISHED

Reference on Deposit Maps	Description of Right of Way to be Extinguished
A1-A1 to A2-A2	Private Right of Way between Folio 13692L and Dock Road
B1-B1 to B2-B2	Private Right of Way between lands off Dock Road and Dock Road