



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

LIMERICK CITY AND COUNTY COUNCIL

N24 BEARY'S CROSS ROAD IMPROVEMENT SCHEME

COMPULSORY PURCHASE ORDER 2020

LIMERICK CITY AND COUNTY COUNCIL

COMPULSORY PURCHASE ORDER 2020

Made 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, 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

WHEREAS in pursuance of 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 Acts 1993 - 2015 as amended and extended by the Planning and Development Acts, 2000 – 2019, Limerick City and County Council (hereinafter referred to as “the Local Authority”) has decided to effect the acquisition of the land to which this order relates under the Housing Act, 1966 (as amended and extended):

NOW THEREFORE it is hereby ordered that—

1. Subject to the provisions of this order, the Local Authority is hereby authorised—
 - a) to permanently acquire compulsorily, for the purposes of road improvements comprising a new roundabout controlled junction, alteration to the present junction layout, the construction of a new regional road R513 approach to the junction and the alteration of the existing N24 approaches to the junction, road and drainage impact attenuation, fencing, landscaping, public lighting, accommodation works and associated site works through the townlands of Cloghnadromin, Sandylane and Tobermalug in the County of Limerick, described in the First Schedule hereto which land is shown on the map marked:

map no. **15033-CPO-DM** marked Limerick City and County Council, N24 Beary's Cross Road Improvement Scheme Compulsory Purchase Order 2020 and sealed with the seal of the Local Authority and deposited at:

- Limerick City and County Council Offices, Corporate Headquarters, Merchant's Quay, Limerick, V94 EH90.
- Limerick City and County Council, Council Offices, Dooradoyle, Limerick, V94 WV78.
- Mid West National Road Design Office, Lissanalta House, Dooradoyle, Limerick, V94 H5RR.
- Limerick City and County Council, Kilmallock Municipal District Office, Áras Mainchín Seoighe, Kilmallock, Co. Limerick, V35 K497.

(hereinafter referred to as "the deposited map"),

- b) to extinguish the public and private rights of way described in the Second Schedule hereto, by order made relating to the public rights of way after the acquisition of 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.
2. The land described in the First Schedule hereto and coloured grey and outlined in red on the deposited map is 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.
3. Subject to any necessary adaptations, the provisions of—
- (a) the Lands Clauses Acts (except sections 127 to 132 of the Lands Clauses Consolidation Act, 1845, and article 20 of the Second Schedule to the Housing of the Working Classes Act, 1890), and
 - (b) 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 amended) (as applied by section 265(3) of the Planning and Development Act 2000), and the Planning and Development Acts, 2000-2019

as modified by the Third Schedule to the Housing Act, 1966, are hereby incorporated in this order and the provisions of those Acts shall apply accordingly.

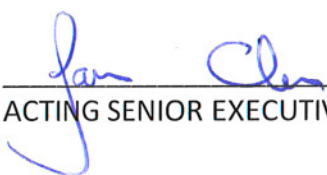
4. This order may be cited as:-

**N24 Beary's Cross Road Improvement Scheme
Compulsory Purchase Order 2020**

The seal of Limerick City and County Council was affixed hereto by:


CHIEF EXECUTIVE

Authenticated by:


ACTING SENIOR EXECUTIVE OFFICER, CORPORATE SERVICES

This 6th day of March 2020

FIRST SCHEDULE

FIRST SCHEDULE

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 (except tenants for a month or a lesser period than a month)
101a.01	Area (ha) Description Townland ED County	0.045 Land Tobermalug Caherconlish West Limerick	Joan Looney Molog House Caherconlish County Limerick Thomas Looney Molog House Caherconlish County Limerick	None	Owners
101a.02	Area (ha) Description Townland ED County	0.386 Land Tobermalug Caherconlish West Limerick	Joan Looney Molog House Caherconlish County Limerick Thomas Looney Molog House Caherconlish County Limerick	Coilte Teoranta Dublin Road Kilmacullagh Newtown Mount Kennedy Co.Wicklow	Owners Lessee
101b.01	Area (ha) Description Townland ED County	0.180 Public Road Tobermalug Caherconlish West Limerick	Joan Looney Molog House Caherconlish County Limerick Thomas Looney Molog House Caherconlish County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick

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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 (except tenants for a month or a lesser period than a month)
101c.01	Area (ha) Description Townland ED County	0.039 River Tobermalug Caherconlish West Limerick	Joan Looney Molog House Caherconlish County Limerick Thomas Looney Molog House Caherconlish County Limerick	None	Owners The Office of Public Works Head Office Jonathan Swift Street Trim County Meath Department of Agriculture, Food and the Marine Agriculture House Kildare Street Dublin 2
102b.01	Area (ha) Description Townland ED County	0.034 Public Road Tobermalug Caherconlish West Limerick	Representatives of Michael Gill Tobermalug Beary's Cross Caherconlish County Limerick Mary Teresa Gill Tobermalug Beary's Cross Caherconlish County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
103b.01	Area (ha) Description Townland ED County	0.023 Public Road Cloughnadrumin Ballyvarra Limerick	Michael O'Dwyer Cloughnadrumin Caherconlish County Limerick Ann O'Dwyer Cloughnadrumin Caherconlish County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick

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104b.01	Area (ha) Description Townland ED County	0.027 Public Road Cloghnadromin Ballyvarra Limerick	Richard Quinn Beary's Cross Boher County Limerick Catherine Quinn Beary's Cross Boher County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
105b.01	Area (ha) Description Townland ED County	0.137 Public Road Cloghnadromin Ballyvarra Limerick	Michael Ryan Caherconlish County Limerick Lelia Ryan Caherconlish County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
106a.01	Area (ha) Description Townland ED County	0.698 Land Sandylane Caherconlish West Limerick	Catherine O'Meara Carew Sandylane Boher County Limerick	None	Owner
106c.01	Area (ha) Description Townland ED County	0.006 River Sandylane Caherconlish West Limerick	Catherine O'Meara Carew Sandylane Boher County Limerick	None	Owner The Office of Public Works Head Office Jonathan Swift Street Trim County Meath Department of Agriculture, Food and the Marine Agriculture House Kildare Street Dublin 2

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107a.01	Area (ha) Description Townland ED County	1.958 Land Sandylane Caherconlish West Limerick	Richard Laffan Sandylane Boher County Limerick Mary Laffan Sandylane Boher County Limerick Thomas Laffan Sandylane Boher County Limerick	None	Owners
107a.02	Area (ha) Description Townland ED County	0.524 Land Sandylane Caherconlish West Limerick	Richard Laffan Sandylane Boher County Limerick Mary Laffan Sandylane Boher County Limerick Thomas Laffan Sandylane Boher County Limerick	None	Owners

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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 (except tenants for a month or a lesser period than a month)
107b.01	Area (ha) Description Townland ED County	0.431 Public Road Sandylane Caherconlish West Limerick	Richard Laffan Sandylane Boher County Limerick Mary Laffan Sandylane Boher County Limerick Thomas Laffan Sandylane Boher County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
107c.01	Area (ha) Description Townland ED County	0.026 River Sandylane Caherconlish West Limerick	Richard Laffan Sandylane Boher County Limerick Mary Laffan Sandylane Boher County Limerick Thomas Laffan Sandylane Boher County Limerick	None	Owners The Office of Public Works Head Office Jonathan Swift Street Trim County Meath Department of Agriculture, Food and the Marine Agriculture House Kildare Street Dublin 2
108b.01	Area (ha) Description Townland ED County	0.412 Public Road Cloghnadromin Ballyvarra Limerick	Anthony Ryan Cullentra House Ballysimum County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick

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109b.01	Area (ha) Description Townland ED County	0.101 Public Road Cloghnadromin Ballyvarra Limerick	Betty Hickey Inch St. Laurence Caherconlish County Limerick James Hickey Inch St. Laurence Caherconlish County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
110b.01	Area (ha) Description Townland ED County	0.113 Public Road Cloghnadromin Ballyvarra Limerick	Michael Moore Beary's Cross Caherconlish County Limerick Elaine Riordan Beary's Cross Caherconlish County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick

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111a.01	Area (ha) Description Townland ED County	0.040 Land Sandylane Caherconlish West Limerick	Brendan Quirke Bohergar Pallasgreen County Limerick Paudie Laffan Sandylane Caherconlish County Limerick Owen O'Neill Ballyart Pallasgreen County Limerick Kieran Leddy Munster GAA Headquarters Newcastle Castletroy County Limerick	None	Owners

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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 (except tenants for a month or a lesser period than a month)
111b.02	Area (ha) Description Townland ED County	0.038 Public Road Sandylane Caherconlish West Limerick	Brendan Quirke Bohergar Pallasgreen County Limerick Paudie Laffan Sandylane Caherconlish County Limerick Owen O'Neill Ballyart Pallasgreen County Limerick Kieran Leddy Munster GAA Headquarters Newcastle Castletroy County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
112b.01	Area (ha) Description Townland ED County	0.056 Public Road Sandylane Caherconlish West Limerick	Representatives of Patrick F. Ryan Mount Marian Caherconlish County Limerick Noel Ryan Mount Marian Caherconlish County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick

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112b.02	Area (ha) Description Townland ED County	0.146 Public Road Sandylane Caherconlish West Limerick	Representatives of Patrick F. Ryan Mount Marian Caherconlish County Limerick Noel Ryan Mount Marian Caherconlish County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
112b.03	Area (ha) Description Townland ED County	0.029 Public Road Sandylane Caherconlish West Limerick	Representatives of Patrick F. Ryan Mount Marian Caherconlish County Limerick Noel Ryan Mount Marian Caherconlish County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
113b.01	Area (ha) Description Townland ED County	0.011 Public Road Sandylane Caherconlish West Limerick	Mary Reilly Beary's Cross Sandylane Caherconlish County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
114a.01	Area (ha) Description Townland ED County	0.007 Land Sandylane Caherconlish West Limerick	Thomas Laffan Sandylane Boher County Limerick	None	Owner

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114a.02	Area (ha) Description Townland ED County	0.003 Land Sandylane Caherconlish West Limerick	Thomas Laffan Sandylane Boher County Limerick	None	Owner
114a.03	Area (ha) Description Townland ED County	0.155 Land Sandylane Caherconlish West Limerick	Thomas Laffan Sandylane Boher County Limerick	None	Owner
114b.01	Area (ha) Description Townland ED County	0.077 Public Road Sandylane Caherconlish West Limerick	Thomas Laffan Sandylane Boher County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
115b.01	Area (ha) Description Townland ED County	0.231 Public Road Sandylane Caherconlish West Limerick	James Finucane Sandylane Boher County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick

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116b.01	Area (ha) Description Townland ED County	0.047 Public Road Sandylane Caherconlish West Limerick	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
116b.02	Area (ha) Description Townland ED County	0.036 Public Road Sandylane Caherconlish West Limerick	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
117b.01	Area (ha) Description Townland ED County	0.073 Public Road Cloughnadromin Ballyvarra Limerick	Mr John Walsh Cloughnadromin Caherconlish County Limerick Mr William T. Walsh Cloughnadromin Caherconlish County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick

SECOND SCHEDULE
Part 1

SECOND SCHEDULE

Part I

PUBLIC RIGHTS OF WAY PROPOSED TO BE EXTINGUISHED

Reference No.	Description of the Rights of Way
A1-A1 to A2-A2	The public right of way within the townlands of Tobermalug and Cloghnadromin in the Electoral Divisions of Caherconlish West and Ballyvarra in the County of Limerick and between the lines coloured green A1-A1 to A2-A2 for a distance of approximately 40m on the map entitled 'N24 Beary's Cross Road Improvement Scheme Deposit Map For Compulsory Purchase Order 2020' - with the map reference No. 15033-CPO-DM.
B1-B1 to B2-B2	The public right of way within the townlands of Cloghnadromin and Sandylane in the Electoral Divisions of Ballyvarra and Caherconlish West in the County of Limerick and between the lines coloured green B1-B1 to B2-B2 for a distance of approximately 40m on the map entitled 'N24 Beary's Cross Road Improvement Scheme Deposit Map For Compulsory Purchase Order 2020' - with the map reference No. 15033-CPO-DM.

SECOND SCHEDULE
Part II

SECOND SCHEDULE

PART II

Private Rights of Way Proposed to be Extinguished

Reference No.	Description of the Rights of Way
V1-V1 to V2-V2	The private right of way within the townland of Sandylane in the Electoral Division of Caherconlish West in the County of Limerick and between the lines coloured blue V1-V1 to V2-V2 on the map entitled 'N24 Beary's Cross Road Improvement Scheme Deposit Map For Compulsory Purchase Order 2020' - with the map reference No 15033-CPO-DM.
W1-W1 to W2-W2	The private right of way within the townland of Sandylane in the Electoral Division of Caherconlish West in the County of Limerick and between the lines coloured blue W1-W1 to W2-W2 on the map entitled 'N24 Beary's Cross Road Improvement Scheme Deposit Map For Compulsory Purchase Order 2020' - with the map reference No 15033-CPO-DM.
X1-X1 to X2-X2	The private right of way within the townland of Sandylane in the Electoral Division of Caherconlish West in the County of Limerick and between the lines coloured blue X1-X1 to X2-X2 on the map entitled 'N24 Beary's Cross Road Improvement Scheme Deposit Map For Compulsory Purchase Order 2020' - with the map reference No 15033-CPO-DM.
Y1-Y1 to Y2-Y2	The private right of way within the townland of Sandylane in the Electoral Division of Caherconlish West in the County of Limerick and between the lines coloured blue Y1-Y1 to Y2-Y2 on the map entitled 'N24 Beary's Cross Road Improvement Scheme Deposit Map For Compulsory Purchase Order 2020' - with the map reference No 15033-CPO-DM.
Z1-Z1 to Z2-Z2	The private right of way within the townland of Cloghnadromin in the Electoral Division of Ballyvarra in the County of Limerick and between the lines coloured blue Z1-Z1 to Z2-Z2 on the map entitled 'N24 Beary's Cross Road Improvement Scheme Deposit Map For Compulsory Purchase Order 2020' - with the map reference No 15033-CPO-DM.