CORONAVIRUS (COVID -19)

LIMERICK CITY AND COUNTY COUNCIL N20 O' ROURKE'S CROSS ROAD IMPROVEMENT SCHEME COMPULSORY PURCHASE ORDER 2020

As a result of the Coronavirus (Covid-19) and the Government restrictions on access to certain offices, including the Local Authority Offices where the Compulsory Purchase Order documentation is on public display, owners, lessees and occupiers of the land and/or their agents and members of the public were restricted in inspecting the Compulsory Purchase Order and the deposit map. The Local Authority has eased restrictions on access to its offices.

A copy of the order and the deposit map referred to in it may be inspected **by appointment** at the following locations during the listed hours (with the exception of Saturdays, Sundays and public holidays) from **Thursday 2nd July 2020 to Friday 28th August 2020.**

(i)	Limerick City and County Council,	Monday to Friday - 9am to 5pm	
	Corporate Headquarters,	Telephone 061 – 951000 for	
	Merchant's Quay,	appointment	
	Limerick, V94 EH90		
(ii)	Limerick City and County Council,	Monday to Friday - 9am to 5pm	
	Council Offices, Dooradoyle,	Telephone 061 – 951000 for	
	Limerick, V94 WV78	appointment	
(iii)	Mid West National Road Design Office,	Monday to Friday - 9am to 5pm	
	Lissanalta House,	Telephone 061 – 951000 for	
	Dooradoyle, Limerick, V94 H5RR	appointment	
(iv)	Limerick City and County Council,	Monday to Friday - 9am to 5pm	
	Kilmallock District Office,	Telephone 063 – 98019 for	
	Áras Mainchín Seoighe, Kilmallock,	appointment	
	Co. Limerick, V35 K497		

The Local Authority will also facilitate queries by phone or by e-mail. Telephone - 061- 951000 E-mail - info@midwestroads.ie

The Local Authority has therefore extended the time for the owners, lessees and occupiers of the land to object to the compulsory acquisition of the land and to extinguishment of private rights of way that might affect them to be submitted to An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 to 5.30 pm on Friday 28th August 2020. Owners, lessees and occupiers of the land have received individual written notice.

The closing date for submission of objections to the extinguishing of the public rights of way to An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 has also been extended to 5.30 pm on Friday 28th August 2020.

It should be noted that a copy of the order and the deposit map referred to in it may be inspected at http://mypoint.limerick.ie

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 N20 O'ROURKE'S CROSS ROAD IMPROVEMENT SCHEME COMPULSORY PURCHASE ORDER 2020

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 First Schedule hereto, and to extinguish the public and private rights of way described in the Second Schedule hereto for the purposes of providing road improvements comprising;

- A new roundabout controlled junction, alteration to the present junction layout, the construction of new N20 approaches to the junction and the alteration of the existing R518 approaches to the junction A new combined cycleway/footway
- Relocation of the bus stops
- Road and drainage impact attenuation
- Fencing
- Landscaping
- Public lighting
- Accommodation works
- · Associated site works

through the townlands of Ballyfookeen and Cappanafaraha in the County of Limerick

Owners, lessees and occupiers of the land described in the First Schedule hereto and of the private rights of way to be extinguished described in Part II of the Second Schedule 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 Friday 24th April 2020.

The order will also authorise the Local Authority to extinguish the public rights of way described in Part I of the Second Schedule hereto, by order made by the Local Authority after the Local Authority has 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 D01 V902 before 5.30 pm on Friday 24th April 2020.

The Board cannot 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) 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 withdraw

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 **Thursday 27th February** 2020 to Friday 24th April 2020.

(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
(iii)	Mid West National Road Design Office, Lissanalta House, Dooradoyle, Limerick, V94 H5RR	Monday to Friday - 9am to 5pm
(iv)	Limerick City and County Council, Kilmallock District Office, Áras Mainchín Seoighe, Kilmallock, Co. Limerick, V35 K497	Monday to Friday - 9am to 5pm

A copy of the order and the deposit map referred to in it may also be inspected online at http://mypoint.limerick.ie

FIRST SCHEDULE AND SECOND SCHEDULE ATTACHED HERETO

DATED THIS 27th DAY OF FEBRUARY 2020

James Clune Acting Senior Executive Officer **Corporate Services**

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, I and Situati Land	Description on of the	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	1.058 Land Ballyfookeen Rockhill Limerick	James Feane Cappanafaraha Bruree County Limerick Mary Feane Cappanafaraha Bruree County Limerick	Michael Lyons Ballyfookeen Bruree County Limerick	Owners Lessee
101b.01	Area (ha) Description Townland ED County	0.210 Public Road Ballyfookeen Rockhill Limerick	James Feane Cappanafaraha Bruree County Limerick Mary Feane Cappanafaraha Bruree County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
101c.01	Area (ha) Description Townland ED County	0.004 River Ballyfookeen Rockhill Limerick	James Feane Cappanafaraha Bruree County Limerick Mary Feane Cappanafaraha Bruree County Limerick	Michael Lyons Ballyfookeen Bruree County Limerick	Owners Lessee 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
102a.01	Area (ha) Description Townland ED County	0.610 Land Ballyfookeen Rockhill Limerick	Patricia O'Rourke 40 Abbeycourt Ballykeeffe County Limerick	Thomas Joseph Murphy Ballyfookeen Bruree County Limerick	Owner Lessee
102a.03	Area (ha) Description Townland ED County	0.003 Land Ballyfookeen Rockhill Limerick	Patricia O'Rourke 40 Abbeycourt Ballykeeffe County Limerick	Thomas Joseph Murphy Ballyfookeen Bruree County Limerick	Owner Lessee
102a.04	Area (ha) Description Townland ED County	0.005 Land Ballyfookeen Rockhill Limerick	Patricia O'Rourke 40 Abbeycourt Ballykeeffe County Limerick	Thomas Joseph Murphy Ballyfookeen Bruree County Limerick	Owner Lessee
102a.05	Area (ha) Description Townland ED County	0.033 Land Ballyfookeen Rockhill Limerick	Patricia O'Rourke 40 Abbeycourt Ballykeeffe County Limerick	Thomas Joseph Murphy Ballyfookeen Bruree County Limerick	Owner Lessee
102a.06	Area (ha) Description Townland ED County	0.694 Land Ballyfookeen Rockhill Limerick	Patricia O'Rourke 40 Abbeycourt Ballykeeffe County Limerick	Thomas Joseph Murphy Ballyfookeen Bruree County Limerick	Owner Lessee
102a.07	Area (ha) Description Townland ED County	0.016 Land Ballyfookeen Rockhill Limerick	Patricia O'Rourke 40 Abbeycourt Ballykeeffe County Limerick	Thomas Joseph Murphy Ballyfookeen Bruree County Limerick	Owner Lessee

Continued on the next page

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, I and Situat Land	Description ion of the	Owners or Reputed Owners	Lessees or reputed Lessees	Occupiers (except tenants for a month or a lesser period than a month)
102b.01	Area (ha) Description Townland ED County	0.140 Public Road Ballyfookeen Rockhill Limerick	Patricia O'Rourke 40 Abbeycourt Ballykeeffe County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
102b.02	Area (ha) Description Townland ED County	0.737 Public Road Ballyfookeen Rockhill Limerick	Patricia OʻRourke 40 Abbeycourt Ballykeeffe County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
102c.01	Area (ha) Description Townland ED County	0.005 River Ballyfookeen Rockhill Limerick	Patricia O'Rourke 40 Abbeycourt Ballykeeffe County Limerick	Thomas Joseph Murphy Ballyfookeen Bruree County Limerick	Owner Lessee The Office of Public Works Head Office Jonathan Swift Street Trim County Meath Department of Agriculture, Food and the Marine Agricultural House Kildare Street Dublin 2
103a.01	Area (ha) Description Townland ED County	0.721 Land Ballyfookeen Rockhill Limerick	Declan Quain Kilbreedy West Kilmallock County Limerick	None	Owner
103a.02	Area (ha) Description Townland ED County	0.027 Land Ballyfookeen Rockhill Limerick	Declan Quain Kilbreedy West Kilmallock County Limerick	None	Owner
103b.01	Area (ha) Description Townland ED County	0.380 Public Road Ballyfookeen Rockhill Limerick	Declan Quain Kilbreedy West Kilmallock County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
104a.01	Area (ha) Description Townland ED County	0.317 Land Ballyfookeen Rockhill Limerick	Eamonn O'Sullivan Kilmallock Road Charleville County Cork	None	Owner Mid Western Forestry Services Limited Abbeyfeale West Abbeyfeale County Limerick
104b.01	Area (ha) Description Townland ED County	0.063 Public Road Ballyfookeen Rockhill Limerick	Eamonn O'Sullivan Kilmallock Road Charleville County Cork	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
104b.02	Area (ha) Description Townland ED County	0.007 Public Road Ballyfookeen Rockhill Limerick	Eamonn O'Sullivan Kilmallock Road Charleville County Cork	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
105a.01	Area (ha) Description Townland ED County	0.135 Land Ballyfookeen Rockhill Limerick	Thomas Joseph Murphy Ballyfookeen Bruree County Limerick	None	Owner
105b.01	Area (ha) Description Townland ED County	0.165 Public Road Ballyfookeen Rockhill Limerick	Thomas Joseph Murphy Ballyfookeen Bruree County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
106b.01	Area (ha) Description Townland ED County	0.041 Public Road Ballyfookeen Rockhill Limerick	James Beechinor Ballyanna Sherins Cross Kilmallock County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
106b.02	Area (ha) Description Townland ED County	0.056 Public Road Ballyfookeen Rockhill Limerick	James Beechinor Ballyanna Sherins Cross Kilmallock County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick

Number on map deposited in the offices of the Local Authority	Quantity, I and Situati Land	Description on of the	Owners or Reputed Owners	Lessees or reputed Lessees	Occupiers (except tenants for a month or a lesser period than a month)
107a.01	Area (ha) Description Townland ED County	0.134 House Curtilage Ballyfookeen Rockhill Limerick	James O'Connell Ballyfookeen Bruree County Limerick Eileen Hickey Ballyfookeen Bruree County Limerick	None	Owners
107b.01	Area (ha) Description Townland ED County	0.016 Public Road Ballyfookeen Rockhill Limerick	James O'Connell Ballyfookeen Bruree County Limerick Eileen Hickey Ballyfookeen Bruree County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
108b.01	Area (ha) Description Townland ED County	0.089 Public Road Ballyfookeen Rockhill Limerick	Representatives of John Joseph O'Rourke c/o Patricia O'Rourke 40 Abbeycourt Ballykeeffe County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
109b.01	Area (ha) Description Townland ED County	0.054 Public Road Cappanafaraha Rockhill Limerick	Donal O'Riordan Garranroe Patrickswell County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
110b.01	Area (ha) Description Townland ED County	0.037 Public Road Cappanafaraha Rockhill Limerick	Noel Crowley Cappanafaraha Bruree County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
111b.01	Area (ha) Description Townland ED County	0.019 Public Road Ballyfookeen Rockhill Limerick	Elaine O'Driscoll Ballyfookeen Bruree County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
112b.01	Area (ha) Description Townland ED County	0.021 Public Road Ballyfookeen Rockhill Limerick	Gerard Carey Ballyfookeen Bruree County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
113b.01	Area (ha) Description Townland ED County	0.022 Public Road Ballyfookeen Rockhill Limerick	Eimear Carey Newtownshandrum Charleville County Cork	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
114b.01	Area (ha) Description Townland ED County	0.005 Public Road Ballyfookeen Rockhill Limerick	John O'Connor 25 Kylemore Road West Hampstead London NW6 2PS United Kingdom	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
115b.01	Area (ha) Description Townland ED County	0.013 Public Road Ballyfookeen Rockhill Limerick	Denis Crean Ballyfookeen O'Rourke's Cross Bruree County Limerick Betty Crean Ballyfookeen O'Rourke's Cross Bruree County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick
116b.01	Area (ha) Description Townland ED County	0.024 Public Road Ballyfookeen Rockhill Limerick	Roderick Gallagher Ballyfookeen Bruree County Limerick Mai Gallagher Ballyfookeen Bruree County Limerick	None	Limerick City and County Council Corporate Headquarters Merchant's Quay Limerick

PUBLIC NOTICE

Continued from the previous page

SECOND SCHEDULE PART I PUBLIC RIGHTS OF WAY PROPOSED TO BE EXTINGUISHED

Description of the Rights of Way	The public right of way within the townland of Ballyfookeen in the Electoral Division of Rockhill in the County of Limerick and between the lines coloured green A1-A1 to A2-A2 for a distance of approximately 250m on the map entitled 'N20 O'Rourke's Cross Road Improvement Scheme Deposit Map For Compulsory Purchase Order 2020' - with the map reference No.	The public right of way within the townland of Ballyfookeen in the Electoral Division of Rockhill in the County of Limerick and between the lines coloured green B1-B1 to B2-B2 for a distance of approximately 70m on the map entitled 'N20 O'Rourke's Cross Road Improvement Scheme Deposit Map For Compulsory Purchase Order 2020'- with the map reference No 15032-CPO-DM-01.	The public right of way within the townland of Ballyfookeen in the Electoral Division of Rockhill in the County of Limerick and between the lines coloured green C1-C1 to C2-C2 for a distance of approximately 130m on the map entitled 'N20 O'Rourke's Cross Road Improvement Scheme Deposit Map For Compulsory Purchase Order 2020'- with the map reference No 15032-CPO-DM-01.	The public right of way within the townland of Ballyfookeen in the Electoral Division of Rockhill in the County of Limerick and between the lines coloured green D1-D1 to D2-D2 for a distance of approximately 350m on the map entitled 'N20 O'Rourke's Cross Road Improvement Scheme Deposit Map For Compulsory Purchase Order 2020' - with the map reference No 15032-CPO-DM-01.
Reference No.	A1-A1 to A2-A2	B1-B1 to B2-B2	C1-C1 to C2-C2	D1-D1 to D2-D2

SECOND SCHEDULE PART II PRIVATE RIGHTS OF WAY PROPOSED TO BE EXTINGUISHED

Reference No.	Description of the Rights of Way
W1-W1 to W2-W2	The private right of way within the townland of Ballyfookeen in the Electoral Division of Rockhill in the County of Limerick and between the lines coloured blue W1-W1 to W2-W2 on the map entitled 'N20 O'Rourke's Cross Road Improvement Scheme Deposit Map For Compulsory Purchase Order 2020' - with the map reference No 15032-CPO-DM-01.
X1-X1 to X2-X2	The private right of way within the townland of Ballyfookeen in the Electoral Division of Rockhill in the County of Limerick and between the lines coloured blue X1-X1 to X2-X2 on the map entitled 'N20 O'Rourke's Cross Road Improvement Scheme Deposit Map For Compulsory Purchase Order 2020' - with the map reference No 15032-CPO-DM-01.
Y1-Y1 to Y2-Y2	The private right of way within the townland of Ballyfookeen in the Electoral Division of Rockhill in the County of Limerick and between the lines coloured blue Y1-Y1 to Y2-Y2 on the map entitled 'N20 O'Rourke's Cross Road Improvement Scheme Deposit Map For Compulsory Purchase Order 2020' - with the map reference No 15032-CPO-DM-01.
Z1-Z1 to Z2-Z2	The private right of way within the townland of Ballyfookeen in the Electoral Division of Rockhill in the County of Limerick and between the lines coloured blue Z1-Z1 to Z2-Z2 on the map entitled 'N20 O'Rourke's Cross Road Improvement Scheme Deposit Map For Compulsory Purchase Order 2020' - with the map reference No 15032-CPO-DM-01.