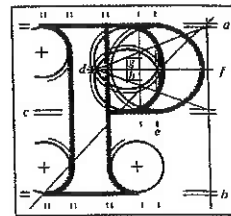


Our Ref: ABP-300490-17

PA Reg Ref:

Your Ref: Roscommon County Council



An
Bord
Pleanála

Martin Curley Roscommon County Council
National Roads Regional Office
Roscommon County Council
Racecourse Road
Roscommon
Co. Roscommon
F42 WY23

Date: 15 FEB 2019

Re: N5 Ballaghaderreen to Scramoge Road Development and associated CPO.
Ballaghaderreen to Scramoge, Co. Roscommon

Dear Sir


I have been asked by An Bord Pleanála to refer further to the above-mentioned appeal.

An amending Board Order has been made under section 146A of the Planning and Development Act, 2000 as amended, in relation to the above-mentioned development.

Henceforth, the Board's Order should be read in conjunction with the amending Order.

The inconvenience caused is regretted.

Yours faithfully,


Fergal Kilmurray
Executive Officer
Direct Line: 01-8737247

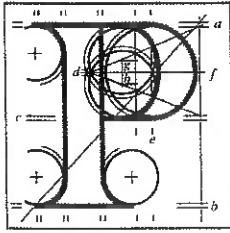
Encls. Amend(S.146(A))

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An
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Board Order
ABP-300490M-17

Local Government (No. 2) Act, 1960

Amendment of Board Order

Housing Act, 1966

Planning and Development Acts, 2000 to 2018

Planning Authority: Roscommon County Council

Application received by An Bord Pleanála on the 20th day of December, 2017 from Roscommon County Council pursuant to 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 the Planning and Development Acts, 2000 to 2018, for confirmation of a compulsory purchase order authorising compulsory acquisition of lands and entitled **Roscommon County Council Compulsory Purchase Order (No.1) 2017 N5 Ballaghaderreen to Scramoge Road Project.**

WHEREAS the Board made a decision to confirm the above compulsory purchase order based on the reasons and considerations under and subject to the modifications set out in the Schedule, by order dated the 16th day of January 2019:

AND WHEREAS it has come to the attention of the Board that due to clerical errors some of the references in modification (i) set out in the Schedule to the further plans and particulars received by the Board at the Oral Hearing on the 9th day October, 2018 are incorrect,

AND WHEREAS it has come to the attention of the Board that due to clerical errors some of the references in modification (ii) set out in the Schedule to the further plans and particulars received by the Board at the Oral Hearing on the 9th day October, 2018 are incorrect,

AND WHEREAS it has come to the attention of the Board that due to clerical errors some of the references in modification (iv) set out in the Schedule to the further plans and particulars received by the Board at the Oral Hearing on the 9th day October, 2018 are incorrect,

AND WHEREAS it has come to the attention of the Board that due to a clerical error the reference in modification (v) set out in the Schedule to the further plans and particulars received by the Board at the Oral Hearing on the 9th day October, 2018 is incorrect,

AND WHEREAS it has come to the attention of the Board that due to a clerical error the reference in modification (viii) set out in the Schedule to the further plans and particulars received by the Board at the Oral Hearing on the 9th day October, 2018 is incorrect,

AND WHEREAS it has come to the attention of the Board that due to clerical errors some of the references in modification (ix) set out in the Schedule to the further plans and particulars received by the Board at the Oral Hearing on the 9th day October, 2018 are incorrect,

AND WHEREAS it has come to the attention of the Board that due to a clerical error, a further modification (xiii) should have been included in the Board's Schedule,

AND WHEREAS the Board considered that the correction of the above-mentioned matters would not result in a material alteration of the terms of the decision,

AND WHEREAS having regard to the nature of the issues involved, the Board decided not to invite submissions in relation to the matter from persons who had made submissions or observations in relation to the compulsory purchase order the subject of these amendments,

NOW THEREFORE in accordance with section 146A(1) of the Planning and Development Act 2000, as amended, the Board hereby amends the above-mentioned decision so that modifications set out in the Schedule of its order and the reason therefor shall be as follows:

SCHEDULE

The Compulsory Purchase Order shall be modified in accordance with details provided in the document titled CPO Amendments October 2018 submitted to the Board at the Oral Hearing on the 9th day of October, 2018 as follows:

- i. the reduction in area of the following plots
 - Plot No. 470h.201
 - Plot No. 545b.201
 - Plot No. 1025a.201
 - Plot No. 1095b.201
- ii. removal of the following plots
 - No. 1095b.201b
 - No. 1025a.201a
- iii. the inclusion of Mr. Dermot McDermott as occupier of Plot No. 1070a.201
- iv. the inclusion of Ms. Eileen Callaghan as owner or reputed owner of Plot No. 135d.201, Plot No. 135d.202 and Plot No. 135g.201
- v. Revised address details of Mr. David O'Neill and Ms. Cathy Burke as owners or reputed owners of Plot Nos. 220a.201 and 220b.201
- vi. Revised address details of Ms. Maura MacCarthy, Legal Affairs Manager, Coillte of Plot Nos. 245, 470 and 505

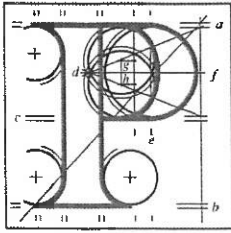
- vii. The inclusion of Ms. Bridget Hanily as owner or reputed owner of Plot Nos. 270a.201, 270b.201, 270c.201, 270c.202, 270d.201, 270e.201, 270f.201, 270g.201
- viii. The inclusion of Ms. Josephine McDermott as owner or reputed owner of Plot No. 306a.201
- ix. The subdivision of Plot No. 311a.201 into Plot No. 311a.201 and Plot No. 311a.202 and the inclusion of Ms. Mary McGarry as owner or reputed owner of Plot No. 311a.202 and the inclusion of Mr. William Smyth as owner or reputed owner of Plot No. 311a.201
- x. The inclusion of Mr. Anthony Keaveney as occupier of Plot No. 320b.202
- xi. The inclusion of Forais Growth Limited as owner or reputed owner of Plot Nos. 430a.201, 430b.201, 430c.201, 430d.201
- xii. The inclusion of Pawel Szawernoga and Aleksandra Szawernoga as owners or reputed owners of Plot No. 758b.201
- xiii. The inclusion of Mr. Cathal McHugh as owner or reputed owner of Plot No. 810j.201

Reason: To take account of updated information in respect of land ownership and certain reductions in area of plots to be acquired.



**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this 14th day of FEBRUARY 2019



An
Bord
Pleanála

**Board Order
ABP-300490-17**

Local Government (No. 2) Act, 1960

Housing Act, 1966

Planning and Development Acts, 2000 to 2018

Planning Authority: Roscommon County Council

Application received by An Bord Pleanála on the 20th day of December, 2017 from Roscommon County Council pursuant to 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 the Planning and Development Acts, 2000 to 2018, for confirmation of a compulsory purchase order authorising compulsory acquisition of lands and entitled **Roscommon County Council Compulsory Purchase Order (No.1) 2017 N5 Ballaghaderreen to Scramoge Road Project.**

Decision

CONFIRM the above compulsory purchase order based on the reasons and considerations under and subject to the modifications set out in the below Schedule.

Reasons and Considerations

Having considered the objections made to the compulsory purchase order, the report of the person who conducted the oral hearing into the objections, the purpose of the compulsory purchase order and also having regard to:

An amendment to this
Board Order has been made

Dated **ABP-300490-17**

Board Order

Page 1 of 3

Signed: Secretary

- (a) The objections made to the Compulsory Purchase Order,
- (b) the purpose of the compulsory acquisition for the provision of a road development,
- (c) the community need, public interest served and benefits to be achieved from use of the acquired lands for the purposes identified in the Order,
- (d) the provisions of the National Planning Framework and the Regional Planning Guidelines for the West Region 2010-2022 and Roscommon County Development Plan 2014-2020,
- (e) the submissions and observations made at the oral hearing,
- (f) the report and recommendation of the Inspector who conducted the oral hearing into the objections, and
- (g) the documents and submissions on file generally,

the Board decided to confirm the Order subject to the modifications set out in the following Schedule.

SCHEDULE

The Compulsory Purchase Order shall be modified in accordance with details provided in the document titled CPO Amendments October 2018 submitted to the Board at the Oral Hearing on the 9th day of October, 2018 as follows:

- i. the reduction in area of the following plots

Plot No. 470b.201

Plot No. 545b.201

Plot No. 1025a.201a

Plot No. 1025a.201b

Plot No. 1095b.201a

- ii. removal of the following plot

No. 1095b.201b

- iii. the inclusion of Mr. Dermot McDermott as occupier of Plot No. 1070a.201

An amendment to this
Board Order has been made

Dated ABP-300490-17

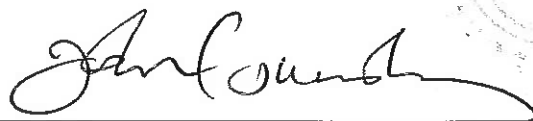
Signed: Secretary

15.2.19 Board Order

Page 2 of 3

- iv. the inclusion of Ms. Eileen Callaghan as owner or reputed owner of Plot No.135g.201
- v. Revised address details of Mr. David O'Neill and Ms. Cathy Burke as owners or reputed owners of Plot Nos. 220.201 and 220b.201
- vi. Revised address details of Ms. Maura MacCarthy, Legal Affairs Manager, Coillte of Plot Nos. 245, 470 and 505
- vii. The inclusion of Ms. Bridget Hanily as owner or reputed owner of Plot Nos. 270a.201, 270b.201, 270c.201, 270c.202, 270d.201, 270e.201, 270f.201, 270g.201
- viii. The inclusion of Ms. Josephine McDermott as owner or reputed owner of Plot No. 306.201
- ix. The subdivision of Plot No. 311a.201 and inclusion of Plot No. 311a.202 with Ms. Mary McGarry as owner or reputed owner.
- x. The inclusion of Mr. Anthony Keaveney as occupier of Plot No. 320b.202
- xi. The inclusion of Forais Growth Limited as owner or reputed owner of Plot Nos. 430a.201, 430b.201, 430c.201, 430d.201
- xii. The inclusion of Pawel Szawernoga and Aleksandra Szawernoga as owners or reputed owners of Plot No. 758b.201

Reason: To take account of updated information in respect of land ownership and reduction in area of plots to be acquired.



Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

An amendment to this
Board Order has been made

Dated 15.2.19
Signed: Secretary



Dated this 16th **day of** JANUARY **2019**

