

**COMHAIRLE CHONTAE ROSCOMÁIN**  
**ROSCOMMON COUNTY COUNCIL**

**IN THE MATTER OF THE PLANNING AND DEVELOPMENT ACTS 2000-2017**  
**THE HOUSING ACT, 1966-2015, THE LOCAL**  
**GOVERNMENT (NO 2) ACT, 1960 AND THE ROADS ACTS 1993 - 2015**

**FORM OF COMPULSORY PURCHASE ORDER UNDER SECTION 76 OF AND THE THIRD SCHEDULE TO THE HOUSING ACT,**  
**1966 [AS AMENDED], AS EXTENDED BY SECTION 10 OF THE LOCAL GOVERNMENT (NO. 2) ACT, 1960 AND AMENDED BY**  
**THE**  
**PLANNING AND DEVELOPMENT ACTS, 2000-2017**

**LOCAL GOVERNMENT (NO. 2) ACT, 1960**

**SECTION 10 OF THE LOCAL GOVERNMENT (IRELAND) ACT, 1898, AS AMENDED BY SECTION 11 OF THE LOCAL**  
**GOVERNMENT ACT (NO. 2), 1960 AND SECTION 213 OF THE PLANNING AND DEVELOPMENT ACTS, 2000-2017**  
**LOCAL GOVERNMENT ACTS 1925-2014 INCLUDING SECTION 11 AND 184 OF THE LOCAL GOVERNMENT ACTS, 2001-2014**  
**AND ALL OTHER ACTS THEREBY ENABLING**

**ROSCOMMON COUNTY COUNCIL COMPULSORY PURCHASE ORDER (NO.1) 2017**  
**N5 Ballaghaderreen to Scramoge Road Project**

WHEREAS in pursuance of section 10 of the Local Government (No. 2) Act, 1960 as amended and substituted including, as substituted by section 86 of the Housing Act, 1966 and as amended by section 6 and the Second Schedule to the Roads Acts, 1993-2015 and by the Planning and Development Acts (2000-2017) including Section 222 of the Planning and Development Act, 2000, Roscommon 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]:

NOW THEREFORE it is hereby ordered that –

1. Subject to the provisions of this order, the local authority is hereby authorised –
  - a. to acquire compulsorily - for the purposes of providing an upgrade/ replacement of the N5 National Primary Road between Rathkeery and Scramoge in the County of Roscommon, passing through the townlands of Rathkeery, Glebe East, Portaghard, Sheepwalk, Turlaghnabaddy, Dungar, Mullen, Corskeagh (ED Frenchpark), Frenchpark Demesne, Cloonshanville, Leggatinty, Derreen (ED Bellanagare), Cashel (ED Bellanagare), Ballaghacullia, Bellanagare, Drummin, Tonaknick, Peak, Carrigeenacreeha, Mullenduff, Garrynphort, Corry West, Corry East, Kilvoy, Cloonyeffe, Clogher Beg, Clogher More, Rathroe, Raheen, Cartronagor, Barrinagh, Creeve (ED Rossmore), Runnarua, Gortnacranagh, Ross Beg, Shankill, Killeen West, Cherryfield Or Drishagan, Lurgan, Killeen East, Tullyloyd, Tullycartron, Lugboy, Cloonculla (ED Cregga), Cregga, Cuilrevagh, Tullen, Lettreen, Doughloon, Corskeagh (ED Annaghmore), Lavally, Kildallog, Doon, Vesnoy, Cloonradoon, Bumlin, and Scramoge, all townlands in County Roscommon, comprising inter alia:-
    - 33.4 Kilometres of National Primary Road to Type 1 Single Carriageway standard;
    - 15.4km of realignment of existing roads;
    - Five roundabouts;
      - Frenchpark Roundabout (R361 south of Frenchpark);
      - N61 Roundabout (between Tulsk and Elphin);
      - Shankill Roundabout (N61/R369);
      - Strokestown Roundabout (LP-1405);
      - Kildallog Roundabout (R368/LP-1405);
    - At grade mainline T junctions;
      - 16 'T' Junctions, of which 5 are staggered;
    - Reconfiguration of a crossroads between the existing N5 and R361 in Frenchpark;
    - 3 road under bridges and 1 road overbridge
    - 4 river bridges and 14 culverts;
    - 290m approx. of retaining walls at three locations;
    - Provision of 9 accommodation underpasses, access roads and accesses;
    - Associated earthworks including excavation of peat and unacceptable material, excavation and processing of rock and other material, provision of material deposition areas, and deposition and recovery of unacceptable material for use in the works;
    - Temporary site compounds;
    - Drainage works;
    - Landscaping works;
    - Utilities and Services Diversion Works including the diversion of high voltage electricity lines at 3 locations and the provision of associated support towers/ poles;
    - Safety Barrier, Fencing, public lighting, signing, lining and Accommodation Works; and
    - Environmental measures and all other Ancillary Works.

- the land described in Part I of the schedule hereto which land is shown on the maps marked "Roscommon County Council, N5 Ballaghaderreen to Scramoge Road Project, Compulsory Purchase Order (No.1) 2017, (Roads and Transportation) " (Sheets 1 to 25 inclusive) and sealed with the seal of the local authority and deposited at the offices of the local authority (hereinafter referred to as "the deposited maps"), and

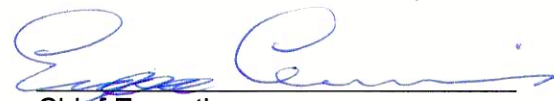
- b. to extinguish the public rights of way described in Part II of the Schedule hereto by order made after the acquisition of the land, where the said public rights of way are over the land so acquired or any part thereof, or over land adjacent to or associated with the land so acquired or any part thereof.
2. The land described in Part I of the Schedule hereto and coloured grey on the said maps 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 Land Clauses Acts (except sections 127 to 132 of the Land 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 applied by section 265(3) of the Planning and Development Act, 2000 as amended by section 46 of the Planning and Development (Strategic Infrastructure) Act 2006), as modified by the Third Schedule to the Housing Act, 1966are hereby incorporated in this order and the provisions of those Acts shall apply accordingly.
4. This order may be cited as the Roscommon County Council, N5 Ballaghaderreen to Scramoge Road Project, Compulsory Purchase Order (No.1) 2017 (Roads and Transportation).

**Schedule Part I and Part II are attached hereto**

The official seal of the local authority was affixed hereto this 17<sup>th</sup> day of December, 2017.  
In the presence of:

  
\_\_\_\_\_  
Head of Roads and Transportation

  
\_\_\_\_\_  
Nominated Employee

  
\_\_\_\_\_  
Chief Executive

