



KILDARE COUNTY COUNCIL
COMHAIRLE CONTAE CHILL DARA

-FURTHER NOTICE

FORM OF NOTICE 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, TO BE PUBLISHED IN ACCORDANCE WITH ARTICLE 4(a) OF THE THIRD SCHEDULE TO THE HOUSING ACT 1966, AS AMENDED BY THE PLANNING AND DEVELOPMENT ACTS 2000 to 2013.

COMPULSORY ACQUISITION OF LAND

KILDARE COUNTY COUNCIL M7 OSBERSTOWN INTERCHANGE & R407 SALLINS BYPASS SCHEME 2013 COMPULSORY PURCHASE ORDER 2013

While this notice was already published in this newspaper on 14 January 2014, Kildare County Council is publishing this further notice relative to the above scheme.

This scheme is being undertaken by Kildare County Council, on its own behalf and on behalf of Naas Town Council under an agreement made pursuant to Section 85 of the Local Government Act 2001, as amended, and as approved by the National Roads Authority under Section 14(8) of the Roads Act 1993, as amended.

The County Council of the County of Kildare (hereinafter referred to as "the local authority") in exercise of the powers conferred upon them 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 and the Second Schedule to the Roads Act 1993, as amended by Section 5 of the Roads (Amendment) Act 1998 and as amended by the Planning and Development Acts 2000 to 2013, have made an order entitled as above which has been submitted to An Bord Pleanála (hereinafter called "the Board") for confirmation. If confirmed, the order will authorise the local authority to acquire compulsorily the land and or rights described in Part I, Part II and Part IV of the Schedule hereto for the purposes of the construction of R407 Sallins Bypass from the townland of Osberstown to the townland of Bodenstown, traversing the townlands of Castlesize, Barrettstown, Waterstown, Sallins and Bodenstown, all in the County of Kildare; and ancillary works.

Owners, lessees and occupiers of the land described in Part I, Part II and Part IV of the Schedule will receive individual written notice. The order will also authorise the local authority to extinguish the public rights of way described in Part III of the Schedule hereto, by order made by them after they have acquired the land, where the said public right of way is 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 person wishing to object to the extinguishing of the said public right of way who has not already made an objection on foot of the previous advertisement of 14 January 2014 should do so in writing to An Bord Pleanála (Strategic Infrastructure Division), 64 Marlborough Street, Dublin 1, between **Tuesday 11th March 2014 and Friday 25th April 2014**.

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) 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 considered the objection. An Bord Pleanála has an absolute discretion, under Section 218 of the Planning and Development Act 2000 (as amended), to hold an oral hearing.

Before making its decision on an application to confirm the Compulsory Purchase Order, the Board must consider; any objection made and not withdrawn, any additional submissions or observations made pursuant to a request by the Board under Section 217A of the Planning and Development Act 2000 (as amended), any report of the person who held the oral hearing, if such an oral hearing takes place. An environmental impact statement, for which separate public notice has been given, has been prepared in respect of the development which it is proposed to carry out on the land. Evidence in relation to the likely effects on the environment of the proposed development may also be heard at any oral hearing that may be held. A copy of the order and of the map referred to in it may still be seen between the hours of **9.30am and 1.00pm** and between the hours of **2.00pm and 5.00pm** on working days between **Tuesday 11th March 2014 and Friday 25th April 2014**. (inclusive) at the following locations:

Kildare County Council,
Level 2, Áras Chill Dara,
Devoy Park,
Naas,
Co. Kildare

Kildare County Council,
National Roads Office,
Block B, Maudlins,
Naas,
Co. Kildare

Dated this the 7th day of March 2014

Annette Aspell,
County Secretary

