



COMHAIRLE CONTAE
CHEATHARLACH
CARLOW COUNTY COUNCIL

**COMPULSORY PURCHASE ORDER FOR THE PURPOSES OF SECTION 76 OF
AND THE THIRD SCHEDULE TO THE HOUSING ACT, 1966, AS AMENDED BY
THE PLANNING AND DEVELOPMENT ACT, 2000, AS AMENDED**

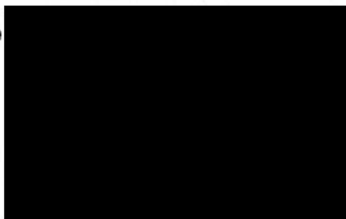
HOUSING ACT, 1966

**SECTION 10 OF THE LOCAL GOVERNMENT (IRELAND) ACT, 1898, AS
AMENDED BY SECTION 11 OF THE LOCAL GOVERNMENT (NO. 2) ACT, 1960
AND SECTION 213 OF THE PLANNING AND DEVELOPMENT ACT, 2000, AS
AMENDED**

**COMPULSORY ACQUISITION OF LAND
33 ST. FIACC'S TERRACE, GRAIGUECULLEN, CARLOW, R93YX61
CARLOW Compulsory Purchase Order 2023**

CPOH-VHO21-2023

To



1. The **CARLOW LOCAL AUTHORITY** (hereinafter referred to as the "**Housing Authority**") in exercise of the powers conferred upon them by section 76 of the Housing Act, 1966 and the Third Schedule thereto (as amended by the Planning and Development Act, 2000, as amended), have made an order entitled as above which is about to be submitted to An Board Pleanála (hereafter the "**Board**") for confirmation.
2. If confirmed, the order will authorise the Housing Authority to acquire compulsorily the land described in the Schedule to this notice for the purposes of the Housing Act, 1966.
3. A copy of the order and of the map referred to in it may be seen at all reasonable hours at **Carlow County Council, County Buildings, Athy Road, Carlow**, at **Carlow Library, Tullow Street, Carlow** and online via the consultation portal at <https://consult.carlow.ie/>.
4. The Housing Act, 1966, as amended, provides that, if an objection is made with respect to the proposed compulsory acquisition of land, the land in respect of which an objection is made by any of the persons upon whom notices of the making of the order are required to be served shall not be acquired compulsorily unless the Board makes an order to confirm the compulsory purchase order, unless:—

- a) the objection is withdrawn, or
- b) the Board is satisfied that the objection relates exclusively to matters which can be dealt with by the arbitrator by whom the compensation may have to be assessed.

The Board cannot confirm the order in respect of the land until it has held an oral hearing into the objection and until it has considered the objection and the report of the person who held the oral hearing.

5. Any objection to the order must state in writing the grounds of objection and be sent addressed to An Bord Pleanála, 64 Marlborough Street, Dublin 1 so as to reach the Board before the **15th day of May 2023 at 5.30pm.**
6. The Board, if it thinks fit, may in one or more stages annul the compulsory purchase order or confirm the order, with or without modification.
7. If no objection is received to the proposed compulsory acquisition of land, the objection is withdrawn or the Board is satisfied that the objection relates exclusively to matters which can be dealt with by the arbitrator by whom the compensation may have to be assessed, the Board shall inform the Housing Authority, which may then confirm the order with or without modification or refuse to so confirm it.
8. If land to which the order, as confirmed by either the Board or the Housing Authority, relates is acquired by the Housing Authority, compensation for the land will be assessed in respect of the acquisition as the value of the land at the date that the relevant notice to treat is served.
9. In the opinion of the Housing Authority, no part of the land in which you have an interest consists of a house or houses which are unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense. If the land to which the order relates is acquired by the Housing Authority, compensation will be assessed in accordance with Part II of the Fourth Schedule to the Housing Act, 1966, and the provisions of 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), subject to the modifications contained in the Third Schedule to the Housing Act, 1966.
10. Any dispute in relation to compensation shall be referred to and be determined by a property arbitrator appointed under the Property Values (Arbitration and Appeals) Act, 1960.
11. A claimant for compensation may, at any time after the expiration of fourteen days from the date on which the relevant notice to treat is served, send to the Secretary, the Reference Committee, Four Courts, Dublin, an application in writing for the nomination of a property arbitrator for the purpose of determining the compensation to be paid. The application should be made in accordance with the Property Values (Arbitrations and Appeals) Rules, 1961 (S.I. No. 91 of 1961).

SCHEDULE

LANDS BEING PERMANENTLY ACQUIRED

PART I

Land consisting of a house unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense.

Number on map deposited at the offices of the housing authority	Quantity, description and situation of the land	Owners or reputed owners	Lessees or reputed lessees	Occupiers (except tenants for a month or a less period than a month)
NIL	NIL	NIL	NIL	NIL

PART II

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.

Number on map deposited at the offices of the housing authority	Quantity, description and situation of the land	Owners or reputed owners	Lessees or reputed lessees	Occupiers (except tenants for a month or a less period than a month)
Carlow County Council, No. CPOH-VHO21-2023, Carlow, Compulsory Purchase Order, Deposited Map 2023	1 No. terraced Dwelling house and land of 254m ² (0.0254ha) at 33 St. Fiacc's Terrace, Graiguecullen, Carlow, R93YX61	Angela Yardley	N/A	N/A

Dated this the 3rd day of April 2023



Nicola Lawler

Town Regeneration Officer

