

Comhairle Cathrach agus Contae Phort Láirge

Waterford City and County Council

CHIEF EXECUTIVE'S ORDER

Subject: Confirmation of CPO No.3 of 2024 Cappoquin Walking Trail

I, Seán McKeown, Chief Executive, Waterford City & County Council, by virtue of the powers conferred upon me by the Local Government Act, 2001, as amended by the Local Government Reform Act 2014, hereby make the following order:

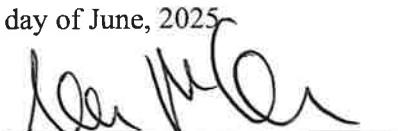
THAT in accordance with Section 217 (5) of the Planning and Development Act, 2000 and in accordance with An Bord Pleanála letter dated 29th May, 2025, the Waterford City & County Council, Waterford Compulsory Purchase Order 2024 (No.3) for lands at Port na hAbhann, Cappoquin, Co. Waterford for Cappoquin Walking Trail BE AND IS HEREBY CONFIRMED.

Recommended:

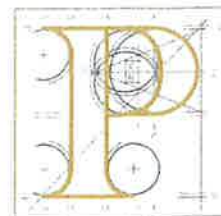

Mary Quigley

Dated this 9th day of June, 2025

Signed:


Sean McKeown
Chief Executive

Our Case Number: ABP-320505-24



An
Bord
Pleanála

Waterford City & County Council
c/o Mary Burke
Property Management Department
Menapia Building
The Mall
Co. Waterford

Property Management

30 MAY 2025

RECEIVED

Date: 29 MAY 2025

Re: Compulsory Purchase Order (No.3) at Port na hAbhann, Cappoquinn, Co. Waterford
Port na hAbhann, Cappoquinn, County Waterford

Dear Sir / Madam,

An order has been made by An Bord Pleanála determining the above mentioned case. A copy of the order is enclosed.

Please be advised that under section 217(5) of the Planning and Development Act, 2000, as amended, a notice of the making of a confirmation order should be published or served as the case may be in accordance with section 78(1) of the Housing Act, 1966 within 12 weeks of the making of the order.

In accordance with section 146(5) of the Planning and Development Act, 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. In addition, the Board will also make available the Inspector's Report and the Board Direction on the decision on its website (www.pleanala.ie). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

Overleaf contains information in relation to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act, 2000, as amended.

If you have any queries in relation to the matter please contact the undersigned officer of the Board at laps@pleanala.ie

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

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Ríomhphost

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(01) 858 8100
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64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Yours faithfully,



Lauren Griffin
Executive Officer
Direct Line: 01-8737244

CH20

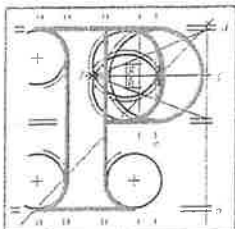
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An
Bord
Pleanála

Board Order ABP-320505-24

Local Government (No. 2) Act, 1960

Housing Act, 1966

Planning and Development Acts, 2000 to 2022

Applicant: Waterford City and County Council

Application received by An Bord Pleanála on the 9th day of August, 2024 from Waterford City and 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 2022, for confirmation of a Compulsory Purchase Order authorising compulsory acquisition of lands and entitled **Waterford City and County Council, Cappelquin Walking Trail, Cappelquin, County Waterford, Compulsory Purchase Order 2024 Number 3.**

DECISION

CONFIRM the above Compulsory Purchase Order based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

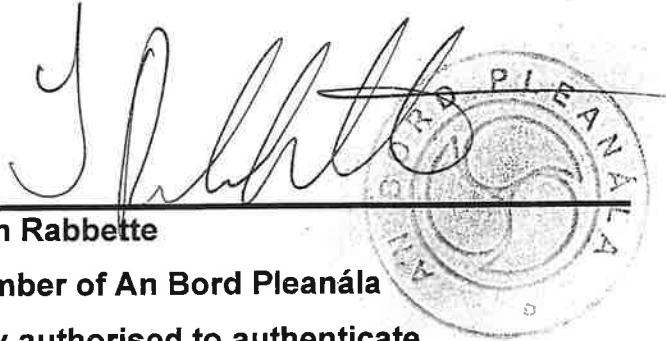
Having considered the objection made to the Compulsory Purchase Order, and the written submissions and observations made to the oral hearing held on the 8th day of May 2025, the report and recommendation of the Inspector who conducted the oral hearing into the objection, the purpose of the Compulsory Purchase Order to facilitate a walking trail including all associated works and to formalise the ownership of land that has been taken in charge at Port na hAbhann, Cappoquin, County Waterford, and having regard to;

- (a) the constitutional and Convention protection afforded to property rights,
- (b) the strategic nature of the walking trail in the context of providing a tourist attraction and local amenity for the town and county,
- (c) the community need for a walking trail (Cappoquin Walking Trail) and safe access to the boathouse, public interest served and overall benefits including local amenity space, safe access, usable green space for the residents of Port na hAbhann, to be achieved from the objective of the Compulsory Purchase Order,
- (d) the design response, which has been appropriately tailored to the identified need,
- (e) the suitability of the lands and the necessity of their acquisition to facilitate the provision of a walking trail including associated works and to formalise the ownership of land that has been taken in charge at Port na hAbhann which the Compulsory Purchase Order will facilitate, and,
- (f) the provisions of the Waterford City and County Development Plan 2022-2028, where the Development Plan expressly provides for the scheme for which the Compulsory Purchase Order is proposed in CPD01 and CPD09,

it is considered that, the acquisition of the subject lands at Port na hAbhann, proposed to be acquired by Waterford City and County Council seeking confirmation of the Compulsory Purchase Order, as set out in the Compulsory Purchase Order and on the deposited maps, is necessary for the purpose stated, which is a legitimate objective being pursued in the public interest, and that the Compulsory

Purchase Order and its effects on the property rights of affected landowners are proportionate to that objective and justified by the exigencies of the common good.

In reaching this conclusion, the Board agrees with and adopts the analysis contained in the report of the person who conducted the oral hearing into the objections.

A handwritten signature in dark ink is written over a horizontal line. To the right of the signature is a circular official seal. The seal contains the text 'AN BORD PLEANÁLA' around the perimeter and a stylized logo in the center.

Tom Rabbette

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

Dated this ^{27th} day of *May* 2025

