



Kerry County Council

N69 Listowel Bypass Proposed Road Development

Compulsory Purchase Order of 2017

Compulsory Purchase Order

KERRY COUNTY COUNCIL

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
(as substituted by**

Section 86 of the Housing Act 1966)

and amended and extended by

Section 6 and the Second Schedule of the Roads Act 1993

And the

Planning and Development Acts 2000 - 2016

Housing Acts 1966 to 2016

**Local Government Acts 1925 to 2016 including Sections 11 and 184 of the Local Government Act
2001**

Roads Acts 1993 to 2015

And all other Acts thereby enabling

WHEREAS in pursuance of the provisions of 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 as amended) and as amended and extended by Section 6 and the Second Schedule of the Roads Acts 1993-2015 and the Planning and Development Acts 2000- 2016 and in exercise of the powers conferred on it by the above mentioned legislation Kerry County Council (hereinafter referred to as "the Local Authority") has decided to effect the acquisition of the lands 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 to
 - (a) Acquire compulsorily for the purpose of providing a road development which gives effect to and facilitates the implementation of the County Development Plan 2015-2021 and the Listowel Town Development Plan 2009-2015 [as extended] consisting of the construction of the N69 Listowel Bypass Proposed Road Development comprising a 5.95km western and northern bypass of Listowel Town Centre of approximately 3.65km of Type 1 Single Carriageway new road and 2.30km Urban All Purpose Single Carriageway on-line improvement linking the N69 Tralee - Limerick Road North and South of Listowel Town Centre via the R553 Ballybunion Road together with all ancillary and consequential works, the lands described in Part II of the Schedule hereto and
 - (b) To extinguish the public rights of way described in Part III 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.

All of which lands are shown on Maps A-F marked

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and sealed with the seal of the Local Authority and deposited at the Local Authority's offices.

2. The lands described in the Schedule hereto and coloured grey and yellow on the said Maps are lands 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 Lands Clauses Acts (except Sections 127 to 132 of the Lands 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) and the Planning and Development Acts 2000- 2016

as modified by the Third Schedule to the Housing Act 1966, are hereby incorporated in this Order and the provisions of those Acts shall apply accordingly.

4. This Order may be cited as

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Present when the Seal of Kerry County Council was affixed hereto:



of ~~Mayor or Nominated Employee~~
of Kerry County Council

this 15th day of May 2017