



KILDARE COUNTY COUNCIL
Comhairle Contae Chill Dara

FORM OF NOTICE OF THE MAKING 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 SERVED ON OWNERS, LESSEES AND OCCUPIERS IN ACCORDANCE WITH ARTICLE 4(b) OF THE THIRD SCHEDULE TO THE HOUSING ACT, 1966, AS AMENDED BY THE PLANNING AND DEVELOPMENT ACTS 2000 TO 2021 AND UNDER SECTION 213 OF THE PLANNING AND DEVELOPMENTS ACTS 2000 TO 2021

KILDARE COUNTY COUNCIL
R445 NEWHALL JUNCTION IMPROVEMENT SCHEME
COMPULSORY PURCHASE ORDER 2022

Kildare County Council (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) and as amended by Section 6 of the Roads (Amendment) Act, 1998 as amended by the Planning Development Acts 2000 to 2021 and the powers conferred upon them by Section 213 of the Planning and Development Acts 2000 to 2021 have made an order entitled as above which is about to be submitted to An Bord Pleanála (hereafter “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, Part III & Part IV* of the Schedule (and to extinguish the public rights of way in *Part V* of the Schedule) thereto for the purposes of providing a road development comprising the R445 Newhall Junction Improvement Scheme in the townland of Newhall and Ladytown, incorporating the provision of a roundabout on the R445 at Newhall between Naas and Newbridge in the County of Kildare together with link roads, side roads and all ancillary and consequential works associated therewith and for the provision of infrastructure facilitating public transport.

Owners, lessees and occupiers of the land and rights described in *Part I, Part II, Part III & Part IV* of the Schedule will receive individual written notice and any objections by them to the compulsory acquisition of the land or rights described in the Schedule, *Part I, Part II, Part III & Part IV* should be made in writing to **An Bord Pleanála, (Strategic Infrastructure Division), 64 Marlborough Street, Dublin 1, D01 V902**, so as to reach the said Board before 5 pm on **6th January 2023**.

The order will also authorise the local authority to extinguish the public rights of way described in the schedule, Part V thereto, by order made by them after they have acquired 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. Any objections to the extinguishing of the said public rights of way should be made in writing to **An Bord Pleanála, (Strategic Infrastructure Division), 64 Marlborough Street, Dublin 1, D01 V902**, so as to reach the said Board before 5 pm on **6th January 2023**.

The Board may, at its absolute discretion, decide not to 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 Acts, 2000-2021 to hold an oral hearing.

Before making its decision on an application to confirm the Compulsory Purchase Order, namely the **R445 NEWHALL JUNCTION IMPROVEMENT SCHEME COMPULSORY PURCHASE ORDER 2022**, 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 Acts, 2000 to 2021 and any report of the person who held the oral hearing, if such an oral hearing takes place.

A copy of the order and of the maps referred to in it may be seen at all reasonable hours at the following offices between the hours of 9am to 4pm Monday to Friday excepting Bank Holidays:

Kildare County Council
Level 4, Aras Chill Dara
Devoy Park
Naas
Co. Kildare

Or

A copy of the order and map is also available on the Kildare County Council consultation portal:

<https://consult.kildarecoco.ie/en/consultation/r445-newhall-junction-improvement-project-compulsory-purchase-order-no1-2022>

Dated: 14th November 2022
Christine O’Grady
County Secretary