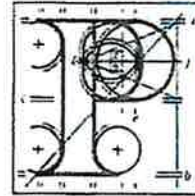


**Our Case Number: ABP-318629-23**

**Your Reference: Mark Laird**



**An  
Bord  
Pleanála**

**Frank Burke & Associates  
Baldara  
Trim Road  
Navan  
Co. Meath**

**Date: 2<sup>nd</sup> February, 2024**

**Re: Meath County Council Compulsory Purchase (No. 1) Order 2023. N2 Slane Bypass and Public Realm Enhancement Scheme.  
County Meath.**

Dear Sir / Madam,

An Bord Pleanála has received your letter of objection in relation to the above mentioned compulsory purchase order.

In respect of same, please note that in circumstances where  
(i) no objections are received by the Board within the period provided for making objections, or  
(ii) all objections made are subsequently withdrawn, or  
(iii) all objections made relate exclusively to matters which can be dealt with by a property arbitrator the Board will inform the local authority as appropriate and, in such circumstances, the local authority can itself confirm the order with or without modification or refuse to confirm the order in accordance with the provisions of section 216 of the Planning and Development Act, 2000, as amended.

The Board notes this compulsory purchase order also involves the extinguishment of a public right of way.

The Board has absolute discretion to hold an oral hearing in respect of any application before it, in accordance with section 218 of the Planning and Development Act 2000, as amended. Accordingly, the Board will inform you on this matter in due course.

If you have any queries in the meantime, please contact the undersigned officer of the Board at [laps@pleanala.ie](mailto:laps@pleanala.ie)

Tel	Tel	(01) 858 8100
Glaio Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	<a href="http://www.pleanala.ie">www.pleanala.ie</a>
Ríomhphost	Email	<a href="mailto:bord@pleanala.ie">bord@pleanala.ie</a>

64 Sráid Maoibhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

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

Yours faithfully,



Eimear Reilly  
Executive Officer  
Direct Line: 01-8737184

CH02R

Tell  
Glaó Áitiúil  
Facs  
Láithreán Gréasáin  
Ríomhphost

Tel  
LoCall  
Fax  
Website  
Email

(01) 858 8100  
1800 275 175  
(01) 872 2684  
[www.pleanala.ie](http://www.pleanala.ie)  
[bord@pleanala.ie](mailto:bord@pleanala.ie)

64 Sráid Macilbhríde  
Baile Átha Cliath 1  
D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902

Frank Burke & Associates  
Baldara  
Trim Road  
Navan  
Co. Meath  
17/1/2024

<b>AN BORD PLEANÁLA</b>	
LDG-	069612-24
ABP-	318629-23
30 JAN 2024	
Fee: €	Type:
Time: 9.00am	By: Pat.

To/  
Secretary  
An Bord Pleanála  
64 Marlborough St.  
Dublin 1  
D01 V902

Re: - Compulsory Purchase of Land - Meath Co. Co. – N2 Slane Bypass and Public Realm  
Enhancement Scheme Compulsory (no. 1) Order 2023

CPO Ref. 100,101 & 103 AA1 –AA2

Dear Sir,

On behalf of Mark Laird of Dawnview, Johnstown, Co. Meath, we wish to lodge a submission on the CPO scheme as currently prepared and published by Meath County Council in November 2023 last.

We must point out that our submission to the Bord is not in opposition to the merits of the proposed scheme, to which my client has no objection, *but to the land ownership and occupancy details as set out in the various schedules published as part of the public notification process.*

There are two sections of land where my client has an interest, namely;-

#### Section 1

Land located to the east of the existing N2, which *we have shaded green on the enclosed copy of a land registry map.* This section of land is required for the construction of the CPO as published and my client's interest has not been recognised by the Council.

In regard to the above, this section of land is registered to Meath County Council and as such my client's interest in same was not included in the CPO schedule, part of Meath Folios MH70199F & 70207F refers. Our research shows that this section of land was acquired by the Council in November 1968 (over 50 years ago) for the improvement of the N2 just south of Slane Village. The shaded area was part of a larger land acquisition. The full land take was not used for the completed road works, this was normal practice. To illustrate, the new road construction at Johnstown involved both a realignment of the carriageway and the raising of the road levels on

the N2 at Johnstown. The land take at the time would have allowed the Council to construct the new realigned road embankment and the associated side slopes together with a working area for construction purposes. The finished works also involved the erection of a concrete post and rail roadside fence separating the new road from the adjoining lands. This fence was erected at the top of the embankment at the level of the new road. The land on the field side of the new fence reverted to the landowner. In this case both the side slopes of the new embankment and the working space were left as part of the agricultural field. There was no formal transferring of the said section of land back to the farmer. It must be stressed that for road schemes at the time, the future maintenance of new fences after their erection became the responsibility of the landowner. We would add that the concrete post and rail fence was a type of fence usually associated with new road schemes carried out by County Councils. In effect, the shaded area is the part of the land formally acquired by the Council that reverted to the landowner from whom they acquired the lands.

My client acquired his holding from Gerard, Karol and Paul Halpin in November 1998. Since then he has worked his holding including the lands that are the subject of this submission, in effect for well over the period where "squatter's title" would apply. We understand that the Halpin brothers also worked the section of land that is the subject of this submission. In working his holding, Mark Laird also maintained the said concrete post and rail roadside boundary fence that was erected by the council

After the acquisition of the land, Mark Laird applied for planning permission for the erection of a new dwelling on his land and was granted same by Meath County Council. Planning File 01/4295 refers. The erection of this new dwelling included the construction of a new recessed entrance across the shaded area. The house and associated new entrance was erected in 2002/3.

There is a serious issue arising about the validity of the CPO arising from the omission of the Council to include our client interest in the subject lands in the published schedules. We would contend that our client's interest in the shaded lands should have been included in the CPO scheme and associated documentation, naming our client as the "reputed owner" or at least "occupier" of the said lands.

We would indicate to the Bord that our client's Solicitor, Mr. Patrick Branigan, will be putting procedures in place to rectify the ownership issue and register the lands in question in our client's name. As we previously indicated my client has no objection to the scheme as designed, but we will be asking the Council to concede formally that our client is the legitimate owner of the shaded lands. If they agree the matter will then become an issue for compensation if the CPO scheme as published is confirmed and would allow Mark Laird to withdraw this submission.

We would have no objection to the Bord referring this matter to the Council for their consideration in the interim.

## **Section 2**

We would refer the Bord to section 101a.2 in the schedule where our client is listed as having only an "occupier" interest in the section of land that is so designated. We would contend that

our client is the full owner of the said section of land. Again, we would indicate that Mr. Branigan will be putting procedures in place to rectify the land registration situation in our clients favour.

I would be obliged if the Bord would acknowledge receipt of this submission to my client Mark Laird, Mr. Patrick Branigan and also to me.

Sincerely



**Frank Burke**  
**Chartered Engineer**

C.c. (1) **Mark Laird, Dawnview, Johnstown, Slane, Co. Meath**  
(2) **Mr. Patrick Branigan, Solicitor, Unit 11B Fitzwilliam Court, Dyer St. , Drogheda, Co. Louth**

**Encl.: - Map with Section 1 area marked in green**



**Taite Eireann**

Clúdach, Luchtáil, Suirbhreacht, Registration, Valuation, Surveying

**Official Taite Eireann Registration Map**

This map should be read in conjunction with the folio.

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(Colour-line of parcel(s) edged)

Freehold

Leasehold

Subleasehold

'S' Register

(see Section 81(b)(iii) of Registration of Title Act 1964 and Rule 224 & 225 Land Registration Rules 1972 - 2010).

**Burdens (may not all be represented on map)**

Right of Way / Wayleave

Turbary

Pipeline

Well

Pump

Septic Tank

Soak Pit

A full list of burdens and their symbology can be found at: [www.landinfo.ie](http://www.landinfo.ie)

