Appendix 1 - 7th November 2011

COMHAIRLE CHONTAE LIATROMA

Áras an Chontae,
Cora Droma Ruisc,

27th October, 2011

To: Cathaoirleach agus gach Ball
COMHAIRLE CHONTAE LIATROMA

Re: Notice of Intention to Dispose of Land at Townparks,
Carrick.On.Shannon

Dear Councillor,

Notice is hereby given in accordance with Section 183 of the Local Government Act, 2001 that Leitrim County Council proposes to dispose of property as set out hereunder and as detailed on the attached map for the sum of €7,620 to Inland Waterways Association (Carrick on Shannon) Mooring Company Ltd. (Company No. 82418) subject to the conditions as outlined.

<table>
<thead>
<tr>
<th>Registered Owner</th>
<th>Description of Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leitrim County Council</td>
<td>Plot of land comprising circa 3 acres in the townland of Townparks, Carrick.On.Shannon</td>
</tr>
</tbody>
</table>

The property referred to is already the subject matter of a 99 year lease entered into in July 1983 and it is the leasees preference to purchase the freehold at a price which is deemed to be reasonable taking into account the term remaining on the lease and the fact that it is subject to a fixed lease fee

**Conditions**

1. Purchase Price is €7620 (seven thousand six hundred and twenty euros)
2. Each party to be responsible for their own legal costs
3. Provision of a wayleave for the benefit of the purchaser to provide access to the property the subject matter of this Notice as set out on the attached map.

This item will be included on the Agenda of the November Council Meeting at which it may be considered.

Yours sincerely,

*Joseph Gilhooley*

JOSEPH GILHOOLEY DIRECTOR
PLANNING, COMMUNITY AND ECONOMIC DEVELOPMENT
/CD
Ref. No. 11/C/10

This report has been prepared in accordance with the requirements of Section 179 (2)(B) of the Planning and Development Act 2000.

(i) describe the nature and extent of the proposed development and the principal features thereof, and shall include an appropriate plan of the development and appropriate map of the relevant area,

The proposal is for the re-alignment of a section of National Primary Road N16, in the townlands of Cornacloy, Barrs East, Cullentragh and Sradrine.

The locations of the proposed works are shown on the attached maps.

(ii) evaluate whether or not the proposed development would be consistent with the proper planning and sustainable development of the area to which the development relates, having regard to the provisions of the development plan and giving the reasons and the considerations for the evaluation.

The development is considered to be in accordance with the aims and objectives of the County Development Plan 2009-2015. I refer to the following sections of the County Development Plan 2009-2015:

Section 1.07.04 Transport and Communications

To promote the improvement of the existing road network to aid economic development, enhance safety and minimise negative environmental impacts.

2.05 Transportation

2.05.01 Sustainable Transportation

In accordance with the principles of sustainable development the basis of the Council’s transportation policies will be to:

- minimise the negative impacts of traffic on the environment by developing an efficient and safe road network.

2.05.06 Roads

A modern, efficient and safe road network is vital for the future development of Leitrim.

Policy 5.6a

It is the policy of the Council to upgrade the National Primary Routes serving the County. This shall be achieved by carryout and completing the following road schemes within the lifetime of the plan;

N16 Manorhamilton to Cavan County Boundary at Glenfarne
N16:
The Council also considers the realignment of the entire N.16 route in county Leitrim as vital to the long-term development of the county and thus the Council supports the upgrading of the N.16.

It is considered that the development proposed would not be seriously injurious to the amenities of the area and would be in accordance with the policies and objectives of the County Development Plan.

Appropriate Assessment

A Statement for Screening for Appropriate Assessment has been included in the Part 8 documentation. The statement of screening report concludes that the project will not give rise to significant adverse impacts on the integrity of any Natura 2000 site.

It is considered that the statement of screening report is in general satisfactory and that its conclusions are valid. No AA is therefore required before making a decision in relation to this project.

(iii) list the persons or bodies who made submissions or observations with respect to the proposed development in accordance with the regulations under subsection (2).

The following external bodies and authorities were notified of the proposed development:

- Sligo County Council
- Fermanagh County Council
- Cavan County Council
- Border Regional Authority
- National Roads Authority
- Inland Fisheries Ireland, Northern River Basin District
- Electricity Supply Board
- Development Applications Unit, Department of Arts, Heritage and the Gaeltacht
- Failte Ireland
- An Comhairle Ealaíonn
- The Heritage Council
- An Taisce

The following internal departments were notified of the proposed development:

- Senior Engineer, Environment (LCC)
- District Engineer, Manohamilton (LCC)

The closing date for receipt of submissions was Friday 7th October 2011.
To that date submissions have been received from:
- Sligo County Council,
- Cavan County Council,
- Fermanagh District Council,
- Inland Fisheries Ireland,
- Development Applications Unit, Department of Arts, Heritage and the Gaeltacht,

A submission has also been received from one member of the public, Mr Patsy Murray.

(iv) summarise the issues, with respect to the proper planning and sustainable development of the area in which the proposed development would be situated, raised in any such submissions or observations, and give the response of the manager thereto, and

The submission from Sligo County Council states that Sligo County Council has no comments to make regarding the proposed realignment works.

The submission from Cavan County Council states that they have no submissions/observations, however, it is requested that full details of any diversion of traffic on the N16 is submitted to Ballyconnell Area Office, Ballyconnell, Co. Cavan.

The submission from Fermanagh District Council states that they are supportive of the proposals to further improve the National Primary Route N16 as this will significantly aid traffic movement on the N16/A4 strategic route from Sligo and the West through Enniskillen to Belfast in the East.

Inland Fisheries Ireland has commented on fisheries aspects of the scheme due to it being within the Glenfarne River catchment. Reference to specific Guidance Documents has been made to avoid adverse impacts during construction and operation of the scheme.

The submission from The Development Applications Unit of the Department of Arts, Heritage and the Gaeltacht comments that it concurs with the recommendations outlined in the archaeological assessment included in the Part 8 documentation and recommends that archaeological pre-development testing be carried out.

A submission has been received from Mr Patsy Murray which states that he has a property interest at Easts Barrs, Glenfarne and that he ‘lodges an objection to the Part 8 realignment of the N16’. No further detail/information has been furnished by Mr Murray.

(v) recommend whether or not the proposed development should be proceeded with as proposed, or as varied or modified as recommended in the report, or should not be proceeded with, as the case may be.
The content of the submission from the Mr Patsy Murray who has a property interest at East Barrs Glenfarne has been brought to the attention of the Senior Engineer Road Design who has reported that following initial discussions with both Mr Murray and the NRA that the matters concerning Mr Murray will be resolved.

The content of the other submissions listed above has been noted. The matters raised therein can be included in any consent which may be adopted.

I recommend that the proposed development proceed subject to the following requirements.

1. The development shall be executed in accordance with plans, particulars, details and specifications lodged as part of the Part 8 Consultation, save, as is hereinunder otherwise required.

2. Consultation with Inland Fisheries Ireland shall be undertaken prior to commencement, together with implementation of relevant practices established in guidance documentation published by the National Roads Authority, Inland Fisheries Ireland and CIRIA (Construction Industry Research and Information Association).

3.a The services of a suitably qualified archaeologist (licensed under the National Monuments Acts 1930-1994) shall be engaged to carry out pre-development testing at the site. No sub-surface work shall be undertaken in the absence of the archaeologist without his/her express consent.

b. The archaeologist is required to notify the Department of Arts, Heritage and the Gaeltacht in writing at least four weeks prior to the commencement of site preparations. This will allow the archaeologist sufficient time to obtain a licence to carry out the work.

c. The archaeologist shall carry out any relevant documentary research and may excavate test trenches at locations chosen by the archaeologist, having consulted the proposed development plans.

d. Having completed the work, the archaeologist shall submit a written report to the Department of Arts, Heritage and the Gaeltacht for consideration.

e. Where archaeological material is shown to be present, avoidance, preservation in situ, preservation by record (excavation) and/or monitoring may be required and the Department of Arts, Heritage and the Gaeltacht will advise the contractor with regard to these matters.

f. No site preparation or construction work shall be carried out until after the archaeologist's report has been submitted and permission to
proceed has been received in writing from the Department of Arts, Heritage and the Gaeltacht.

4. Any proposed diversion of traffic to facilitate the works shall be notified to the relevant Area Engineers Office, in advance of such diversions being put in place.

Geraldine Coen  
Assistant Engineer (Planning)

Ciaran Tracey  
Senior Planner

Jackie Maguire  
Leitrim County Manager