

The Secretary
An Bord Pleanála
64 Marlborough street
Dublin1

18th October 2018

Re Kerry County Council South Kerry Greenway Compulsory Purchase Order No. 1, 2018

Ref: PL 08 302452

Applicant: Kerry County Council

To whom it may concern,

IFA recognises that recreational routes such as the proposed South Kerry Greenway (SKG) have an important role to play in promoting agri-tourism and economic activity in rural areas. This represents the national position of the Association¹ and has been clearly set out in meetings and correspondence with Kerry County Council² and their sponsoring Department for this proposed development, the Department of Transport, Tourism and Sport.³

The Association is objecting to this proposed project because we believe:

1. All legal requirements were not followed.
2. It contravenes an undertaking given to landowners in the feasibility study, that compulsory acquisition of lands would not take place.
3. It contravenes Government Policy, as set out in the *Strategy for the Future Development of National and Regional Greenways*.
4. The Environmental Impact Assessment Report is incomplete, because it does not set out how Kerry County Council
 - considered alternative routing options presented by landowners ' or
 - used professional agronomists when determining the impact of the proposed project on land holdings.

These objections are outlined further below.

1.All legal requirements were not followed.

¹ IFA (2017) *IFA submission to the Department of Transport, Tourism and Sport on the Public Consultation Paper regarding a Strategy for the Future Development of Greenways*. – See Appendix 1

² IFA (2018) Letter to Kerry County Council regarding proposed South Kerry Greenway project - See Appendix 2

³ IFA (2018) Letter to the Department of Transport regarding proposed South Kerry Greenway project – See Appendix 3

1.All legal requirements were not followed.

Kerry County Council (KCC) is seeking to make a valid planning application for this proposed recreational route under Section 51 of the Roads Act 1993 (as amended by section 9 of the Roads Act 2007). However, these Roads Acts only grant powers to KCC to make an application for a motorway scheme, a service area scheme, a busway scheme and a protected road scheme. The powers under the Acts do not extend to recreational routes such as the proposed SKG.

KCC is also seeking to impose a compulsory purchase order on impacted landowners, using the powers of the Housing Act 1966, which to date have not being used for recreational routes such as greenways.

The Housing Act 1966 (Third Schedule) obliges KCC to serve a notice about this planning application to every owner, lessee and occupier of any lands which will be affected by this proposed greenway. IFA understands that all landowners, lessees and occupiers have yet to receive this notification.

Therefore, IFA is objecting to this proposed greenway because we believe the legal requirements of the Roads Act 1993-2015 and the Housing Act 1966 have not been adhered to.

2.Contravention of an undertaking given to landowners regarding the use of CPOs on this greenway

The genesis of the proposed South Kerry Greenway Project began earlier than the April 2013 Fáilte Ireland commissioned market research referred to by Kerry County Council in the Project (Economic) Appraisal Report for the South Kerry Greenway.⁴

The actual genesis of the proposed South Kerry Greenway Project was the Feasibility Report⁵ prepared by South Kerry Development Partnership, with the support of Kerry County Council, the Rural Development (LEADER) programme, and the Department of Environment, Community and Local Government. This feasibility report was then used to support the successful April 2014 application by Kerry County Council to the Department of Transport for funding for the design and development of a proposed greenway in South Kerry.

Local landowners impacted by this project feel misled and badly treated by Kerry County Council given the clear undertaking set out in page 16 of the feasibility study to the following question:

Question: If 100% consent is not achieved will a CPO process be undertaken?

Response: No. If consent is not achieved from landowners an alternative route will be investigated.

Despite this, the landowners impacted were and remain supportive of this greenway, so long as lands are not compulsory acquired and all efforts are made to develop the proposed greenway in a way which limits the impact on their farm holdings, as required in the Department of Transport's National

⁴ Kerry County Council (2018) *Project (Economic) Appraisal Report for the South Kerry Greenway*, page 5

⁵ South Kerry Development Partnership (2011) *Glenbeigh to Cahersiveen Greenway Feasibility Report* – Appendix 4. Extracts from this Report

Greenway Strategy.⁶ The alternative routing options put forward by the landowners (on their own lands) have never been recorded, noted or commented on in any formal way by KCC and are not included in the Environmental Impact Assessment Report for the project. Therefore, these landowners have concluded that the consultation process was flawed as their alternative routing options were never given any serious consideration. This view is supported by the fact that over 45% of the agricultural holding will be severed, to accommodate this proposed greenway cycle track, as currently designed.⁷

IFA has as far back as 2015⁸ requested Kerry County Council to adopt a more proactive approach to working in a co-design collaborative way with landowners for the development of this greenway, highlighting that "Landowners genuinely feel duped by the Council. Having engaged in good faith they are now being treated very badly." IFA, at the time proposed the following six points, which were subsequently by and large adopted by the Department of Transport in their *National Strategy for Greenway Development*:

1. The threat of the heavy-handed use of CPOs must be lifted.
2. A professional agronomist must be appointed by Kerry County Council to meet with each landowner to understand and resolve their concerns.
3. No farmer's holding should be severed or divided to facilitate this Greenway project
4. Additional support must be put in place to assist landowners with title deed issues.
5. The community-based model which has delivered over 2,000km of walkways voluntarily on farmers lands, must be applied.
6. The Council must hold community clinics to address queries and concerns.

IFA is objecting to this proposed project because regrettably the above proposals while accepted in the Department of Transport's National Greenways Strategy as best practice were ignored by Kerry County Council. KCC also ignored the majority of alternative proposals put forward by impacted landowners and have disregarded an undertaking given to landowners, by pursuing this CPO route.

Government policy on the use of CPO's has been reaffirmed in recent months, with Government Minister Ciaran Cannon T.D. confirming that CPO's are not part of the greenway development process.⁹

3.Contravention of Government Policy for the development of greenways

In July 2018, in advance of Kerry County Council lodging this planning application, the Government of Ireland (Department of Transport, Tourism and Sport) published the *Strategy for the Future Development of National and Regional Greenways*. IFA believes that substantial parts of this strategy were not adhered to by Kerry County Council and they are outlined below.

- The Greenways Strategy states that: "Where Greenways are planned in areas of private land, they should be designed to traverse field boundaries and hedgelines to avoid severance."

⁶ Department of Transport (July 2018) *Strategy for the Future Development of National and Regional Greenways*, pages 7, 13, 14, 16.

⁷ Kerry County Council (2018) *Environmental Impact Assessment Report, Volume 2, Chapter 7* page 21

⁸ IFA (2015) Letter to Kerry County Council – Appendix 5

⁹ Connacht Tribune (2018) *Cannon rules out CPOs for future Greenway routes* – Appendix 6

Kerry County Council have failed in their planning application and in particular the Environmental Impact Assessment Report to set out how they are adhering to this requirement. KCC has had little regard for the integrity of farm holding, instead being too heavily influenced by the previous location of the old rail line (which is since the 1960's in private ownership, and in greenfield/non-existence).

However farmers remain willing to work with KCC, if the greenway was designed in a way which adheres to the requirement to limit and reduce severance of farms.

- The Greenways Strategy states that: "An Agronomist should be appointed by the project promoters."

As previously outline, IFA has since 2015 called for an agronomist to be appointed to this project. We believe that the failure of KCC to appoint an agronomist is the main reason for the unnecessary conflict between the landowners and KCC and the failure to reach voluntary agreements. The appointment of such agronomists are standard practice for infrastructure projects that involve state agencies, including local authorities.

The role of such an agronomist is to advocate for and articulate each individual landowners' concerns and present the landowners alternative route proposals, in a co-design approach to the development of the project.

IFA is objecting to this proposed project because of KCC failure to adhere to the National Greenways Strategy and appoint a landowners' agronomist to this project.

- The Greenways Strategy states that: "It is essential in those cases [proposed Greenways traverse land that is in private ownership] that proposals and routes are developed in a consultative and proactive manner with the potentially affected landowners, that is sensitive to their needs, that maximises their support for, and goodwill towards, the proposed Greenway.."

IFA is objecting to this proposed greenway because KCC has shown little willingness to deliver on this requirement of the National Greenways Strategy. Farmers have and continue to present alternative routing options along field boundaries on their farm holdings which limit the impact on their farm businesses and safeguard their goodwill for the project. However these alternatives have been ignored.

4.Failure of the Environmental Impact Assessment Report to set out and address the full impact of the proposed greenway on farming activity

This project as proposed will have a significant impact on farming activity, with 73 of the agricultural holdings being severed to facilitate the proposed greenway cycle track.¹⁰ The Department of Housing, Planning and Local Government's guidelines for planning authorities and An Bord Pleanála on carrying out environmental impact assessments requires developers to engage competent experts when completing an Environmental Impact Assessment Report. The report while referring to agricultural impacts, has not identified the expertise relied upon or the reasons why reasonable alternatives put forward by local landowners were not recorded or formally responded to by KCC.¹¹

¹⁰ Kerry County Council (2018) *Environmental Impact Assessment Report, Volume 2, Chapter 7* page 21

¹¹ Page 24 of the *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment* (2018) states that the information to be provided by the developer must, at least, address

In addition, the Environmental Impact Assessment Report is incomplete¹² as it has not set out any responses to the issues raised by the farming consultees during various meetings and exchanges of letters.

IFA is objecting to this proposed project because we believe the Environmental Impact Assessment Report is incomplete and has not adhered to the requirement to consider reasonable alternatives put forward.

Concluding comments

The concerns raised by farmers impacted by this proposed project that are highlighted in this submission are genuinely and sincerely held. IFA requests that full consideration is given to the concerns raised in this submission and that they are fully addressed.

We would appreciate the opportunity to expand further on this submission at an Oral Hearing.

Yours sincerely,

Pat O'Driscoll

Pat O'Driscoll
Chairman
Kerry IFA

Thomas Cooney

Thomas Cooney
National Chairman
IFA Environment Committee

the matters detailed in Article 5(1)(a) to(f) of the Directive (Directive 2011/92/EU, as amended by Directive 2014/52/EU) to include a description of the reasonable alternatives' studies by the developer.

¹² Kerry County Council (2018) *Environmental Impact Assessment Report, Volume 2, Chapter 4*

Appendices

Appendix 1

**IFA submission to the Department of Transport, Tourism and Sport on the Public Consultation
Paper regarding a Strategy for the Future Development of Greenways**

**IFA submission
to the Department of Transport, Tourism and Sport
on the Public Consultation Paper
regarding a *Strategy for the Future Development of Greenways.***

**The Irish Farm Centre
Bluebell
Dublin 12**

July 2017

IFA recognises that recreational routes such as Greenways and Blueways have an important role to play in promoting agri-tourism and economic activity in rural areas.

However, they will also have a significant impact on farming activity and rural communities. Naming of recreational routes such as “Greenways” should be reconsidered, as they almost imply an entitlement to go off route and fragment farm holdings in pursuit of the development of recreational routes. Such routes should firstly be confined to state-owned lands and then only developed by agreement on private lands, along farm boundaries and be a combination of off and on public roads, similar to the development of recreational routes in other countries.

In addition all funding for the development of recreational routes should be withheld by the Department of Transport, Tourism and Sport until a national framework is developed which respects the rights and entitlements of landowners and sets out the professional procedure that development agencies must follow when developing greenways.

The Associations’ position on the key issues raised in the consultation paper are set out below.

Engagement when developing Recreational Routes

In general, consultation with landowners has been haphazard and in some instances nonexistent. For example, members impacted by the proposed Dublin to Galway project have reported that their first knowledge of a greenway came when they attended meetings at which maps were produced that had lines drawn across their farms, which disregarded the impact of the proposed greenway on their farm businesses, livelihoods and the security of their families. This is unacceptable.

Landowners are the most important stakeholder in the development process. They are expected to host a greenway, endure disturbance during construction and have an on-going impact of a greenway on their holdings. Therefore there is an obligation on the lead agency (Department of Transport, Tourism and Sport) to develop a standardized approach of engagement with landowners that all local authorities must follow.

This must recognise the unique position of landowners, as key stakeholders. It must also commit to working with landowners and rural communities to deliver the following:

- Landowners and IFA must be consulted in advance of route selection and the publication of a defined route corridor.
- All efforts must be made to secure voluntary agreements with landowners. There should be no threat of the compulsory acquisition of land.
- The integrity of farm holdings must be protected by limiting the impact of a proposed recreational route on individual farms. This should be achieved by engaging with local landowners at route designing stage and it must take place in advance of wider public consultation.
- All efforts must be made to use available public lands, before seeking to encroach on farmers’ lands.
- A code of practice must be developed, which sets out the rights and entitlements of landowners.
- The services of a professional agronomist must be provided to each landowner impacted to assist in understanding and resolving concerns, at no cost to the landowners.
- Any losses incurred such as exclusion from farm schemes and impact on basic payment must be fully compensated.

- Local authorities and other delivery agencies must hold community clinics throughout the development of each project, to address queries and concerns and a Project Liaison Officer must be appointed to each project.
- Any landowners impacted by recreational routes must be indemnified against any potential claims arising or associated with such projects.
- All health and safety concerns, including and most importantly farm security must be adequately addressed.

Land Access Arrangements

Farmers and rural communities have a proven track record of working with Comhairle na Tuaithe and others, to develop acceptable land access arrangements for themselves and recreational users.

For example, the Walks Scheme launched in 2008 provides a blueprint for the successful delivery of recreational routes, by involving farmers in the development and maintenance of such projects.

The Walks Scheme has removed much of the conflict that previously existed by highlighting the voluntary nature of the scheme, providing on-going local employment for the maintenance and upkeep of the walks and ensuring adequate insurance cover is in place by local authorities. The scheme has also contributed to a significant level of economic activity in rural areas.

IFA is of the view that the Department of Community & Regional Affairs is best placed to develop the necessary land access arrangements.

Consideration in the consultation document to developing a land access policy based on the use of CPOs must be avoided.

Greenway Users, Standards & Accessibility

Concerns expressed by IFA members who may be impacted by proposed recreational routes include:

- Security
- Privacy
- Dogs
- Littering
- Agricultural & domestic crossings.

In light of these genuine concerns, IFA supports controlled access to greenways, with

- Access during daylight hours only
- No access of dogs to greenways
- Designated litter wardens, with powers to issue fixed notice penalties, and
- CCTV cameras installed to deter littering and criminal activity

Specifically on animal health, IFA's Animal Health committee have recently adopted a position in relation to infrastructural development. This is due to the disturbance of wildlife that occurs and the animal health threat that emanates from this. The key concern in this area is the disturbance of badgers and the TB impact in neighbouring farms that this can have and, in certain areas, deer are also a concern.

To mitigate against this, the Committee is seeking the inclusion of a wildlife survey and action plan in advance of any recreational routes taking place, to minimise the numbers disturbed which reduces the risk of disease spread to cattle.

Therefore IFA is seeking the inclusion of such a wildlife survey in the initial planning stages of recreational routes. Where populations of badgers are identified in the area, a plan must be included to reduce numbers before works commence. It should be noted, in areas that have previously experienced TB in cattle, a licence is already in place to capture badgers. Therefore intensive capturing should be planned prior to works commencing. Where a license does not exist, the Department of Agriculture, Food and the Marine must develop a mechanism that provides a short term capture license for the preventative removal of badgers.

The disturbance of deer is primarily due to deforestation and where/if this is required as part of a development, on disease preventative grounds, the Department of Agriculture, Food and the Marine must facilitate and support a reduction in the numbers of deer in the area.

Appendix 2

Letter to Kerry County Council regarding proposed South Kerry Greenway project

IFA Office,
FBD House
Fels Point,
Tralee,
Co. Kerry.
11 September 2018

Ms Moira Murrell,
Chief Executive,
Kerry County Council,
Rathass,
Tralee,
Co Kerry.

Dear Moira,

In response to your letter dated September 10th 2018 we are happy to meet with you on Thursday next on the basis that there are no pre-conditions and all items are on the table for discussion. One of our main points for discussion will be our proposal dating back to 2015 for the appointment of an agronomist to advocate the landowners' proposals, in a more inclusive co-design greenway development process. Also we will be requesting that the commitment given on page 16 of the 2011 feasibility study of the project which formed the basis of funding for the route design is honoured, that is that no land owner will be CPO'd as part of the process.

Like Kerry County Council, IFA also supports the development of this Greenway to support rural development and wider economic activity in South Kerry. We are therefore concerned that the approach taken to date by the Council may impact on future funding being made available from the Department of Transport, as the approach does not conform with the national greenway strategy policy, which was published in advance of the planning application being lodged.

In this regard we have two particular asks, 1) that all legal action against landowners are withdrawn, 2) that all measures in the national greenway strategy are adhered to, in particular the appointment of an agronomist, all efforts are made to limit the

severance impact on farm holdings and that maximum landowner and community support is achieved.

Looking forward to meeting you and your management team on Thursday next.

Yours Sincerely,

Pat O'Driscoll

Pat O'Driscoll

Kerry IFA Chairman

Appendix 3

Letter to the Department of Transport regarding proposed South Kerry Greenway project

Mr Shane Ross TD
Minister for Transport, Tourism and Sport
Leeson Lane
Dublin 2, D02 TR60

11 July 2018

Via Email and Post

Dear Minister,

The Association's National Council met yesterday. During this meeting considerable opposition was expressed regarding proposals by Kerry County Council to push forward with their threat to carve up and CPO farms, as part of a proposal to develop a walking and cycling recreational route in the southern part of the County, called a greenway. This strong view is similar to those expressed by myself and the IFA delegation from Galway and Kerry that met with you recently.

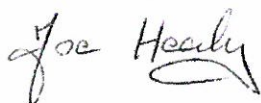
There is solid support for the development of recreational routes, to bolster rural economies and enhance the tourism offering in rural areas. However, greenways must be developed as part of a *co-design* process which has delivered projects such as the Great Western Greenway and the Waterford Greenway. *Co-design* means working with landowners in the development of greenways on a permissive access basis and voluntary agreements.

In 2015, IFA in County Kerry made a direct request of Kerry County Council to appoint an agronomist to work with landowners as part of a *co-design* process. Regrettably that request was ignored then and we renew that request directly to you now. We also ask you to intervene to stop Kerry County Council's current threat of legal action against a number of landowners on this project.

Farmers along this proposed recreational route and others are willing to work with Councils to deliver these walks and cycle routes, however the integrity of the farm businesses and the ability to farm after the recreational routes are put in place must be fully safe guarded. This means using all available public lands first and only impacting on private lands where voluntary agreements are put in place.

I strongly urge you to work to secure the appointment of an agronomist on the proposed South Kerry Greenway project and to remove the threat of CPOs for the development of this and future greenway recreational routes. It is important that this assurance is provided in the long-awaited Greenways Strategy, which we continue to call for the publication of. Landowners impacted deserve certainty and guarantees that their rights will be protected.

Yours sincerely,



Joe Healy

Appendix 4

Extracts from Glenbeigh to Cahersiveen Greenway Feasibility Report



Glenbeigh to Cahersiveen Greenway Feasibility Report

South Kerry Development Partnership

October 2011

This report has been co-funded under the Rural Development (LEADER) Programme, administered in this area by the South Kerry Development Partnership Limited



Comhshaol, Pobal agus Rialtas Áitiúil
Environment, Community and Local Government

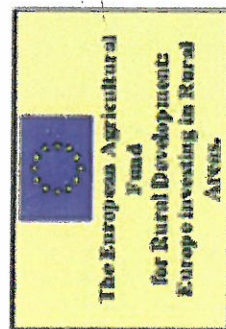


Table 4.1 Consultation Questions and Answers

Primary Subject	Discussion Outline and Responses
What is the timeline for the project?	<p>The feasibility study is the preliminary stage of the project.</p> <p>Based on the Case Study in Mayo the construction was undertaken over a short timescale. The entire 40km, which is just about completed, was undertaken in three phases over approximately 2 years.</p> <p>Commencing construction is subject to funding and potential conditions of funding, however if this was achieved it is conceivable that the project could be delivered within a three year timescale.</p>
Will the project be undertaken in phases?	<p>This has not been determined, however from a funding perspective it is likely to be delivered in phases.</p> <p>Initial thoughts on the phasing would be to deliver the landmark section across Glensk Viaduct first.</p>
Where will the route start and end?	<p>The study area for this feasibility study is from Glenbeigh to Cahersiveen. It is essential that the scheme is developed in accordance with the aims of the project which essentially is trying to get people to stop and spend time in these locations. As such the Greenway will have a start and end point in the towns.</p> <p>The Feasibility Study also has a brief to develop a Vision for a Ring of Kerry Cycle Way and this will incorporate extending the Greenway to other towns.</p>
Will landowners receive a payment?	<p>No, a direct payment for the land will not be made.</p> <p>It is proposed to obtain a permissive access through land along the route. As such the landowner will maintain ownership of the land.</p> <p>From case studies of other similar schemes it is likely that accommodation works will be undertaken. These will be developed in consultation with the land owner.</p>

Primary Subject	Discussion Outline and Responses
Is consent from all landowners achievable?	<p>The aim is to achieve consent from all landowners.</p> <p>Initial Reactions from landowners has in general been very positive with the majority of landowners granting access to walk through their land and many have met us on the land to discuss the scheme.</p>
If 100% consent is not achieved will a CPO process be undertaken.	<p>No.</p> <p>If consent is not achieved from landowners an alternative route will be investigated.</p>
Will the landowner be liable for claims from users of the scheme?	<p>No.</p> <p>With reference to the Mayo Case Study any public liability insurance issues were covered by the County Council.</p> <p>It is considered that a similar arrangement will be developed for this scheme.</p>
Will landowner Area Aid / Single Farm Payment be affected?	<p>Yes.</p> <p>The area occupied by the cycle scheme will be classified as a path and as such will be required to be removed from area aid drawings and calculations.</p>
How wide will the Greenway be?	<p>3m will be the recommended width. However over short lengths this can be reduced where a pinch point exists.</p> <p>The 3m provides a comfortable width for passing cyclists / walkers and has the added benefit of creating enough space for vehicle access during construction.</p>
Can I use the Greenway for access to / across my farm?	<p>Yes.</p> <p>In locations along the route the land owner is presently using the route to drive livestock or heavy machinery. In locations such as these the finish will be bound, increasing durability and allowing the farmer to use the route to undertake farming activities.</p>

Appendix 5

Letter to Kerry County Council

Mr John Brassil
Cathaoirleach
Kerry County Council
The Pharmacy
Ballyhaigue
Co. Kerry

13th February 2015

Via email and post

A Chathaoirleach,

IFA was recently invited by South Kerry Development Partnership to provide a presentation to landowners who may be impacted by the proposed Greenway between Glenbeigh and Cahersiveen.

Those present at the meeting recognise the potential of this project as a catalyst for tourism and economic development in the area.

However, there was outright objection by landowners to the proposal by Kerry County Council to compulsorily take over farmers' land for this proposed Greenway.

Indeed the view was expressed by some after the meeting that if Kerry County Council do this now will they come back and also threaten to CPO where existing walkways exist.

Landowners genuinely feel duped by the Council. Having engaged in good faith they are now being treated very badly. Some landowners present expressed dissatisfaction at the poor communication and lack of information around issues such as indemnification, maintenance of fencing and other matters.

There is a real urgency now to deal with this issue in a pragmatic way which allows the project to happen – while safeguarding the right of the local community. I am therefore asking for your support for the motion put forward, at the forthcoming meeting.

I am also asking you to work with us to deliver the following six action points – which we believe will make a real difference:

1. The threat of the heavy handed use of CPOs must be lifted.
2. A professional agronomist must be appointed by Kerry County Council to meet with each landowner to understand and resolve their concerns.
3. No farmer's holding should be severed or divided to facilitate this Greenway project
4. Additional support must be put in place to assist landowners with title deed issues.
5. The community based model which has delivered over 2,000km of walkways voluntarily on farmers lands, must be applied.
6. The Council must hold community clinics to address queries and concerns.

I trust you will give this matter your urgent attention and ensure fairness exists for the local community impacted.

Thank you and kind regards,

Sean Brosnan
Chairman
Kerry IFA

Appendix 6

News article – *Cannon rules out CPOs for future Greenway routes*

Cannon rules out CPOs for future Greenway routes

BY DECLAN TIERNEY

UNDER no circumstances will a farmer in East Galway be slapped with a compulsory order for the acquisition of their land for the provision of a walking and cycling greenway.

This was the commitment given by a Government Minister of State who has informed Galway landowners that they will never be subjected to a CPO.

And it has been learned by the *Farming Tribune* that all land owners between Athlone and Galway will be called to a meeting to inform them of a preferred route for a greenway between the two locations that will not divide lands or farms.

Instead, it will utilise State owned lands like Coillte forestry and even property adjacent to the existing Galway to Dublin railway line in order to provide a greenway.

Farmers from East Galway attended a meeting in Athenry at which plans were outlined for a greenway along the old disused railway track to Ballyglunin, Tuam and on towards Milltown and Claremorris.

The farmers in attendance welcomed the fact that a

greenway could be provided on State owned lands without any threat of a compulsory purchase order.

Minister Ciaran Cannon assured farmers that there would never be a threat of CPOs again in their lifetime.

"In the past, they went the wrong way about it. Cutting through people's holdings as the quickest direct route for a greenway was not the way to go. It was scandalous.

"Under the greenways directive, there are alternatives along State-owned lands throughout East Galway including bogs and Coillte forestry that can be utilised.

"And we also have been informed that stretches of the railway track between Galway and Dublin have sufficient width that they can provide greenway cycle lanes," Minister Cannon added.

Farmers from East Galway, in the Woodlawn area in particular, attended a meeting in Athenry at which they supported the concept of a greenway between Athenry and Tuam - and beyond - along the railway line.

They were vehemently opposed to CPOs and expressed the view that no lands should be subjected to compulsory purchase without consent and consultation.

An initial plan to provide a greenway from Athlone to Galway that would intersect holdings sparked outrage amongst the farming community who resisted any threat of CPOs.

Minister Cannon said that what happened at the time was unacceptable and would never happen again.

"They came up with a plan and then devised a route without discussing it with anybody.

"They tried to bulldoze their way through farmers' lands and were sternly told that this was unacceptable.

"CPOs are out the window because there are alternatives to getting a greenway from Athlone to Galway without having to divide any lands in two and this is now part of the new strategy that is in place," Minister Cannon added.

He referred to State-owned lands in Woodlawn, Laurencetown and Meelick that have been identified as being suitable for a greenway along with sections of land beside the existing Galway to Dublin railway track.

"We have looked at it. There are seven metres of ground that can be used for a greenway along the railway track. It is magnificent. No CPOs whatsoever," Minister Cannon added.