

NOTICE OF A COMPULSORY PURCHASE ORDER UNDER

The Water Services Acts, 2007 to 2013 (and, in particular, Section 7 of the Water Services (No. 2) Act, 2013 and Parts 2 and Sections 31 & 32 and Part 7 and Section 93 of the Water Services Act, 2007, as amended). The Planning and Development Acts, 2000 to 2014 (and, in particular Part XIV and Sections 213 and 217 of the Planning and Development Act, 2000) Section 184(2) of the Local Government Act, 2001, 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 and the Second Schedule of the Roads Act, 1993 and by Section 222 of the Planning and Development Act, 2000). The Housing Act, 1966 (and in particular Part V, Sections 76 and 78 and the Third Schedule). The Lands Clauses Acts. The Acquisition of Land (Assessment of Compensation) Act, 1919

AS RESPECTS ALL OR PART OF THE LAND TO WHICH THIS COMPULSORY PURCHASE ORDER RELATES

TO BE PUBLISHED IN ACCORDANCE WITH ARTICLE 4(a) OF THE THIRD SCHEDULE TO THE HOUSING ACT, 1966, AS AMENDED BY THE PLANNING AND DEVELOPMENT ACTS, 2000 – 2014.



COMPULSORY ACQUISITION OF LAND

UISCE ÉIREANN COMPULSORY PURCHASE (KILKEE WASTEWATER TREATMENT PLANT) ORDER, 2025

1. **WHEREAS UISCE ÉIREANN** (hereinafter referred to as “the Company”) a Water Services Authority for the purposes of the Water Services Act, 2007, proposes for the purposes of the Water Services Acts, 2007 to 2013 and in exercise of its powers under Sections 32 and 93 of the Water Services Act, 2007 to acquire compulsorily the lands and rights over land hereinafter described and has made an order entitled as above which is about to be submitted to An Bord Pleanála (hereinafter referred to as “the Board”) for confirmation. If confirmed, the order will authorise the Company to acquire compulsorily:-

- Permanently, the lands** described in Part 1 of the Schedule hereto - which lands are shown **shaded grey** on the drawings marked “Uisce Éireann Compulsory Purchase (Kilkee Wastewater Treatment Plant) Order, 2025, and numbered UE/10015237/CPO/0001 and UE/10015237/CPO/0002
- Permanently, the wayleaves** described in Sub-Part A of Part 2 of the Schedule hereto, over the lands described in Sub-Part B, of Part 2 of the Schedule hereto - which wayleaves are shown coloured **yellow and hatched in red on yellow** on the drawings marked “Uisce Éireann Compulsory Purchase (Kilkee Wastewater Treatment Plant) Order, 2025, and numbered UE/10015237/CPO/0001 and UE/10015237/CPO/0002.
- Permanently, the rights** of way described in Sub-Part A of Part 3 of the Schedule hereto, over the lands described in Sub-Part B, of Part 3 of the Schedule hereto to pass and re-pass over the said ways for the purposes of ingress and egress to and from the public road at all times and for all purposes and by all means in connection with the use and occupation by the Company, its successors in title, assigns, tenants, licenses, servants or agents, contractors and workmen in common with all others who have the like right of the lands and rights over land acquired by it in connection with the Kilkee Wastewater Treatment Plant - which lands are shown **hatched in red on white, hatched in red on yellow and hatched in red on green** on the drawing marked “Uisce Éireann Compulsory Purchase (Kilkee Wastewater Treatment Plant) Order, 2025, ” and numbered UE/10015237/CPO/0001
- Temporarily, the rights** described in Sub-Part A of Part 4 of the Schedule hereto, over the lands described in Sub-Part B, of Part 4 of the Schedule hereto - which said lands are shown coloured **green and hatched in red on green** on the drawings marked “Uisce Éireann Compulsory Purchase (Kilkee Wastewater Treatment Plant) Order, 2025” and numbered UE/10015237/CPO/0001 and UE/10015237/CPO/0002

All of the said lands described in the Schedule hereto are situated in the County of Clare.

- Owners, lessees and occupiers of the lands described in the Schedule hereto will receive individual written notice.
- The Board cannot confirm a Compulsory Purchase Order in respect of the lands if an objection is made in respect of the acquisition by an owner, lessee or occupier of the lands, and not withdrawn, until it has caused to be held an Oral Hearing into the matter and until it has considered the objection and the report of the person who held the Oral Hearing. However, regard should be had to the provisions of Section 218 of the Planning and Development Act, 2000, as amended which provides that where as a result of the transfer of functions under Section 214, 215, 215A, 215B or 215C of the Planning and Development Act, 2000, as amended, the Board would otherwise be required to hold a local enquiry, public local enquiry or oral hearing, that requirement shall not apply to the Board but the Board may, at its absolute discretion, hold an Oral Hearing in relation to the matter, the subject of the function transferred.
- A copy of the Order and the deposited drawings referred to in it may be seen at the following locations:-
 - Uisce Éireann, Colvill House, 24-26, Talbot Street, Dublin 1 between:- 9:00-17:00hrs.
 - Sweeney Memorial Public Library, Cultúrlann Sweeney, O’Connell Street, Kilkee, Co. Clare V15 P960 between:-

Monday

 - 1:30pm-5:30pm and 6:00pm-8:00pm

Tuesday, Thursday and Friday

 - 10:30am-1:30pm and 2:00pm-5:30pm

Wednesday

 - 1:30pm-5:30pm and 6:00pm-8:00pm

Saturday

 - 10:30am-2:00pm

Closed on the Saturdays before bank holiday Mondays.

All of which drawings are sealed with the seal of the Company.
- A Natura Impact Statement was prepared in relation to this matter.

SCHEDULE

PART 1 – LAND ACQUISITION

Land 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

Plot Number shaded grey on the drawings deposited at Uisce Éireann, Colvill House, 24-26 Talbot Street, Dublin 1 and Sweeney Memorial Public Library, Cultúrlann Sweeney, O’Connell Street, Kilkee, Co. Clare V15 P960	DRAWING No.	Quantity, Situation and Description of the Land			Owners or Reputed Owners	Lessees or Reputed Lessees	Occupiers
		Area in Hectares	Location	Description of Property			
001	UE/10015237/CPO/0001	0.2198	Kilkee Lower, Moyarta, Kilkee	Open Space	Mark Haugh of Carnacalla North, Kilrush, Co. Clare	N/A	N/A
004	UE/10015237/CPO/0001	0.0048	Kilkee Lower, Moyarta, Kilkee	Grass Verge	BRIDEFORD PROPERTIES LIMITED of BEECHMOUNT HOUSE, RATHKEALE, County Limerick C/O BILLY PURCELL 27 FORTFIELD, RAHEEN, CO LIMERICK	N/A	N/A
024	UE/10015237/CPO/0002	1.461	FOOHAGH, Moyarta, Kilkee	Agricultural Land and Laneway	Sean Haugh Breaaffe South, Spanish Point Co. Clare	N/A	N/A
034	UE/10015237/CPO/0002	0.0179	FOOHAGH, Moyarta, Kilkee	Agricultural Land	EUGENE HENNESSY of 61-23 81 Street ,Middle Village, New York, NY 11379 C/O MICHAEL F. NOLAN, SOLICITOR, KILRUSH, COUNTY CLARE	N/A	N/A
036	UE/10015237/CPO/0002	0.0062	FOOHAGH, Moyarta, Kilkee	Agricultural Land	EUGENE HENNESSY of 61-23 81 Street ,Middle Village, New York, NY 11379 C/O MICHAEL F. NOLAN, SOLICITOR, KILRUSH, COUNTY CLARE	N/A	N/A
038	UE/10015237/CPO/0002	0.007	FOOHAGH, Moyarta, Kilkee	Agricultural Land	JOSEPH HENNESSY of 537 Orangeburg Road, Pearl River, New York, NY 10965 C/O MICHAEL F. NOLAN, SOLICITOR, KILRUSH, COUNTY CLARE	N/A	N/A

PART 2 – PERMANENT WAYLEAVE

Sub-Part A – Description of Wayleave

The right for the Company, its successors in title, assigns, tenants, servants or agents, contractors or other licensees:

- to construct, lay, keep, operate, maintain, renew, repair and inspect waste water works as defined in the Water Services Act, 2007 and all associated pipelines and all other associated physical elements used for collection, storage or treatment of waste water and such other works, services, facilities and other things as are necessary or expedient in relation thereto or are ancillary thereto or form part of such waste water works, in, on or under the land specified in Sub-Part B below, together with the right,
- to enter with all necessary vehicles, plant and machinery upon the said land at all times for any of the said purposes.