

**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 (KILDavin WASTEWATER TREATMENT PLANT UPGRADE) 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 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** on the drawing marked "Uisce Éireann Compulsory Purchase (Kildavin Wastewater Treatment Plant Upgrade) Order, 2025" and numbered UÉ/10053457/CPO/0001.
- 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, licensees, 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 Kildavin Wastewater Treatment Plant Upgrade - which lands are shown **hatched in red** on the drawing marked "Uisce Éireann Compulsory Purchase (Kildavin Wastewater Treatment Plant Upgrade) Order, 2025" and numbered UÉ/10053457/CPO/0001.

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

2. Owners, lessees and occupiers of the lands described in the Schedule hereto will receive individual written notice.

3. 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.

4. 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 - Mon-Fri between 9:00-17:00hrs.
- County Buildings, Athy Rd, Carlow, R93 E7R7 - Mon-Fri between 09.15- 16.30

All of which drawings are sealed with the seal of the Company.

#### SCHEDULE PART 1 - LAND ACQUISITION

Not Applicable

#### 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.

##### Sub-Part B - Description of Land

Plot Number coloured yellow on the drawings deposited at Colvill House, 24-26 Talbot Street, Dublin 1 and County Buildings, Athy Rd, Carlow, R93 E7R7	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			
Plot 003	UÉ/10053457/CPO/0001	0.12500	KILDavin	Agricultural Land	JAMES PIUS CONWAY & PATRICK JOSEPH CONWAY - KILDavin, CO.CARLOW	Unknown	Unknown

#### PART 3 - PERMANENT RIGHT OF WAY

##### Sub-Part A - Description of Rights

The right for the Company, its successors in title, assigns, tenants, licensees, servants or agents, contractors and workmen, to enter upon and to pass and re-pass over the lands specified in Sub-Part B below with or without all and any vehicles, plant and machinery necessary or desirable for the purpose, for the purpose of ingress and egress to and from the public road at all times, for all purposes of and by all means in connection with the use and occupation by the Company, its successors in title, assigns, tenants, licensees, servants or agents, contractors and workmen, of any lands (including rights over land and the wayleaves described in Part 2 of this Schedule).

Such right shall include

- the right to lay and maintain a suitable roadway and works ancillary thereto over the lands specified in Sub-Part B below
- the right to do in, on, under or over the lands specified in Sub-Part B below anything reasonably necessary for or ancillary or incidental to the construction, repair, maintenance and alteration of the Scheme on any land (including rights over land and the wayleaves described in Part 2 of this Schedule).

##### Sub-Part B - Description of Lands

Plot Number hatched in red on the drawings deposited at Colvill House, 24-26 Talbot Street, Dublin 1 and County Buildings, Athy Rd, Carlow, R93 E7R7	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			
Plot 001	UÉ/10053457/CPO/0001	0.12500	KILDavin	Agricultural Land	JAMES PIUS CONWAY & PATRICK JOSEPH CONWAY - KILDavin, CO.CARLOW	Unknown	Unknown

#### PART 4 - TEMPORARY WORKING AREA

Not Applicable

Dated this 6 day of May 2025 Richard O'Sullivan Secretary, Uisce Éireann, Colvill House, 24-26 Talbot Street, Dublin 1