

Patrick Joseph Conway  
Kildavin,  
County Carlow

**Uisce Éireann**  
Bosca OP 6000  
Baile Átha Cliath 1  
D01 WA07  
Éire

**Uisce Éireann**  
PO Box 6000  
Dublin 1  
D01 WA07  
Ireland

20<sup>th</sup> May 2025

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[www.water.ie](http://www.water.ie)

**Re: Uisce Éireann Compulsory Purchase (Kildavin Wastewater Treatment Plant Upgrade) Order, 2025**

Dear Mr Conway,

I refer to the above and send you by way of service copies of the following –

1. Form of Notice in relation to the making of the Compulsory Acquisition Order;
2. Drawing(s) outlining the affected land plot(s) concerning you;
3. Copy of Uisce Éireann Compulsory Purchase (Kildavin Wastewater Treatment Plant Upgrade) Order, 2025.

Should you have any queries in relation to the enclosed documentation or require a copy of the CPO drawings on display at the stated locations within the attached 'Compulsory Purchase Order', please contact:

Land & Wayleaves Team at [wayleave@water.ie](mailto:wayleave@water.ie) or by post to Land and Wayleave, Colvill House, 24-26 Talbot Street, Dublin 1.

Yours sincerely,



Land & Wayleave Team

**FORM OF 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  
COMPULSORY ACQUISITION OF LAND**

**UISCE ÉIREANN COMPULSORY PURCHASE (KILDAVIN WASTEWATER TREATMENT PLANT  
UPGRADE) ORDER, 2025**

To: Patrick Joseph Conway  
Of Kildavin,  
Co.Carlow

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 "*the Board*") for confirmation.
1. If confirmed, the Order will authorise the Company to compulsorily acquire for the purposes of the Water Services Acts, 2007 to 2013 and of the Kildavin Wastewater Treatment Plant Upgrade:
  - (a) Permanently, the wayleave 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 wayleave is shown coloured yellow on the drawing marked "Uisce Éireann Compulsory Purchase (Kildavin Wastewater Treatment Plant Upgrade) Order, 2025" and numbered UÉ/10053457/CPO/0001, which lands are situated in the County of Carlow;
  - (a) Permanently, the rights of way described in Sub-Part A 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, which lands are situated in the County of Carlow;



3. A copy of the Order and of the drawings referred to in it may be seen at the following locations:

- (a) Uisce Éireann, Colvill House, 24-26, Talbot Street, Dublin 1 – Mon-Fri between 9:00-17:00hrs and
- (b) County Buildings, Athy Rd, County Carlow, R93 E7R7 – Mon-Fri between 09.15- 16.30

4. The Housing Act, 1966, as amended, provides that if an objection is made with respect to the proposed compulsory acquisition of land, the land in respect of which an objection is duly made by any of the persons upon whom notices of the making of the Order are required to be served, shall not be acquired compulsorily unless the Board makes an order to confirm the Compulsory Purchase Order, unless: -

- (a) the objection is withdrawn, or
- (b) the Board is satisfied that the objection relates exclusively to matters which can be dealt with by the Arbitrator by whom the compensation may have to be assessed.

Prior to a decision on confirmation or otherwise of a Compulsory Purchase Order, the Board may at its absolute discretion, hold an oral hearing in relation to the matter.

5. Any objection to the Order must state in writing the grounds of objection and be sent addressed to An Bord Pleanála at 64 Marlborough Street, Dublin 1 so as to reach the said Board on or before the 20<sup>th</sup> day of June 2025.

6. The Board, if it thinks fit, may in one or more stages annul the Compulsory Purchase Order or confirm the Order, with or without modification.

7. If no objection is received to the proposed compulsory acquisition of land or right over land, the objection is withdrawn or the Board is satisfied that the objection relates exclusively to matters which can be dealt with by the Arbitrator by whom the compensation may have to be assessed, the Board shall inform the Company, which may then confirm the Order with or without modification, or refuse to so confirm it.

8. If the land or right over land to which the Order, as confirmed by either the Board or the Company, relates is acquired by the Company, compensation for the land will be assessed in respect of the acquisition as the value of the land at the date that the relevant Notice to Treat is served.

9. In the opinion of the Company, no part of the land in which you have an interest consists of a house or houses which is/are unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense. If the land or right over land to which the Order relates is acquired by the Company, compensation will be assessed in accordance with Part 11 of the Fourth Schedule to the Housing Act, 1966, and the provisions of the Acquisition of Land (Assessment of Compensation) Act, 1919 as amended by the Acquisition of Land (Reference Committee) Act, 1925, the Property Values (Arbitrations and Appeals) Act, 1960, and the Local Government (Planning and Development) Act, 1963 (as applied by section 265 (3) of the Planning and Development Act, 2000), subject to the modifications contained in the Third Schedule to the Housing Act, 1966.

10. Any dispute in relation to compensation shall be referred to and determined by a Property Arbitrator appointed under the Property Values (Arbitrations and appeals) Act, 1960.

11. A claimant for compensation may at any time after the expiration of fourteen days from the date on which the relevant Notice to Treat is served, send to the Secretary, the Land Values Reference Committee, C/o High Court, Four Courts, Dublin 7 an application in writing for the nomination of a property arbitrator for the purpose of determining the compensation to be paid. The application should be made in accordance with the Property Values (Arbitrations and Appeals) Rules, 1961 (S.I. No. 91 of 1961).

#### **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:

- (i) 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,
- (ii) 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	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			
Uisce Éireann Colvill House 24-26 Talbot Street Dublin 1  And  County Buildings, Athy Rd, County Carlow, R93 E7R7							
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	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			
Uisce Éireann Colvill House 24-26 Talbot Street Dublin 1  And  County Buildings, Athy Rd, County Carlow, R93 E7R7							
Plot 001	UÉ/10053457/CPO/0001	0.02500	KILDAVIN	Agricultural Land	JAMES PIUS CONWAY & PATRICK JOSEPH CONWAY - KILDAVIN, CO.CARLOW	Unknown	Unknown

**PART 4 – TEMPORARY WORKING AREA**

**Not Applicable**



Dated this 20<sup>th</sup> day of May 2025

Signed: 

Richard O'Sullivan  
Company Secretary  
Uisce Éireann  
Colvill House  
24-26 Talbot Street  
Dublin 1

ACQUISITION TYPE	AREA (ha)	PLOT No.
AREA OF PERMANENT WAYLEAVE	0.12500 (ha)	PLOT 003

X 689910.36  
Y 659863.23



L2021

PLOT 003

RIVER SLANEY

#### LEGEND

	PERMANENT ACQUISITION
	PERMANENT RIGHT OF WAY
	PERMANENT WAYLEAVE
	PERMANENT WAYLEAVE & PERMANENT RIGHT OF WAY
	TEMPORARY WORKING AREA
	TEMPORARY WORKING AREA & PERMANENT RIGHT OF WAY

X 689720.52  
Y 659636.60



PROJECT: UISCE ÉIREANN COMPULSORY PURCHASE (KILDAVIN WASTEWATER TREATMENT PLANT UPGRADE) ORDER, 2025

	<b>WAYLEAVE DETAILS:</b> Pipe Dia./Details: - Width of Wayleave (Yellow): 50m Length of Wayleave (Yellow): 25m Temporary Working Area (Green): -	<b>PERMANENT WAYLEAVE</b>		REPRODUCED FROM THE ORDNANCE SURVEY BY PERMISSION OF THE GOVERNMENT. LICENCE No. 3-3-34	
		LAND OWNER OR REPUTED LAND OWNER <b>JAMES PIUS CONWAY &amp; PATRICK JOSEPH CONWAY</b> KILDAVIN CO. CARLOW		DRAWING No. UÉ/10053457/CWL/0001	REV <b>1</b>
				O.S. REF 4715-A DATE 30.10.24	SCALE 1:1000@A4 CHK. BY NK

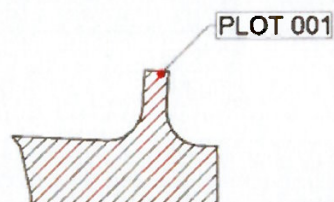


ACQUISITION TYPE	AREA (ha)	PLOT No.
AREA OF PERMANENT RIGHT OF WAY	0.02500 (ha)	PLOT 001

X 689026.52  
Y 660002.63



RT2A



KILDAVIN  
WWTP

#### LEGEND

	PERMANENT ACQUISITION
	PERMANENT RIGHT OF WAY
	PERMANENT WAYLEAVE
	PERMANENT WAYLEAVE & PERMANENT RIGHT OF WAY
	TEMPORARY WORKING AREA
	TEMPORARY WORKING AREA & PERMANENT RIGHT OF WAY

X 688836.60  
Y 659775.89



SCALE 1:1000

PROJECT: UISCE ÉIREANN COMPULSORY PURCHASE (KILDAVIN WASTEWATER TREATMENT PLANT UPGRADE) ORDER, 2025

	<b>WAYLEAVE DETAILS:</b> Pipe Dia./Details: -	<b>PERMANENT RIGHT OF WAY</b>		REPRODUCED FROM THE ORDNANCE SURVEY BY PERMISSION OF THE GOVERNMENT. LICENCE No. 3-3-34	
	Width of Right of Way (Red): 10m Length of Right of Way (Red): 25m Temporary Working Area (Green): -	<b>LAND OWNER OR REPUTED LAND OWNER</b> <b>JAMES PIUS CONWAY &amp; PATRICK JOSEPH CONWAY</b> <b>KILDAVIN</b> <b>CO. CARLOW</b>		<b>DRAWING No</b> UÉ/10053457/CRoW/0001	<b>REV</b> <b>1</b>
				<b>O.S. REF</b> 4715-A <b>SCALE</b> 1:1000@A4	<b>DATE</b> 30/10/24
				<b>DRG. BY</b> MDC	<b>CHK. BY</b> NK

**FORM OF 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**

**COMPULSORY ACQUISITION OF LAND**

**UISCE ÉIREANN COMPULSORY PURCHASE (KILDAVIN WASTEWATER TREATMENT PLANT UPGRADE) ORDER, 2025**

**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 WHEREAS the Company has taken full account of the aspects of public policy specified in Section 31 of the Water Services Act, 2007 and the provision of the said water services comprised in the Kildavin Wastewater Treatment Plant Upgrade is not inconsistent with any of the public policy issues so specified.**

**AND WHEREAS the Company considers, within the meaning of Section 10 of the Local Government (No. 2) Act, 1960 as substituted by Section 86 of the Housing Act, 1966 and as amended, that it would be convenient to effect the acquisition under the Housing Act, 1966 and has decided so to effect the acquisition.**

**NOW THEREFORE it is hereby ordered that-**



1. Subject to the provisions of this Order, the Company is hereby authorised to compulsorily acquire, for the purposes of the Water Services Acts, 2007 to 2013 and of the Kildavin Wastewater Treatment Plant Upgrade, -

(a) 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.

(b) 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 of 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 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.

All of which drawing are sealed with the seal of the Company and deposited at:

- (i) Uisce Éireann, Colwill House, 24-26 Talbot Street, Dublin 1 – Mon-Fri between 9:00-17:00hrs and
- (ii) County Buildings, Athy Rd, County Carlow, R93 E7R7 – Mon-Fri between 09.15- 16.30

2. The lands described in the Schedule hereto are lands 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 expenses.

3. Subject to any necessary adaptations, the provisions of -

(a) the Lands Clauses Acts (except Sections 127 to 132 of the Lands Clauses Consolidation Act, 1845 and Article 20 of the Second Schedule to the Housing of the Working Classes Act, 1890), and

(b) the Acquisition of Land (Assessment of Compensation) Act, 1919, as amended by the Acquisition of Land (Reference Committee) Act, 1925, the Property Values (Arbitrations and Appeals) Act, 1960 and the Local Government (Planning and Development) Act, 1963 (as applied by Section 265(3) of the Planning and Development Act, 2000, as amended),

as modified by the Third Schedule to the Housing Act, 1966 are hereby incorporated in this order and the provisions of those Acts shall apply accordingly.

4. This order may be cited as the *Uisce Éireann Compulsory Purchase (Kildavin Wastewater Treatment Plant Upgrade) Order, 2025*.

#### 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:

- (i) 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,
- (ii) 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	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			
Uisce Éireann Colvill House 24-26 Talbot Street Dublin 1  And  County Buildings, Athy Rd, County Carlow, R93 E7R7							
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	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			
Uisce Éireann Colwill House 24-26 Talbot Street Dublin 1  And  County Buildings, Athy Rd, County Carlow, R93 E7R7							
Plot 001	UÉ/10053457/CPQ/0001	0.02500	KILDAVIN	Agricultural Land	JAMES PIUS CONWAY & PATRICK JOSEPH CONWAY - KILDAVIN, CO. CARLOW	Unknown	Unknown

**PART 4 – TEMPORARY WORKING AREA**

**Not Applicable**

**PRESENT** when the **SEAL** of  
**UISCE ÉIREANN** was affixed hereto:-

  
\_\_\_\_\_  
Director/Authorised Signatory

  
\_\_\_\_\_  
Director/Secretary/Authorised Signatory

Dated this 16<sup>th</sup> day of May 2025