

Uisce Éireann COMPULSORY PURCHASE
(Kildavin Wastewater Treatment Plant Upgrade) ORDER, 2025

On 1st January 2014 all functions conferred on water services authorities by the Water Services Act 2007 (other than excluded provision and section 22) were transferred to Uisce Éireann by section 7(1) of the Water Services (No 2) Act 2013. Consequently, Uisce Éireann has powers, duties and functions vested in it by the Water Services Act, 2007 to make proper provision for water services as defined in the Water Services Act, 2007. In this regard, Uisce Éireann is responsible for the provision and development of water services, including the collection, treatment and discharge of urban wastewater.

Submitted:

Engineers Report dated April 2025 from David Shalloo, Portfolio Manager (Delivery) connected with the Kildavin Wastewater Treatment Plant (WwTP) Upgrade Project being carried out by Uisce Éireann who is carrying out the functions of a Water Services Authority for the purposes of the Water Services Act, 2007.

Uisce Eireann (UE) require upgrades to the existing facility due to it being overloaded and its discharge quality not meeting the UÉ & Environmental Protection Agency (EPA) Standards. The existing treatment plant mainly comprises of an aeration and clarification process, which does do not presently allow the existing treatment plant to meet the emission limit values required of its current receiving water body (Kildavin Stream).

The Kildavin Wastewater Treatment Plant (WwTP) Upgrade project includes the relocation of the final effluent discharge outfall to a new location at the larger River Slaney. This new location has greater dilution available in the river and allows the effluent to be assimilated without reducing the river water quality. This upgrade will provide capacity for growth within the settlement. Current estimated capacity 242 PE, current agglomeration load 241 PE and the 30-year design horizon is 350 PE.

In order to bring this agglomeration into compliance with the Urban Wastewater Directive (Council Directive 91/271/EEC of 21st May 1991) and the relevant Waste Water Discharge Certificate of Authorisation, the Project aims to maintain secondary treatment to the Kildavin agglomeration and provide new rising mains, new gravity sewers, a new Wastewater Pumping Station (WwPS) and a new outfall point to the River Slaney.

UÉ have reviewed several options that have been considered and determined the most suitable of these options to bring forward for shortlisting and subsequent detailed feasibility study. Following completion of concept design stage, the agreed upon option progressed to detailed design stage and once constructed will provide a long term Wastewater Treatment Plant for the Kildavin agglomeration.

Generally, the scheme consists of the provision of the following principal elements:

- a) Replacement of the inlet sewer to Kildavin WwTP on the R724 road.
- b) Provision of new storm tank to balance incoming flows.
- c) Provision of new sludge tank to increase sludge draw off and reduce tankering requirements.

- d) New Wastewater Pumping Station on the existing Wastewater Treatment Plant site to transfer final effluent to the River Slaney. Includes duty/standby submersible pumps and emergency storage to transfer flow to the new WwTP.
- e) New rising main to transfer flows from WwPS on the WwTP site to high point on L2027 road.
- f) New gravity sewer to transfer flows from high point on L2027 to new River Slaney outfall.
- g) New headwall on River Slaney to facilitate new outfall.

The main objectives of the project are as follows: -

- Develop solutions to refurbish this treatment plant, provide more effective treatment and transfer final effluent to an alternative discharge point.
- Prioritise improvements in urban wastewater collection systems to address growth and economic development.
- Ensure continued environmental compliance and deliver water quality improvements identified by the River Basin Management Plan 2022-2027.

In addition, the need for Kildavin Waste Water Treatment Scheme is required to comply with:

- National and Regional Planning Policy
- Directive 2000/60/EC on the establishment of a framework for Community Action in the field of water policy (Water Framework Directive)
- Water Services Act 2007-2014
- The Water Services Strategic Plan
- Environmental Protection Agency guidance
- River Basin Management Plan for Ireland 2022-2027

Confirmation:

Having considered the said report, I am satisfied that the lands, permanent wayleaves, rights of way, temporary construction rights and temporary working areas detailed in the Schedule attached to the said report are necessary for the implementation of Kildavin WwTP Upgrade Project.

In addition, the project has been included in Uisce Éireann's Capital Investment Plan and sufficient resources are available to finance the proposed acquisition of these lands, permanent wayleaves, rights of way, temporary construction rights and temporary working areas and the implementation of Kildavin WwTP Upgrade Project.

I am satisfied that all reasonable alternatives have been fully considered and that these lands, permanent wayleaves, rights of way, temporary construction rights and temporary working areas are necessary for the Kildavin WwTP Upgrade Project and suitable for the purpose for which they are required. I am also satisfied that Uisce Éireann needs to invoke the Compulsory Purchase Order Procedure to acquire the lands, permanent wayleaves, rights of way, temporary construction rights and temporary working areas required as it is unlikely that all of same can be acquired by agreement with the relevant Landowners with full title or otherwise in a timely fashion. Site Selection Assessment reports were completed by Jacobs Engineering Ireland in this regard.

Having considered the said report, **I HEREBY CONFIRM** that the lands, permanent wayleaves, rights of way, temporary working areas and temporary construction rights as referred to above and detailed in the Schedule attached to the report and accompanying maps:

- (a) be acquired compulsorily by Uisce Éireann;
- (b) for the purposes of carrying out the Kildavin Wastewater Treatment Plant Upgrade;
- (c) for the purposes of performing its functions under the Water Services Act, 2007; and
- (d) in the interests of the community and for the other reasons outlined more fully in the report.

I am satisfied that all reasonable alternatives have been fully considered and that these lands, permanent wayleaves, rights of way, temporary construction rights and temporary working areas are necessary for the Kildavin WwTP Upgrade Project and suitable for the purpose for which they are required. I am also satisfied that Uisce Éireann needs to invoke the Compulsory Purchase Order Procedure for the lands, wayleaves, rights of way, temporary working areas and temporary construction rights required as it is unlikely that all of same can be acquired by agreement with the relevant Landowners with full title or otherwise in a timely fashion and that adequate financial provision has been made by Uisce Éireann to finance the proposed acquisition of these lands, permanent wayleaves, rights of way, temporary construction rights and temporary working areas and for the implementation of the Kildavin WwTP Upgrade Project.

Having reviewed a report from Jacobs I am satisfied that the proposed Compulsory Purchase Order is in order from a sustainable development perspective and is in the community interest and is required to assist Uisce Éireann in fulfilling its duties and functions under the Water Services Act, 2007. I am satisfied that the proposal is compliant with:

- The most recent County Carlow Development Plan (2022-2028); and
- The National Planning Framework 2040

I am of the opinion that it would be appropriate to effect the acquisition under Section 76 and the Third Schedule of the Housing Act, 1966 as extended by Section 10 of the Local Government (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 the Planning and Development Acts, 2000 – 2015 and as applied to Uisce Éireann by Section 93 of the Water Services Act, 2007, as amended.

I FURTHER CONFIRM that a Compulsory Purchase Order as aforesaid be prepared in the prescribed form and once prepared, I confirm that the seal of Uisce Éireann may be affixed to the said Order and maps referred to therein and be signed by me and countersigned by the Company Secretary of Uisce Éireann, that the necessary notices be served on the owners, reputed owners and occupiers and where necessary posted on the lands, that notice of the making of the Order be published as prescribed in the Carlow Nationalist and that the Order and said maps are to be deposited for inspection in the prescribed manner at the following locations:

- (i) Carlow County Council, County Buildings, Athy Road, Carlow, Co. Carlow, R93 E7R7

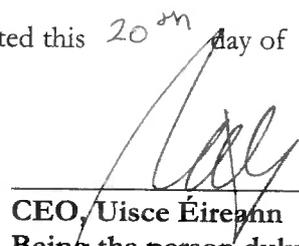
and

(ii) Uisce Éireann Offices, Colvill House, 24-26 Talbot Street, Mountjoy, Co. Dublin

and that the Company Secretary is hereby assigned the duties of signing all notices connected with the said Compulsory Purchase Order on behalf of Uisce Éireann and that the Order be submitted to An Bord Pleanála for confirmation,

Dated this 20th day of April 2025

SIGNED: _____


CEO, Uisce Éireann

Being the person duly authorised by the Board of Directors
of Uisce Éireann to give this confirmation