

Uisce Éireann COMPULSORY PURCHASE (Ballymahon Wastewater Treatment Plant) 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 May 2025 from Portfolio Manager connected with the Ballymahon Wastewater Treatment Plant 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.

The Existing Situation & the Need for the Scheme

The existing Wastewater Treatment Plant for Ballymahon was commissioned in 2002 and was originally designed for an organic load of 2,125 Population Equivalent. The settlement has experienced strong growth since the 2002 Census when the population was recorded as 827 residents. By the 2022 Census this had increased to a population of 1,714 residents, resulting in the plant becoming hydraulically overloaded with a current organic loading of 2,937 Population Equivalent and the existing infrastructure failing to provide a sufficient level of capacity to adequately serve the existing and growing population of Ballymahon.

The existing Wastewater Treatment Plant provides preliminary treatment including screening and grit removal. There is no primary treatment process at present, with flows from preliminary treatments pumped forward to secondary treatment via the inlet works pumping station. Treated effluent is discharged into the River Inny. The level of treatment is not compliant with the obligations of the Urban Wastewater Treatment Directive or the Water Framework Directive.

In addition, the Longford County Development Plan 2021-2027 acknowledges that the consideration of further development within Ballymahon is contingent on the upgrading of the existing Wastewater Treatment Plant as per paragraph 5.3.2.1:

'The Council, in conjunction with Irish Water, has identified specific capacity constraints associated with the Edgeworthstown and Ballymahon wastewater treatment plants. While both of these settlements feature prominently in the settlement's hierarchy for the county, consideration of further development in these settlements will be contingent on the upgrading of these treatment plants, or the submission of appropriate engineering solutions for individual developments which suitably address wastewater treatment and disposal to the satisfaction of Irish Water'.

The key objectives of the Ballymahon Wastewater Treatment Plant upgrade project are as follows:

- The provision of adequate capacity to meet the needs of population growth within the agglomeration over a post commissioning 25-year period.

- The provision of a solution focused on the protection of the environment and public health in accordance with regulatory objectives, inclusive of obligations under the Urban Wastewater Treatment Directive and Water Framework directive.

The proposed upgrade works will optimise the existing plant capacity and require a new activated sludge side stream in parallel. In addition to the new aeration process, a fully nature-based sludge dewatering system via sludge drying reedbeds will form part of the upgrades with the capacity to treat all sludge from the existing and new aeration process into compostable material. A new gravity sewer shall also transfer flows from Auburn Village to the new inlet works.

As per the above, the proposed upgrades will improve water quality in the local area and provide benefits in relation to health, environmental integrity, whilst facilitating the economic and social development of Ballymahon. There is a clear need for the project.

Confirmation:

Having considered the said report, I am satisfied that the lands and temporary construction rights detailed in the Schedule attached to the said report are necessary for the implementation for the Ballymahon Wastewater Treatment Plant Project.

In addition, the project has been identified in Uisce Éireann's 2020-2024 Capital Investment Plan as a prioritised investment project urgently needing improvements in wastewater compliance and sufficient resources are available to finance the proposed acquisition of these lands, and the implementation of the Ballymahon Wastewater Treatment Plant Project.

I am satisfied that all reasonable alternatives have been fully considered and that these lands, and temporary construction rights are necessary for the Ballymahon Wastewater Treatment Plant 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 and temporary construction rights and 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.

Having considered the said report, I **HEREBY CONFIRM** that the lands 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 Ballymahon Wastewater Treatment Plant Project
- (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.

Having reviewed a report from the Portfolio Manager 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 Longford County Development Plan 2021-2027;
- Project Ireland 2040 – National Planning Framework; and
- The Regional Spatial and Economic Strategy for the Eastern and Midland Region.

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 Longford Leader newspaper and that the Order and said maps are to be deposited for inspection in the prescribed manner at the following locations:

(i) Uisce Eireann, Colvill House, Talbot St. Mountjoy, Dublin 1.

and

(ii) Ballymahon Library, Main St. Ballymahon, Co. Longford.

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 25 day of May 2025

SIGNED:


CEO, Uisce Éireann

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