

COMPULSORY ACQUISITION OF LANDS AND RIGHTS OVER LAND

UISCE ÉIREANN COMPULSORY PURCHASE (Ballymahon Wastewater Treatment Plant) ORDER, 2025

ENGINEERS REPORT

To: Chief Executive Officer, Uisce Éireann

Date: May 2025

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Purpose of Report

1. The purpose of this report is to recommend to the Chief Executive Officer the making of the proposed Uisce Éireann Compulsory Purchase (Ballymahon Wastewater Treatment Plant) Order, 2025.
2. The Order is required for the purposes of Uisce Éireann 's advancing the Ballymahon Wastewater Treatment Plant ("the Project") which is included in the 'Irish Water Investment Plan' (CIP 2025-2029).

The Functions of Uisce Éireann

3. 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. I confirm that the transferred functions include all functions necessary to Uisce Éireann 's adoption and carrying into effect of the Ballymahon Wastewater Treatment Plant and to the proposed Compulsory Purchase Order.
4. As a Water Services Authority, Uisce Éireann has under Sections 31 and 32 of the Water Services Act, 2007, powers and function to provide water services including but not limited to the provision, operation or maintenance of sewers and waste water collection and treatment facilities, the construction or maintenance, or arrangement for the construction and maintenance of, water works, or waste water works and the purchasing or obtaining premises or wayleaves that are necessary to fulfil its functions under the Water Services Act, 2007.

The Community Need underlying the Scheme.

The Existing Situation & the Need for the Scheme

5. Ballymahon is predominantly a combined system conveying both surface water and wastewater via pumped & gravity networks. Four network pumping stations exist in various lower lying extremities of the catchment which discharge via 100mm rising mains back into the central gravity network. Flows arrive at the existing Wastewater Treatment Plant (WwTP) via a single 300mm diameter gravity sewer.

The existing works mainly comprises of;

- Inlet works consisting of; a coarse bar screen, storm overflow and Grit Removal.
- 2 Aeration tanks with a common selector tank.
- 1 final settlement tank.
- 1 Storm Tank.
- 1 Return Activated Sludge / Waste Activated Sludge (RAS/WAS) pumping station.
- 1 Picket Fence Thickener.
- 1 Final effluent outfall chamber, complete with automatic sampler.

The existing WwTP was commissioned in 2002 and originally designed for a Population Equivalent (PE) of 2125. The WwTP occupies approximately 0.4 Hectares and is located off the Thomand Hall Road, within the settlement boundary (southwest) of Ballymahon centrally bordering the River Inny. At present the existing infrastructure does not provide the sufficient level of treatment or capacity to serve the future populations of the town. The town has experienced significant population growth in recent years and this trend is expected to continue to the future 10- year and 25-year design horizons. The 2020 Annual Environmental Report (AER) conducted by Uisce Éireann found that the peak organic load collected at Ballymahon WwTP was 2,687 PE, which exceeds the PE of 2,125 which was the designed capacity of the site. The projected loading from the Ballymahon agglomeration for the post construction 10-year and 25- year horizons are 3,700 PE & 4150 PE respectively.

6. This project aims to allow for the provision of upgrades to the existing WwTP and a new treatment process on a new site to treat current and future sewage from the Ballymahon agglomeration to the standard required by the Urban Wastewater Treatment Directive and agreed in the EPA Wastewater Discharge License. Compliance with the EPA Water Framework Directive is critical and therefore the receiving watercourse (River Inny) needs to achieve “Good status” or protect “Good” or “High status” where it already exists.

Public Interest

7. The effluent from the existing wastewater treatment plant could have adverse effects on the quality of the water in River Inny if plant capacity is not increased to align with population growth. This could significantly impact the surrounding environment and lead to potential public health risks. The proposed upgrades will:
 - Provide sufficient treatment capacity for growth within the catchment.
 - Eliminate the discharge of poorly treated effluent.
 - Significantly improve water quality in the river Inny.
 - Cleaner water will enhance the amenity value of the area and act as a platform for social and economic development.

Description of the Scheme

8. The Project includes upgrades to the existing wastewater treatment plant and expansion of capacity through a new process stream on a new site, with the treated effluent from the upgraded wastewater treatment plant discharging to the existing outfall watercourse, the river Inny. The upgrades aim to optimise the existing plant capacity where possible and requires a new activated sludge process stream to operate in parallel. It will include a fully nature-based sludge dewatering system via sludge drying reed beds and with the capacity to treat all the sludge from the existing and new aeration process into compostable material. The new process stream will be on the proposed site adjacent to the existing works, the 1.61Hectare plot of land adjoining the western boundary of the existing WwTP

The proposed upgrades are detailed below;

Re-purposing:

- 2 existing Aeration tanks (AT) to be refurbished/ reused as ATs.
- 1 existing final settlement tank (FST) to be refurbished/reused as an FST.
- 1 existing Storm Tank to be refurbished & reused as storm tank.
- 1 existing Return Activated Sludge / Waste Activated Sludge (RAS/WAS) pumping station to be refurbished/reused as RAS/WAS pumping station.
- 1 Picket Fence Thickener to be decommissioned once proposed sludge drying reedbeds are fully commissioned and online.

Construction:

- Construction of new section of gravity sewer from the network pumping station serving the Auburn development to the new inlet works.
- New inlet works complete with duty / standby combined screens and grit plant.
- 1 Odour control system.
- High level emergency overflow chamber.
- New Flow to Full Treatment/Storm pumping station.
- New storm tank.
- New biological process units including 1 selector tank, 2 anoxic tanks, and 2 aeration tanks.
- 2 new final settlement tanks.
- New RAS / WAS pumping station with sludge holding capacity.
- New sludge drying reedbeds with 8 cells.
- New return liquors pumping station.
- New wash water pumping station.
- New ferric sulphate dosing plant.
- Provisions for new sodium hydroxide dosing plant.
- New treated effluent outfall headwall to River Inny.
- Surface water drainage interceptor.
- Interconnecting pipework and manholes within the site.
- New ESB sub-station building.
- New permanent generator and fuel tank.
- A new access road connecting to the existing access road with boundary fencing and treatments including landscaping; and all associated site development and service works above and below ground on a site of c.1.98Hectares.
- New surface water attenuation tank.

Decommissioning:

- Inlet works a coarse bar screen and storm overflow to be decommissioned.

- 1 Picket Fence Thickener to be decommissioned once proposed sludge drying reedbeds are fully commissioned and online.
 - Final effluent outfall chamber, complete with automatic sampler to be decommissioned.
 - The redundant section of existing sewer (Auburn development) will be filled in and decommissioned after process switchover and the existing pumping station will be decommissioned & demolished.
9. The plant will be designed to meet the discharge quality requirements set out by both the Urban Wastewater Treatment Directive and the Water Framework Directive.
Flows of treated effluent to be conveyed to a new outfall headwall, discharged into the river Inny.
10. A new gravity foul sewage line is to be installed from Auburn Village and the pumping station is to be decommissioned. A new gravity line from the existing inlet manhole to the new inlet works also form part of the upgrades. All flows will be conveyed to a common inlet manhole upstream of the new inlet works.
11. The main objective of this project is to provide an upgraded wastewater treatment process to treat flows entering the Ballymahon Wastewater Treatment Plant to meet the project drivers:
- Upgrades to deal with future 10 & 25-year post commissioning load capacities of 3,700 PE & 4,150 PE respectively.
 - Compliance with the EPA – Wastewater Discharge (Authorisation) Regulations (S.I. No. 684 of 2007)
 - Compliance with the Urban Wastewater Treatment Regulations (S.I. No. 254 of 2001) (UWWTD).
 - Environmental Objectives (Surface Waters) Regulations (S.I. No. 272 of 2009)
 - Compliance with the Water Framework Directive (Directive 2000/60/EC)

History of Scheme Development

12. Ballymahon was identified in the 2020-2024 Capital Investment Plan as a prioritised investment project needing improvements in wastewater compliance. EPS were appointed in December 2021 under the Early Contractor Involvement Programme to deliver the required upgrades.

Statutory Processes

13. Discharges from wastewater treatment plants are required to comply with the standards of treated effluent quality stated in the Urban Wastewater Treatment Directive. The legislative context for provision and licencing of appropriate wastewater treatment infrastructure in Ireland is governed by the Urban Wastewater Treatment Regulations (S.I. No. 254 of 2001) and the Wastewater Discharge (Authorisation) Regulations (S.I. No. 684 of 2007). All discharges from wastewater collection systems and treatment plants throughout the country

which serve an agglomeration of greater than 500 PE are required to be issued with a Wastewater Discharge Licence from the Environmental Protection Agency.

14. Further, the Water Framework Directive (2000/60/EC) establishes a framework for the protection of surface waters and groundwaters within Member States and requires that Member States implement a range of measures to classify, assess and improve water bodies to a 'good status'. The implementation of measures to reduce the impact of wastewater discharges and thus improve water quality and meet the requirements of the Water Framework Directive is a key objective of Uisce Éireann. The Surface Water Regulations (S.I. No. 272 of 2009) sets water quality limits for rivers, lakes, transitional and coastal waterbodies.

The Need for these Lands

15. The subject lands within this order are required to facilitate the construction of elements of the scheme, namely the Wastewater Treatment plant and associated gravity sewers, while allowing for the continued use of the existing Uisce Éireann owned WwTP site and assets. A site selection process was undertaken and the subject lands within this order were identified to locate the additional plant required. No other demonstrably preferable site was identified. Therefore, it was determined that lands, not in the ownership of Longford County Council/ Uisce Éireann, would be required. These lands consisted of permanent acquisition, permanent wayleaves, and temporary working areas.
16. The lands, permanent wayleaves and temporary working areas that are required for the Ballymahon Wastewater Treatment Plant project are to be included in the proposed Compulsory Purchase Order and described in the schedules to the enclosed draft "Uisce Éireann Compulsory Purchase Order (Ballymahon Wastewater Treatment Plant) 2025". These details are depicted in the following supporting Compulsory Purchase Order Drawings:
 - UÉ/10038719/CPO/0001
17. Attempts have been made, in the period from April 2023 to date, to acquire these lands, permanent wayleaves and temporary working areas by agreement.
18. When it was determined that it would not be possible to acquire lands, permanent wayleaves, and temporary working areas by agreement, it was decided to seek a Compulsory Purchase Order.

Alternatives Considered

19. The proposed upgrades optimise the existing plant infrastructure alongside development of a new process stream which requires site expansion. As per Uisce Éireann guidance document

'IW-AD-PD-GDL-008' the guidance for site selection states "Where an extension or upgrade is required to an existing Uisce Éireann asset, intensification of the Uisce Éireann owned site should be prioritised". However, as the existing WwTP does not have sufficient footprint for the proposed treatment upgrades, a site expansion to adjacent lands is required. As the "adjoining lands present no engineering difficulties / issues (e.g. no existing risk of flooding), no residential amenity implications or significant environmental impact, the consideration of an alternative 'remote' site is unlikely to be required". Extension to the lands east or north of the existing site is not possible as these are currently in use and the river is to the south of the existing site. The site to the west of the WwTP is a feasible option for site expansion.

20. Furthermore, as per Longford County Council Zoning Maps, the proposed expansion site is classed as 'Social/Community/Education/Public Utility' as per Review of the Longford County Development Plan- 2021-2027. All land parcels within the catchment boundary with a similar zoning classification are already functioning as churches, recreational pitches, Water Tower, library, several schools, and a Garda Station. The only remaining vacant site reserved for utilities is located west of the current WwTP site which is large enough to house the required upgrades and close enough to the existing site to operate in parallel, which would allow for intensification of the Uisce Éireann owned site. Upon review of the stated guidance documents and Longford County Council development plan the site adjacent to the WwTP is deemed the most feasible location to house the proposed upgrades.
21. I am satisfied that all reasonable alternatives as outlined above have been fully considered and are not demonstrably preferable and that these lands, permanent wayleaves and temporary working areas are necessary for the Ballymahon Wastewater Treatment Plant and are suitable for the purpose for which they are required.

Works are not in Contravention of the Provisions of the Statutory Development Plan

22. The construction of the proposed wastewater treatment plant is necessary to comply with the requirements of national and European Union regulations, and to provide for the planned development within Ballymahon. The development is consistent with the policies and objectives of the Longford Development Plan 2021-2027. The following is detailed; *'Notwithstanding the significant population increase experienced in Edgeworthstown and Ballymahon over the last 25 years, their capacities to assimilate future development within their settlements is impeded by current limited capacities of their respective wastewater treatment plants (WwTP)',* thus further rationalising the need for the proposed upgrades.

Planning Status

23. This Project currently does not have planning permission. Planning permission has been sought for the proposed upgrades of the existing & new wastewater treatment plant at Thomond Road, Ballymahon, Co. Longford, including the works associated with the diversion

of the Auburn Village PS. The planning application was lodged on 9th May 2025 to Longford Co. Co. ..

Engagement with Landowners/Lessees/Occupiers

24. Engagement with Landowners/Lessees/Occupiers (landowners) began in April 2023 via the issue of the introduction to project letter by Uisce Éireann. Uisce Éireann's Landowner Liaison Partner (LLP) introduced the Project in person and acted as the point of contact for the landowner for any queries related to the Project (not related to compensation). Engagement by the LLP has been ongoing since May 2023 to now and has included engagement with the landowner's nominated representative since November 2023. The engagement by the LLP has been mostly in person with the landowner and via phone with the landowner's representative. The table below is a non-exhaustive list outlining the series of engagement of the LLP and the landowner and their representative(s).

Date	Land Owner (LO)	LO Rep.	Avison Young Rep.	Description of Work carried out	Type of interaction (In Person, phone call, text or email)
15/05/2023	Michael Flynn	Michael Flynn	Billy McCormack	BMcC called in person to LO to introduce himself as LLP and the project	Attempted – in person
16/05/2023	Michael Flynn	Michael Flynn	Billy McCormack	BMcC called in person to LO to introduce himself as LLP and the project. Walked the land with LO & discussed concerns raised by LO	In person
22/05/2023	Michael Flynn	Michael Flynn	Billy McCormack	LO phoned BMcC, BMcC subsequently called in person to request access for SI.	Phone call and in person
26/05/2023	Michael Flynn	Michael Flynn	Billy McCormack	BMcC called in person to LO regarding access for SI.	In person
05/07/2023	Michael Flynn	Michael Flynn	Billy McCormack	BMcC called in person to LO requesting LOs Solicitor details	In person
04/08/2023	Michael Flynn	Michael Flynn	Billy McCormack	BMcC follow-up call in person to LO	In person

				regrading LOs Solicitor details	
22/09/2023	Michael Flynn	Michael Flynn	Chris Boyle	CB met the landowner at his residence following from various phone calls with the landowner	In person
03/10/2023	Michael Flynn	Emma Brennan	Chris Boyle	EB setting out she is acting Solicitor	Phone call
30/11/2023	Michael Flynn	Michael Flynn	Billy McCormack	BMcC called in person to inform LO of 60-day letter. LO noted that Donal McLoughlin (nephew) would be acting as their representative.	In person
07/03/2024	Michael Flynn	Kevin McEntaggart	Tom Kirby and Owen Cleary	KMcE appointed valuer - intro to scheme	Phone call and email
17/03/2024	Michael Flynn	Kevin McEntaggart	Owen Cleary	KMcE query on accommodation works queries	Phone call and email
02/04/2024	Michael Flynn	Kevin McEntaggart	Owen Cleary	OC note back to KMcE regards accommodation works	Email
11/04/2024	Michael Flynn	Kevin McEntaggart	Owen Cleary	OC requesting if landowner is acceptable to SI works	Email
16/04/2024	Michael Flynn	Kevin McEntaggart	Owen Cleary	Engagement regards SI works	Phone call and email
17/04/2024	Michael Flynn	Kevin McEntaggart	Owen Cleary	Discussion regards SI works and accommodation works	Phone call
17/05/2024	Michael Flynn	Kevin McEntaggart	Owen Cleary	KMcE with comparables and setting out position	Phone call and email
05/07/2024	Michael Flynn	Kevin McEntaggart	Owen Cleary	OC requesting LO contact details regarding SI	Phone call and email
30/07/2024	Michael Flynn	Kevin McEntaggart	Owen Cleary	OC to KMcE changes to SI works	Phone call and email
30/08/2024	Michael Flynn	Donal McLoughlin	Billy McCormack	BMcC called to LO to discuss access for SI. BMcC also phoned DMcL to discuss also.	In person & phone call

04/09/2024 to 24/10/2024	Michael Flynn	Donal McLoughlin	Billy McCormack	BMcC met LO on numerous occasions during the SI works (intermittent from September to October). LO gave BMcC key for gate for BMcC to open and close each day for SI crew. BMcC also phoned DMcL to update during works.	In person & phone call
10/02/2025	Michael Flynn	Kevin McEntaggart	Owen Cleary	KMcE to OC requesting construction timelines	Phone call
11/02/2025	Michael Flynn	Kevin McEntaggart	Owen Cleary	OC answering queries i.e. requesting construction timelines	Email
29/04/2025	Michael Flynn	Kevin McEntaggart	Owen Cleary	KMcE followed up seeking update regards CPO, planning and construction timelines	Phone call

Formal correspondence was also issued to the landowner as part of Uisce Éireann's engagement. The following letters were issued on the corresponding dates:

- a. Introduction to Project – Issued on 27 April 2023
- b. Introduction to Valuer – Issued on 17 May 2023
- c. 60 Day Letter – Issued on 21 February 2024

Regulatory Compliance

25. Having consulted with the Uisce Éireann's Asset Strategy Unit and considering all aspects of the Project, I am satisfied that in developing the Project and in proposing this Compulsory Purchase Order full account has been taken of:

- Proper Planning and Sustainable Development
- Protection of Human Health and the Environment - The Project serves the objective of the Urban Wastewater Treatment Directive, which is to protect the environment from the adverse effects of wastewater discharges.

- Directive 2000/60/EC (Water Framework Directive). The Project is designed to assist in facilitating the achievement of water body objectives under the Water Framework Directive with respect to wastewater treatment and effluent discharges.
- Directive 91/271/EEC (The Urban Wastewater Treatment Directive). It sets minimum standards for collection systems, wastewater treatment plants and discharge of treated wastewater back to water bodies.
- Water Services Acts 2007-2013. These Acts set out the legislative context in which Uisce Éireann operates. Uisce Éireann's powers and objectives are set out under these Acts and the Project has been designed and will be implemented in line with these powers and objectives.
- The Uisce Éireann Water Services Strategic Plan. The Project advances and/or is consistent with the following objectives of the Plan - which provides for effective management of wastewater, protect and enhance the environment, and support social and economic growth:
 - Meet Customer Expectations.
 - Ensure a Safe and Reliable Water Supply.
 - Provide Effective Management of Wastewater.
 - Protect and enhance the Environment.
 - Support Social and Economic Growth; and
 - Invest in Our Future.

Conclusion

26. I am satisfied that all reasonable alternatives have been fully considered and these lands and rights over land are necessary for this scheme and suitable for the purpose for which they are required. I am also satisfied that Uisce Éireann requires to invoke the Compulsory Purchase Order procedure for the lands and rights over land required as it is unlikely that all of the foregoing could be required by agreement with the relevant Landowners with full title or otherwise in a timely fashion.
27. Accordingly it is recommended that Uisce Éireann make the Uisce Éireann Compulsory Purchase (Ballymahon) Order, 2025.

Dated this 23rd day of May 2025

SIGNED: *Patrick Greene*

(Patrick Greene), Chartered Engineer

Portfolio Manager, Uisce Éireann

Documents Enclosed with This Report

1. Compulsory Purchase Order Drawing: UE-10038719-CPO-0001
2. Planning Report Compulsory Purchase Order:
10038719-HWP-XX-XX-RP-X-7000_EC0000019_Planning Report_CPO
3. Compulsory Purchase Order Schedule

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	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 Ballymahon Library, Main St. Ballymahon, Co. Longford							
Plot 001	UE/10038719/CPO/0001	1.6110	Ballymahon, Longford	Agricultural land	Michael Flynn, Creevaghbeg, Ballymahon, Co. Longford	N/A	N/A

PART 2 – PERMANENT WAYLEAVE

Not applicable

PART 3 – PERMANENT RIGHT OF WAY

Not applicable

PART 4 – TEMPORARY WORKING AREA

Not applicable