

COMPULSORY ACQUISITION OF LANDS AND RIGHTS OVER LAND

Uisce Éireann COMPULSORY PURCHASE (STALEEN WATER TREATMENT PLANT TO DONORE TRUNK
MAIN) ORDER, 2025

ENGINEERS REPORT

To: Chief Executive Officer, Uisce Éireann

Date:

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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 (Staleen Water Treatment Plant to Donore Trunk Main) Order, 2025.
2. The Order is required for the purposes of Uisce Éireann's advancing the Staleen Water Treatment Plant to Donore Trunk Main ("the Project") which is included in Uisce Éireann's 2025 - 2029 Capital Investment Plan.

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 Staleen Water Treatment Plant to Donore Trunk Main 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. All drinking water for the South Louth Water Supply Zone (WSZ) is sourced from Staleen Water Treatment Plant (WTP) with strategic storage at Donore Reservoir. Water supplied from Staleen WTP to Donore Reservoir is provided through an existing 400mm diameter gravity pipeline which was constructed in the early 1970's. The existing water supply infrastructure serving South Louth which includes Drogheda is fully dependent on the existing 400mm pipeline, however Uisce Éireann estimate that demand in the WSZ will exceed the capacity of this pipeline in 2028 the forecasted growth in demand.

The Project aims to provide the necessary additional transfer capacity to South Louth WSZ through the development of a new trunk main in lands east of Donore.

Description of the Scheme & Public Interest

6. Generally, the scheme consists provision of a 3Km, 600mm diameter trunk main between Staleen WTP and Donore Reservoir and associated valve chambers and connections to existing infrastructure.
7. The main objectives of the project are as follows: -
 - Improve the security of supply and provide greater network resilience of the South Louth Water WSZ with the development of a second pipeline between Staleen WTP and Donore Reservoir.
 - Increase the capacity of the existing strategic network to cater for existing and future residential and commercial development by the development of a second pipeline which can transfer the increased demands that are forecasted post 2028.

History of Scheme Development and Statutory Processes

8. In addition, the need for the Staleen WTP to Donore Trunk Main is required to comply with:
 - Uisce Éireann National Water Resources Plan (NWRP)
 - Uisce Éireann Water Services Strategic Plan.
 - Uisce Éireann Capital Investment Plan (RC4).
9. The project is required to comply with the above policies providing for future growth in the WSZ

The Need for these Lands

10. To facilitate the construction of elements of the scheme, namely the trunk main. During the preliminary design process numerous pipe routes were examined with the current proposed network being the most feasible, however it was determined that lands not in the ownership of Uisce Éireann would be required. These lands consisted of permanent wayleaves, and temporary working areas. In this regard I refer to the attached Route Selection Report of Nicholas O'Dwyer Ltd. dated March 2023.
11. The permanent wayleaves and temporary working areas required for the Project as it affects the private area (and to be included in the proposed Compulsory Purchase Order) are described in the schedules to the enclosed draft "Uisce Éireann Compulsory Purchase (Staleen Water Treatment Plant to Donore Trunk Main) Order 2025" and are depicted in the following proposed Compulsory Purchase Order Drawings:
 - UÉ/10030184/CPO/101
 - UÉ/10030184/CPO/102
12. Attempts have been made, in the period from August 2023 to date, to acquire these permanent wayleaves and temporary working areas by agreement.

13. When it was determined that it would not be possible to acquire these permanent wayleaves, and temporary working areas by agreement, it was decided to seek a Compulsory Purchase Order.

14. Engagement:

Uisce Éireann's Land Agents, Avison Young, had multiple engagements with the landowners, their solicitors and other representatives by phone, email and in person as noted in paragraph 19 below.

Alternatives Considered

15. An outline of the alternatives include:

- Option 1 - This pipeline is routed adjacent to the existing asbestos cement trunk main, mostly along public roads. It is routed northeast from Staleen WTP along the L5611 as far as the L1609. The pipeline route then continues north along the L1609 as far as the L1061.
- Option 2 - This pipeline crosses the L5611 and the private lands in an easterly direction as far as the L1609. The pipeline then runs parallel with the L1609 in a northerly direction past properties on either side of the road. It then enters private lands and follows the land boundary first in the eastern direction and then in the north-eastern direction until it reaches the L1601.
- Option 3 – This pipeline crosses the L5611 and is then routed northeast within private lands parallel to the L5611 as far as the L1609. The pipeline then turns north along the L1609 and then turns east along the L1601
- Option 4 – This pipeline is routed northeast through private lands as far as the L1601 at the entrance to An Riase estate. The pipeline then turns east along the L1601
- Option 5 – This pipeline is routed north through private lands as far as the L1601. The pipeline then turns east along the L1601

16. I am satisfied that all reasonable alternatives as outlined above and in the attached Route Selection Report of Nicholas O'Dwyer Ltd. dated March 2023 have been fully considered and are not demonstrably preferable to the selected route and that these permanent wayleaves and temporary working areas are necessary for the Project, are suitable for the purpose for which they are required.

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

17. The proposed works which are located in both Co. Louth and Co. Meath do not materially contravene the Meath County Development Plan 2021-2027 or the Louth County Development Plan 2021-2027.

Please refer to the Planning Report of Nicholas O'Dwyer Ltd. dated April 2025

Planning Status

18. The proposed infrastructure is a Class of Development that is exempt from the requirement to obtain planning permission.

Please refer to the Planning Report of Nicholas O'Dwyer Ltd. dated April 2025

Engagement with Landowners/Lessees/Occupiers

19. Engagement with Landowners/Lessees/Occupiers (landowners) began in September 2022 and is outlined in the table below.

Landowner/ Occupier/ Agent	Date	Type of Contact	Comments
Tom and Oliver Lawlor	13/09/2022	Phone call	Declan Gaffney (DG) spoke to Oliver Lawlor (OL) introducing the project and requested access to carry out Ecological surveys which was granted
Tom and Oliver Lawlor	13/10/2022	Phone call	DG spoke separately with Oliver and Tom Lawlor (TL) regarding the project. Landowners requested a call back after harvest time
Tom and Oliver Lawlor	18/10/2022	Phone call	DG called TL, no answer
Tom and Oliver Lawlor	20/10/2022	In person meeting	DG met with TO and OL on site. Clarity sought by DG on ownership of land. TL and OL confirmed land jointly owned by both.
Tom and Oliver Lawlor	15/11/2022	Letter	Letter issued to TL and OL showing proposed pipeline route
Tom and Oliver Lawlor	23/11/2022	Phone call	DG called TL to discuss project
Tom and Oliver Lawlor	29/11/2022	Phone call	DG called TL to discuss project
Tom and Oliver Lawlor	05/12/2022	Phone call	DG called TL to discuss project. TL requested an amendment to the pipeline route
Tom and Oliver Lawlor	15/12/2022	In person meeting	DG met with OL and his daughter. OL outlined the preference for the pipeline route through their lands and raised concerns around reinstatement post construction
Tom and Oliver Lawlor	Feb-Mar 2023	Phone, site meeting	Niall Murphy (NM) Uisce Eireann Resident Engineer met with landowner regarding site walkovers and site investigation works
Tom and Oliver Lawlor	20/03/23	Meeting	NM Meeting on site with Tom Lawlor and advised of preferred route of pipeline, stated he had no objection to site walkover.
Tom and Oliver Lawlor	Aug-23	Phone, Site Meeting	NM Liaison with landowner regarding access to lands for non-intrusive archaeological GPR survey, access provided, no issues.

Tom and Oliver Lawlor	04/08/23	Meeting	NM Meeting at T. Lawlor's yard, Landowner presented with revised pipeline route showing both pipelines, no issues with same.
Tom and Oliver Lawlor	Sep-23	Meeting	NM Query regarding crop use in grass field, advised field is leased out for silage.
Tom and Oliver Lawlor	06/10/23	Phone	NM advised Landowner that new Land Liaison Officer (LLO) is now assisting on project.
Tom and Oliver Lawlor	11/10/23	Meeting	NM Introductory meeting with TL & OL and new project LLO, John Fanning
Tom and Oliver Lawlor	22/11/23	Meeting	Meeting regarding intrusive archaeological test trenching with landowner, LLO John Fanning (JF) present. Landowner confirmed access to lands for survey when crops are harvested next July and September and requested compensation rates for same and how it is calculated.
Tom and Oliver Lawlor	04/12/23	Meeting	Landowner said he had issue lodging SI compensation cheque and requested if cheque could be re-issued by IW.
Tom and Oliver Lawlor	26/01/24	Phone	Landowner informed that cheque for site investigation compensation would be re-issued in approximately 2 weeks following incorrect lodgement by Landowner. Landowner acknowledged his mistake regarding cheque lodgement but stated his dissatisfaction with the timeframe involved in re-issuing cheque. Landowner asked that his dissatisfaction be communicated to management and advised that he may not be as co-operative going forward.
Tom and Oliver Lawlor	21/08/2024	Site Meeting	Meeting with landowner and LLO JF regarding access to lands for intrusive archaeological test trenching. Landowner agreed to access for the site investigation works. He did point out the sooner the better because he plans to plant the land towards the end of September.
Tom and Oliver Lawlor	15/08/2024	E mail	Shane Lynch (SL) Avison & Young Valuer follow up with Paul Gaynor (PG) Landowner's Agent.
Tom and Oliver Lawlor	01/09/2024	Phone call	Request for access for Archaeological Site Investigation – access granted
Tom and Oliver Lawlor	27/09/2024	Site Meeting	NM meeting with landowner regarding slight adjustment to alignment of pipeline route on lands adjacent to MCC underground reservoir site to avoid impacting existing ESB pole, landowner agreed to same.
Tom and Oliver Lawlor	Sept & Oct 2024	Phone, Site Meeting	NM liaison with landowner regarding access lands to carry out intrusive archaeological test trenching, access granted.
Tom and Oliver Lawlor	01/11/2024	E mail	Email from PG with further queries
Tom and Oliver Lawlor	11/11/2024	Meeting	NM Meeting with landowner, ran through the SI compensation and what he should expect in the

			post. Landowner noted that the compensation for the archaeological test trenching was very low. NM stated the reason was due to the low depth of dig (topsoil layer only).
Tom and Oliver Lawlor	26/11/2024	E mail	SL emailed response to queries of 01/11/2024 back to PG
Tom and Oliver Lawlor	09/12/2024	E mail	E mail from PG with further queries
Tom and Oliver Lawlor	11/12/2024	E mail	E mail from PG with further queries
Tom and Oliver Lawlor	16/01/2025	E mail	SL emailed response to queries of 09/12/2024 back to PG
Tom and Oliver Lawlor	16/01/2025	E mail	E mail from PG advising matters are now with his client
Tom and Oliver Lawlor	20/03/2025	Phone call	Tracy Horan (TH) of Avison Young discussed progress with PG
Tom and Oliver Lawlor	16/05/2025	In person meeting	TH met with Tom Lawlor to discuss the project
Ken Fulham	21/09/2022	Letter	DG issued a letter to Ken Fulham (KF) detailing the project and requesting a call back
Ken Fulham	14/10/2022	Site visit	DG called to KF's house; KF was not at home, but DG received a phone number for KF. DG called but no answer
Ken Fulham	14/10/2022	Phone call	KF called DG back. Project discussed and access for Site Investigation granted
Ken Fulham	February, March 2023	Meeting and Phone	NM met with KF to discuss upcoming site investigations works, both intrusive and non-intrusive and program for same, no issues from KF, followed up by phone prior to works to co-ordinate same, no issues from landowner.
Ken Fulham	June-2023	Phone	NM Liaison with KF regarding completing intrusive site investigation works including follow on rotary core drilling on 19.06.23 and sonde survey on Donore Reservoir outlet pipe on 23.06.23.
Ken Fulham	July-2023	Phone	NM Agreement of SI quantities and crops damage.
Ken Fulham	Aug-23	Phone	NM requested permission to access lands to carry out non-intrusive archaeological GPR survey, no issues, access granted.
Ken Fulham	20/10/2023	Phone call	SL called KF for introduction
Ken Fulham	20/10/2023	E mail	SL follow up email with KF's solicitor, Mr Gabriel O'Brien (GOB) of REA O'Brien Collins, for introduction
Ken Fulham	09/11/2023	E mail	SL follow up email with LO's solicitor
Ken Fulham	06/12/2023	Phone call	SL follow up email with LO's solicitor

Ken Fulham	18/12/2023	E mail	SL E mail advising that UE are to issue a 60-day letter. Solicitors responded advising clients valuer has now inspected lands and report will follow.
Ken Fulham	17/01/2024	E mail	SL seeking update on valuer from solicitor
Ken Fulham	29/04/2024	E mail and phone call	Email and call to GOB to discuss access to lands for the archaeology works
Ken Fulham	16/08/2024	Phone	NM called KF to organise meeting, provisional meeting organised for next Tuesday, 20/08 at 10am.
Ken Fulham	19/08/2024	Phone	NM called KF to organise meeting to discuss alternative pipeline route on his lands.
Ken Fulham	20/08/2024	Meeting	NM met with KF in person at his farm property to discuss an alternative pipeline route on his lands which involved the pipeline entering his lands further to the west, which would involve a greater section of pipeline on his lands. KF advised he would review same and revert
Ken Fulham	29/08/2024	Phone	NM followed up with KF regarding proposed alternative pipeline route on his lands, KF advised he would like to stick with the original pipeline route.
Ken Fulham	Sept & Oct 2024	Phone	NM contacted KF on 11.09.24 regarding intrusive archaeological test trenching on his lands, planned for September. No issues from KF, works facilitated and cattle not on lands, works completed on 30.09.24.
Ken Fulham	24/09/2024	E mail and phone call	SL Call and email to GOB seeking to discuss potential re-route of the wayleaves
Ken Fulham	07/11/2024	E mail and phone call	SL follow up call and email to GOB regarding reroute of wayleaves
Ken Fulham	07/11/2024	Phone	NM called KF regarding access to his lands regarding snagging/making good reinstatement works, removing stones from area and re-seeding. KF granted access and works completed on 11.11.2024
Ken Fulham	16/01/2025	Letter	AY issued Final Head of Terms to LO rep
Irish Cement	02/02/2023	Phone call and email	DG spoke with LO's land managers Mr Shane Geraghty and Mr Ronan Griffen to introduce the project and emailed details including Site investigation requirements
Irish Cement	03/02/2023	Email	Email request by DG to Shane Geraghty to access lands for site investigation works.

Irish Cement	February, March 2023	Email, Phone	NM Liaison with Roadstone regarding intrusive and non-intrusive site investigations works on Roadstone lands. RAMS for works provided to Roadstone on 22.02.23. Program and induction dates confirmed on 24.02.23. Ecology walkover agreed on 27.03.23.
Irish Cement	10/03/2023	Email	NM Co-ordination regarding upcoming blasting operations.
Irish Cement	24/04/2023	Email	NM Request to access lands for site walkover by design team.
Irish Cement	May, June 2023	Emails	NM Request to access lands for follow on rotary core drilling, requirement to undertake inductions, access routes to lands with tenant farmer, program for works, provided training certs.
Irish Cement	August 2023	Emails	NM Request sent to S. Geraghty to access lands for archaeological GPR survey, provided RAMS, insurance details, program dates, induction.
Irish Cement	September 2023	Email, Site Induction	NM Request to access lands to carry out archaeological test trenching - intrusive SI, Access to lands granted by R. Griffin on 13.09.23. H&S documents for works provided inductions carried out at Roadstone quarry.
Irish Cement	01/12/2023	Phone Call	SL called LO's agent, Mr Cathal Daughton, to discuss the project
Irish Cement	14/12/2023	E mail	SL follow up e mail
Irish Cement	18/12/2023	E mail	SL E mail advising that UE are to issue a 60-day letter.
Irish Cement	19/03/2024	Letter	Final Head of Terms issued to LO rep

20. Uisce Éireann's Project Manager (PM), Declan Gaffney, 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). Formal correspondence was also issued to the landowner as part of Uisce Éireann's engagement. The following letters were issued on the corresponding dates:

- Site Investigation letters – Issued 25th and 27th January 2023
- Introduction to Project – Issued on 01st August 2023
- Introduction to Valuer – Issued on 15th and 22nd August 2023
- 60 Day Letter – Issued on 11th January 2024

Regulatory Compliance

21. Having consulted with the Uisce Éireann Asset Strategy Unit and taking into account 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
- 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.
 - Support Social and Economic Growth; and
 - Invest in Our Future.

Conclusion

22. 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.

23. Accordingly, it is recommended that Uisce Éireann make the Uisce Éireann Compulsory Purchase (Staleen Water Treatment Plant to Donore Trunk Main) Order, 2025.

Dated this 15 day of May 2025

SIGNED:

William McKnight

William McKnight, Chartered Engineer

Water Programme Delivery Manager, Uisce Éireann

Documents Referred to with This Report

1. Overview Drawing of Scheme
2. Compulsory Purchase Order Drawings
 1. UÉ/10030184/CPO/101
 2. UÉ/10030184/CPO/102
3. Route Selection Report of Nicholas O'Dwyer Ltd. dated March 2023
4. Planning Report of Nicholas O'Dwyer Ltd. dated April 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 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 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 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 Meath County Council Buvinda House Dublin Road Navan Co Meath C15 Y291							
Plot 003	UE/10030184/CPO/101	0.3370	Stalleen	Agricultural Land	Oliver Lawlor Of Cruicerath, Donore, County Meath	N/A	N/A

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 Meath County Council Buvinda House Dublin Road Navan Co Meath C15 Y291							
Plot 005	UE/10030184/CPO/101	1.5070	Cruicerath	Agricultural Land	Oliver Lawlor Of Cruicerath, Donore, County Meath	N/A	N/A
Plot 007	UE/10030184/CPO/102	0.0614	Cruicerath	Agricultural Land	Irish Cement Limited Of 19 Lower Pembroke Street, Dublin	N/A	N/A
Plot 009	UE/10030184/CPO/102	0.2086	Cruicerath	Agricultural Land	Kenneth Fullam Of Donore, Drogheda, County Meath	N/A	N/A

PART 3 – PERMANENT RIGHT OF WAY

Not Applicable

PART 4 – TEMPORARY WORKING AREA

Sub-Part A – Description of Rights

The temporary right for the Company, assigns, tenants, licensees, servants or agents, contractors and workmen in common with all others who have the like right to use the land specified in Sub-Part B below to enter with all necessary vehicles, plant and machinery upon the said lands and to use the land to pass and re-pass over same 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 in common with all others who have the like right of lands and rights over land acquired by it for the purposes of the Staleen Water Treatment Plant to Donore Trunk Main. Such rights include the right to do anything reasonably necessary for or ancillary or incidental to the construction of the structures and the water works as defined in the Water Services Act, 2007 to be laid, erected, or constructed on the lands described in Part 1 of this Schedule and the wayleaves described in Part 2 of this Schedule in, on, under or over the lands specified in Sub-Part B below.

Sub-Part B – Description of Lands

Plot Number coloured green 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 Meath County Council Buvinda House Dublin Road Navan Co Meath C15 Y291							
Plot 004	UE/10030184/CPO/101	0.4105	Stalleen	Agricultural Land	Oliver Lawlor Of Cruicerath, Donore, County Meath	N/A	N/A
Plot 006	UE/10030184/CPO/101	2.7187	Cruicerath	Agricultural Land	Oliver Lawlor Of Cruicerath, Donore, County Meath	N/A	N/A

Plot Number coloured green 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 Meath County Council Buvinda House Dublin Road Navan Co Meath C15 Y291							
Plot 008	UE/10030184/CPO/102	0.1136	Cruicerath	Agricultural Land	Irish Cement Limited Of 19 Lower Pembroke Street, Dublin	N/A	N/A
Plot 010	UE/10030184/CPO/102	0.3927	Cruicerath	Agricultural Land	Kenneth Fullam Of Donore, Drogheda, County Meath	N/A	N/A
Plot 011	UE/10030184/CPO/101	0.1994	Stalleen	Agricultural Land	Oliver Lawlor Of Cruicerath, Donore, County Meath	N/A	N/A

