

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

On 1<sup>st</sup> 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 Dave Shalloo, Portfolio Manager (Delivery), connected with the Tagoat Wastewater Treatment Plant Upgrade 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 proposes to abandon the discharge of treated wastewater to the Tagoat stream due to the discharge quality not meeting Discharge Licence standards. This will be achieved through the abandonment of the existing wastewater treatment facility and the development of a wastewater transfer pumping station, incorporating an overflow holding tank, along with a transfer rising main the Rosslare Harbour agglomeration network at Kilrane Cross.

The wastewater pumping station will be located at the site of the existing wastewater treatment plant located in the townland of Grahormack, to the west of Tagoat village where a new entrance will be created from Timberwell estate. The abandoned treatment units and settlement tanks will be infilled. The emergency overflow storage tank will have a 216m<sup>3</sup> effective storage volume for 24hours inflow at Dry Weather Flow (DWF) including 20% increase in capacity as an allowance for the effects of climate change. A solar Photovoltaic (PV) installation will be provided at Tagoat wastewater pumping station site to contribute to Uisce Eireann's sustainability targets. The existing control house will be upgraded to house the control equipment for the new pumping station and solar PV Installation.

The rising main is proposed to be routed from Tagoat to Kilrane Cross (a distance of 2,667m) along the road network via the Timberwell estate road (not taken in charge), the regional (R736) road, the local (L30601 and L30609) roads and the verge and footpath of the national (N25) road. The rising main will incorporate sluice valves, air valves and scour valves.

The main objectives of the project are as follows:-

- Compliance with Water Framework Directive and the Urban Wastewater Directive;
- To satisfy Objective WW007 of the Wexford County Development Plan 2022-2028 which commits Wexford County Council  
"To work with Irish Water, other public infrastructure agencies and local communities to develop the programme for 'new homes in small towns and villages' as set out in NPO 18b of the National Planning Framework for the settlements listed in Table 9-6 (of the development plan). This programme will

provide serviced sites with appropriate infrastructure to attract people to build their own homes and live in small towns and villages in the county and is subject to complying with the Habitats Directive and normal planning and environmental criteria.”

- To satisfy Condition 5.5.2 of the Environmental Protection Agency (EPA) Wastewater Discharge Licence (WWDL D3097-01A) which obliged the licensee:
  - “to identify the most appropriate measure(s) for the achievement of good status in the receiving water (Water Framework Directive Code:IE\_SE\_12\_440) by 31/12/2019 and compliance with the European Communities Environmental Objectives (Surface Water) Regulations 2001, as amended with reference to any measures identified in the Tagoat and environs agglomeration in the Slaney Estuary Water Management Unit Action Plan. The assessment shall specifically identify:
    - 5.5.2.1 an alternative primary discharge point with sufficient assimilative capacity for the discharge
    - 5.5.2.2 an alternative means of managing the existing waste water discharge volume and quality during periods of low flow in the receiving water, or
    - 5.5.2.3 connection to another agglomeration.”

The proposed project gives effect to the measure provided for in Condition 5.5.2.3 of the WWDL.

In addition, the need for Tagoat Waste Water Treatment Plant Upgrade is required to comply with

- EPA Waste Water Discharge Licence D0397-01A (including Technical Amendment A);
- Water Framework Directive (WFD) 2000/60/EC and SI 722 of 2003, along with WFD objectives for the Slaney & Wexford Harbour\_012 and Forth\_Common\_SC\_010 WFD Sub-catchment;
- Wexford County Development Plan 2022-2028;
- SI 477 of 2011, Birds and Natural Habitat Regulations, 2011 and subsequent amendments;
- Council of the European Communities, 1991, Council Directive of 21 May, 1991, concerning urban wastewater treatment (91/271/EEC) Official Journal of the European Communities No. L135/40, Environmental Protection Agency Act, 1992 (Urban Waste Water Treatment) Regulations, 2001.
- SI 419 of 1994 Environmental Protection Agency Act 1992 (Urban Waste Water Treatment) Regulations 1994
- SI 208 of 1999 Environmental Protection Agency Act 1992 (Urban Waste Water Treatment) (Amendment) Regulations 1999
- SI 440 of 2004 Urban Waste Water Treatment (Amendment) Regulations 2004
- SI 48 of 2010 Urban Waste Water Treatment (Amendment) Regulations 2010
- SI 254 of 2001 Urban Waste Water Treatment Regulations 2001
- SI 684 of 2007 Waste Water Discharge (Authorisation) Regulations 2007

- SI 231 of 2010 Waste Water Discharge (Authorisation) (Amendment) Regulations 2010
- SI No. 386 of 2015 The European Communities Environmental Objectives (Surface Water) (Amendment) Regulations 2015
- SI No. 272 of 2009 The European Communities Environmental Objectives (Surface Water) Regulations 2009
- SI No. 296 of 2009 The European Communities Environmental Objectives (Freshwater Pearl Mussel) Regulations 2009
- The Building Control Act 1997 and subsequent amendments
- The Building Regulations and subsequent amendments
- Council Directive 76/464/EEC on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community, implemented by:
  - o the Local Government (Water Pollution) Act, 1977.
  - o the Local Government (Water Pollution) Amendment Act, 1990.
  - o Statutory Instrument No. 245 of 1994.
  - o Statutory Instrument No. 258 of 1998.
- Council Directive 80/68/EEC on the protection of groundwater against pollution caused by certain dangerous substances, implemented by
  - o the Local Government (Water Pollution) Act, 1977.
  - o Statutory Instrument No. 108 of 1978.
  - o Statutory Instrument No. 390 of 1979.
  - o Statutory Instrument No. 33 of 1982.
  - o the Local Government (Water Pollution) Amendment Act, 1990.
  - o Statutory Instrument No. 245 of 1994.
  - o the Waste Management Act 1996
- SI 12 of 2001 Water Quality (Dangerous Substances) Regulations 2001
- SI No. 254 of 2001 Safety, Health and Welfare at Work Act 2005
- Safety, Health and Welfare at Work (Construction) Regulations 2013, SI No. 291 of 2013
- Safety, Health and Welfare at Work (Working at Height) Regulations 2006, SI 318 of 2006
- SI 9 of 2010 Groundwater Regulations
- SI 151 of 2011 – Energy Efficient Public Procurement Regulations 2011
- SI 542 of 2009 – Energy End-Use Efficiency and Energy Services Regulations 2009
- SI 787 of 2005 European Communities (Waste Water Treatment) (Prevention of Odours and Noise) Regulations.
- Uisce Éireann Water Services Strategic Plan
- Uisce Éireann Capital Investment Plan (RC3)

The project is required to comply with the above legislation and policies, addressing adverse effects of waste water discharges (in particular upstream of the Wexford Harbour Urban Waste Water Directive Nutrient Sensitive Area, the Wexford Harbour and Slobbs Special Protection Area and the Slaney River Valley Special Area of Conservation), provide for future growth in the agglomeration and address deficiencies

in the system, including inadequate nutrient removal during the wastewater treatment process, impacting on the surrounding environment.

**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 implementation for the Tagoat Waste Water Treatment Plant Upgrade.

In addition, the project has been included in Uisce Éireann's Capital Investment Plan (RC3) 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 the Tagoat Waste Water Treatment Plant Upgrade.

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 Tagoat Waste Water Treatment Plant Upgrade 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. A routing report from T.J. O'Connor & Associates is attached 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 Tagoat Waste Water 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 Tagoat Waste Water Treatment Plant Upgrade 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 Tagoat Waste Water Treatment Plant Upgrade.

Having reviewed a report from HW Planning, 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 Wexford County Development Plan 2022-2028 including Volume 3 Section 2 Rosslare Harbour and Kilrane Settlement Plan; and
- The most recent Planning Guidelines for the Regional Spatial and Economic Strategy for the Southern 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 Wexford People newspaper and that the Order and said maps are to be deposited for inspection in the prescribed manner at the following locations:

(i) Wexford County Council, County Hall, Carricklawn, Wexford, Y35 WY93 from Monday to Friday between 9:00-17:00hrs.

and

(ii) Uisce Eireann, Colvill House, 24-26, Talbot Street, Dublin 1 from Monday to Friday between 9:00-17:00hrs.

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 11 day of June 2025

SIGNED: \_\_\_\_\_

CEO, Uisce Éireann

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