

COMPULSORY ACQUISITION OF LANDS AND RIGHTS OVER LAND

UISCE ÉIREANN COMPULSORY PURCHASE (CRODAUN WASTEWATER SEWER UPGRADE) ORDER, 2025

ENGINEERS REPORT

To: Chief Executive Officer, Uisce Éireann

Date: June 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 (CRODAUN WASTEWATER SEWER UPGRADE) ORDER, 2025.
2. The Order is required for the purposes of Uisce Éireann advancing the (CRODAUN WASTEWATER SEWER UPGRADE) ORDER, 2025 (“the Project”) which is included in the Growth and Development Project 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 (CRODAUN WASTEWATER SEWER UPGRADE) ORDER, 2025 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 Project

The Existing Situation & the Need for the Project

5. The existing sewer network mainly comprises of the existing 225mm uPVC pipeline, 300mm concrete pipeline, 375mm concrete as well as 450mm concrete pipelines that traverse along various roadways.

Several Pre-Connection Enquiries (PCEs) and connection applications have been received by Uisce Éireann (UÉ) for developments in the Crodaun area of Celbridge, Co. Kildare. UÉ has identified that upgrades and extensions are required to the existing wastewater network to cater for full development of zoned lands. A small number of these domestic units have been allowed to connect with interim measures in place to withhold flows, until the permanent solution (this project) is in place. These measures have failed on a number of occasions highlighting the need for a permanent solution to progress to accommodate future growth planned in the area.

The Project aims to provide an increased capacity of the existing sewer network through the advancement of upgrade works to the sewer network within a mixture of public areas, grassland and roadways.

Description of the Scheme & Public Interest

6. This project is required to provide an increased capacity to the existing sewer network to facilitate growth of 2,560 Population Equivalence (PE).

The project scope consists of 2.17km of gravity sewer which is broken down as follows:

- Maynooth Road Section – This section involves installing a new 300mm diameter sewer (length 1,035m) from Crodaun Forest Park along the Maynooth Road from the new Ardrath Housing Development to the junction with Castletown Drive. Works involve laying pipe mostly in the roadway. The proposed pipeline route crosses the Ballygoran stream along the Maynooth Road.
- Castletown Drive Section – This section involves installing a new 300mm diameter sewer (length 794m) along the entire length of Castletown Drive from the Maynooth junction down to Main Street adjacent to the entrance to Castletown Parkland. At this point the new 300mm diameter sewer will tie into the existing sewer. Works involve laying pipe in the roadway.
- Castletown Parkland Section - This section involves installing a new 450mm diameter sewer (length 341m) along a gravel footpath in Castletown Parkland adjacent to the River Liffey. A short section of existing sewer from the Castletown Drive / Main Street junction through the entrance gate of Castletown Parkland does not need an upgrade and will remain in place. The new 450mm diameter sewer will connect into this section of existing sewer at the Castletown Drive / Main Street junction and will continue into another existing sewer line approximately 40m upstream of the existing Castletown Main Wastewater Pumping Station (WwPS).

A map of the areas schematic layout for the existing and proposed supply arrangements are included in the Appendices to this report.

7. The main objectives of the project are as follows:-

- The Crodaun WW Sewer Upgrade project is to allow for growth of 2,560 Population Equivalence (PE).
- Allow for growth of 938 Additional Houses
- Reduce overflows in the existing network due to blockages at multiple locations

The Need for these Lands and the need to acquire them Compulsorily

8. During the design process to date, three possible sewer route options were examined with the route option 3 being the most feasible option. However, it was determined that lands not in the ownership of Kildare County Council/Uisce Éireann would be required. These lands consist of permanent wayleaves and temporary working areas. In this regard, refer to the attached 'Route and Site Selection Report', prepared by Ryan Hanley Consulting Engineers dated August 2023. Lands are required to facilitate the construction of elements of the proposed, 300mm uPVC pipeline 450mm concrete pipeline.
9. The permanent wayleaves and temporary working areas are required for the Crodaun WW Sewer Upgrade as it affects the area (and to be included in the proposed Compulsory Purchase Order) are described in the schedules to the enclosed "Uisce Éireann Compulsory Purchase (Crodaun WW Sewer Upgrade) ORDER 2025 and are depicted in the following proposed Compulsory Purchase Order Drawings:
 - UÉ /10046198/CPO/0001
 - UÉ /10046198/CPO/0002
10. Attempts have been made, in the period from March 2023 to date, to acquire these permanent wayleaves, temporary wayleaves and temporary working areas by agreement.
11. When it was determined that it would not be possible to acquire these permanent wayleaves, temporary wayleaves and temporary working areas by agreement, it was decided to seek a Compulsory Purchase Order.

Alternatives Considered

12. An outline of the alternatives considered are included in the 'Route and Site Selection Report' undertaken by Ryan Hanley Consulting Engineers dated August 2023.
13. I am satisfied that all reasonable alternatives as outlined above and in the attached 'Route and Site Selection Report' of August 2023 done by Ryan Hanley Consulting Engineers have been fully considered and are not demonstrably preferable and that these lands, permanent wayleaves, and temporary working areas are necessary for the Crodaun WW Sewer Upgrade, are suitable for the purpose for which they are required.

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

14. The overall proposed development has also been assessed with regard to the relevant planning policy and is considered to be in accordance with sustainable development.

The project is in the community interest and is required to assist Uisce Éireann in fulfilling its duties and functions under the Water Services Act, 2007.

It is also considered that the proposed project and the associated acquisition of lands or rights over lands does not present any material issues for:

National Planning Framework
Water Services Policy Statement 2018 – 2025
Uisce Éireann Water Services Strategic Plan

Planning Status

15. The project is exempt from planning permission. This is due to the fact that the proposed works will be carried out within the outline of the existing below-ground / above-ground infrastructure under Planning and Development Regulations Exemption Class 58 and under Section 22, Part 5 (k) of the Water Services Act 2007.

Engagement with Landowners/Lessees/Occupiers

16. Engagement with Landowners/Lessees/Occupiers (landowners) began on March 2023 and has continued to the present time. Uisce Éireann's Landowner Liaison Officer (LLO) Michael Cooke, 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:

Introduction to Project – Issued on 14th February 2023

Introduction to Valuer – Issued on 12th April 2023

60 Day Letter – Issued on 30th May 2023

Notice to progress to CPO – Issued on 15th May 2025

In addition to the formal correspondence, there was significant discussion between the agents of both parties in attempt to reach agreement.

Regulatory Compliance

17. 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.
- Protection of Human Health and the Environment - The Project serves the objective of the Urban Waste Water 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 Waste Water Treatment Directive). It sets minimum standards for collection systems, wastewater treatment plants and discharge of treated wastewater back to water bodies

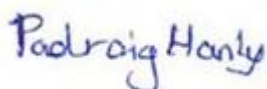
- Water Services Acts 2007-2013. These Acts set out the legislative context in which Uisce Éireann operates. Uisce Éireann's powers and objectives are set out under these Acts and the Project has been designed and will be implemented in line with these powers and objectives.
- Protection of the Environment – The Project has been assessed in line with the requirements of the Habitats Directive, Council Directive 92/43/EEC, and the ensuing Birds and Natural Habitats Regulations (S.I. No. 477 of 2011) and has been “screened out” for negative impact;
- 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 Waste Water, protect and enhance the environment, and support social and economic growth:
 - Meet Customer Expectations
 - Provide Effective Management of Wastewater
 - Protect and Enhance the Environment
 - Support Social and Economic Growth
 - Invest in Our Future

Conclusion

18. 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.
19. Accordingly, it is recommended that Uisce Éireann make the Uisce Éireann Compulsory Purchase (CRODAUN WASTEWATER SEWER UPGRADE) ORDER, 2025.

Dated 17 day of June 2025

SIGNED:



Padraig Hanly, Portfolio Manager, Uisce Éireann

Documents Referred to in this report Report

1. Compulsory Purchase Order Drawings:-
 - a. UÉ /10046198/CPO/0001
 - b. UÉ /10046198/CPO/0002
2. CPO Schedule
3. Route and Site Selection Report of Ryan Hanley Consulting Engineers dated August 2023

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 waste 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 waste 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 waste 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	Lessees or Reputed	Occupiers
		Area in Hectares	Location	Description of Property	Owners	Lessees	
Uisce Éireann Colvill House 24-26 Talbot Street Dublin 1 And Celbridge Library, St Patrick's Park, Celbridge, Co. Kildare							
001	UÉ/10046198/CP O/0001	0.044 0	Castletown	Open Space and Amenity	THE COMMISSIONERS OF PUBLIC WORKS IN IRELAND HEAD OFFICE TRIM COUNTY MEATH	Unknown	Unknown

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 Celbridge Library, St Patrick's Park, Celbridge, Co. Kildare							
003	UÉ/10046198/CP O/0001	0.479 9	Castletown	Open Space and Amenity	THE COMMISSIONERS OF PUBLIC WORKS IN IRELAND HEAD OFFICE TRIM COUNTY MEATH	Unknown	Unknown
0012	UÉ/10046198/CP O/0002	0.018 9	Castletown	Existing Residential/ Infill	FOYNES INVESTMENT COMPANY FLOOR 7 LIBERTY HALL DUBLIN 1	Unknown	Unknown

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 Celbridge Library, St Patrick's Park, Celbridge, Co. Kildare							
0013	UÉ/10046198/CP O/0002	0.014 9	Castletown	Existing Residential/ Infill	CRODAUN HOMES LIMITED HARCOURT HOUSE HARCOURT STREET DUBLIN	Unknown	Unknown

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 Crodaun Wastewater Sewer Upgrade. Such rights include the right to do anything reasonably necessary for or ancillary or incidental to the construction of the structures and the waste 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 Celbridge Library, St Patrick's Park, Celbridge, Co. Kildare							
002	UÉ/10046198/CP O/0001	0.0378	Castletown	Open Space and Amenity	THE COMMISSIONERS OF PUBLIC WORKS IN IRELAND HEAD OFFICE TRIM COUNTY MEATH	Unknown	Unknown

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 Celbridge Library, St Patrick's Park, Celbridge, Co. Kildare							
004	UÉ/10046198/CP O/0001	0.4654	Castletown	Open Space and Amenity	THE COMMISSIONERS OF PUBLIC WORKS IN IRELAND HEAD OFFICE TRIM COUNTY MEATH	Unknown	Unknown

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 Celbridge Library, St Patrick's Park, Celbridge, Co. Kildare							
005	UÉ/10046198/CP O/0001	0.0118	Castletown	Open Space and Amenity	THE COMMISSIONERS OF PUBLIC WORKS IN IRELAND HEAD OFFICE TRIM COUNTY MEATH	Unknown	Unknown

Plot Number coloured green on the drawings deposited at Uisce Éireann Colvill House 24-26 Talbot Street Dublin 1 And Celbridge Library, St Patrick's Park, Celbridge, Co. Kildare	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			
006	UÉ/10046198/CP O/0001	0.0121	Castletown	Open Space and Amenity	THE COMMISSIONERS OF PUBLIC WORKS IN IRELAND HEAD OFFICE TRIM COUNTY MEATH	Unknown	Unknown

Plot Number coloured green on the drawings deposited at Uisce Éireann Colvill House 24-26 Talbot Street Dublin 1 And Celbridge Library, St Patrick's Park, Celbridge, Co. Kildare	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			
007	UÉ/10046198/CP O/0001	0.0478	Castletown	Open Space and Amenity	THE COMMISSIONERS OF PUBLIC WORKS IN IRELAND HEAD OFFICE TRIM COUNTY MEATH	Unknown	Unknown

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 Celbridge Library, St Patrick's Park, Celbridge, Co. Kildare							
008	UÉ/10046198/CP O/0001	0.2202	Castletown	Open Space and Amenity	THE COMMISSIONERS OF PUBLIC WORKS IN IRELAND HEAD OFFICE TRIM COUNTY MEATH	Unknown	Unknown

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 Celbridge Library, St Patrick's Park, Celbridge, Co. Kildare							
009	UÉ/10046198/CP O/0001	0.4241	Castletown	Open Space and Amenity	THE COMMISSIONERS OF PUBLIC WORKS IN IRELAND HEAD OFFICE TRIM COUNTY MEATH	Unknown	Unknown

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 Celbridge Library, St Patrick's Park, Celbridge, Co. Kildare							
0010	UÉ/10046198/CP O/0001	0.0464	Castletown	Open Space and Amenity	THE COMMISSIONERS OF PUBLIC WORKS IN IRELAND HEAD OFFICE TRIM COUNTY MEATH	Unknown	Unknown

Plot Number coloured green on the drawings deposited at Uisce Éireann Colvill House 24-26 Talbot Street Dublin 1 And Celbridge Library, St Patrick's Park, Celbridge, Co. Kildare	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			
0011	UÉ/10046198/CP O/0001	0.0226	Castletown	Open Space and Amenity	THE COMMISSIONERS OF PUBLIC WORKS IN IRELAND HEAD OFFICE TRIM COUNTY MEATH	Unknown	Unknown
0014	UÉ/10046198/CP O/0002	0.0127	Castletown	Existing Residential/ Infill	CRODAUN HOMES LIMITED HARCOURT HOUSE HARCOURT STREET DUBLIN	Unknown	Unknown

