

UISCE ÉIREANN COMPULSORY PURCHASE
(KILSHEELAN WASTEWATER TREATMENT PLANT UPGRADE)
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 of Paul Fallon connected with the Kilsheelan 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.

The Kilsheelan Wastewater Treatment Plant upgrade will increase the current design capacity of the plant from 1,000 PE to the 25-year design capacity of 1,500 PE. The upgrade works comprises of new inlet works, new access road, new storm handling system, associated pipework and ancillary works, expansion of site boundary and redirection of wastewater from Poll on Choire Estate upstream of the existing septic tank to the Kilsheelan Wastewater Treatment Plant, thereby ceasing the secondary discharge from the existing septic tank. The upgrade is also required to ensure compliance with the Urban Wastewater Treatment Regulations, 2001 (S.I. No. 254/2001) and Environmental Objectives (Surface Waters) Regulations, 2009 (S.I. No. 272 of 2009) (Amended 2019).

The project requires planning permission, and the planning application was lodged on 9th June 2025.

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 Kilsheelan Wastewater Treatment Plant Upgrade.

In addition, the project has been included in Uisce Éireann's current Capital Investment Plan 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 Kilsheelan Wastewater 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 Kilsheelan Wastewater 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 Ryan Hanley Ltd. 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 Kilsheelan Wastewater 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 Kilsheelan Wastewater 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 Kilsheelan Wastewater Treatment Plant Upgrade.

Having reviewed a report from Paul Fallon 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 Tipperary County Development Plan (2022 – 2028);
- The most recent Planning Guidelines for the Regional Spatial and Economic Strategy (RSES) Southern Regional Assembly (2020 – 2032); and
- The most recent Settlement Plan for Kilsheelan (2022 – 2028)

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

(i) Colville House, Talbot St, Mountjoy, Dublin 1

Opening hours:
Monday - Friday, 9:00 - 17:30

and

(ii) Clonmel Library, Emmet St, Burgagery-Lands West, Clonmel, Co. Tipperary

Opening hours:
Monday 9:30 – 13:00, 14:00 – 17:30
Tuesday 9:30 – 17:30
Wednesday 9:30 – 20:00
Thursday 9:30 – 17:30
Friday 9:30 – 17:00
Saturday 10:00 – 13:00, 14:00 – 17:00
Sunday Closed

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 4 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