

UISCE ÉIREANN COMPULSORY PURCHASE
BALLYHALE_KNOCKTOPHER WASTEWATER PUMPING STATION
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 August 2025 from Mr David Shalloo connected with the Ballyhale_Knocktopher Wastewater Pumping Station 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 existing wastewater pumping station (WwPS) is no longer fit for purpose and does NOT currently comply with current Uisce Éireann standards for Wastewater Pumping Stations for the following reasons: -

- there is no dedicated access road and turning head into the site,
- there is no storm water storage capacity at the site,
- there is no way to isolate the wet well of the wastewater pumping station from incoming flows for cleaning and maintenance,
- there is no valve chamber or flow meter on the existing rising main, the valving arrangement on the pump delivery pipework is located within the wet well of the WwPS and it NOT easily accessible for maintenance/repair/replacement,
- there is no screening on the storm water overflow pipe from the wet well of the WwPS to the Glebe River,
- there is no Flow Monitoring equipment on the storm water overflow pipe to record spill events and volume of discharges during spill events.

The Project aims to improve the water quality discharging from the existing WwPS (via its Storm Water Overflow), reduce the number of spills discharging to the Glebe River, improve performance and resolve ongoing issues at the existing site through the development of a new Uisce Éireann compliant WwPS Compound to replace the existing non-compliant WwPS Compound.

Planning permission for the upgrade of Ballyhale_Knocktopher Wastewater Pumping Station was submitted to Kilkenny County Council on 20th March 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 Ballyhale_Knocktopher Wastewater Pumping Station.

In addition, the project has been included in Uisce Éireann's Capital Invest Plan 2025 - 2029 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 Ballyhale_Knocktopher Wastewater Pumping Station.

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 Ballyhale_Knocktopher Wastewater Pumping Station 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 Jacobs Consulting Engineers 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 Ballyhale_Knocktopher Wastewater Pumping Station;
- (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 Ballyhale_Knocktopher Wastewater Pumping Station 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 Ballyhale_Knocktopher Wastewater Pumping Station.

Having reviewed a report from Jacobs Consulting Engineers 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 Kilkenny City and County Development Plan 2021-2027;
- The most recent Southern Region Spatial and Economic Strategy (RSES) up to 2031;
- Project Ireland 2040, the National Planning Framework (NPF) and the National Development Plan (NDP) 2021-2030.

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

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

and

(ii) Thomastown Library, Marsh's Street, Thomastown, Co. Kilkenny R95 HP26 from Tuesday to Saturday between 10:00-17:00hrs.

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 3 day of September 2025

SIGNED: _____

CEO, Uisce Éireann

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