

COMPULSORY ACQUISITION OF LANDS AND RIGHTS OVER LAND

Uisce Éireann COMPULSORY PURCHASE (BALLYHALE_KNOCKTOPHER WASTEWATER PUMPING
STATION, KNOCKTOPHER, COUNTY KILKENNY) ORDER, 2025

ENGINEERS REPORT

To: Chief Executive Officer, Uisce Éireann

Date: August 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 (BALLYHALE_KNOCKTOPHER WASTEWATER PUMPING STATION, KNOCKTOPHER, COUNTY KILKENNY) Order, 2025.
2. The Order is required for the purposes of Uisce Éireann's advancing the BALLYHALE_KNOCKTOPHER WASTEWATER PUMPING STATION, KNOCKTOPHER, COUNTY KILKENNY ("the Project") which is included in the Wastewater Pumping Station National Upgrade Programme. The primary objective of this project is to improve the water quality discharging from the existing wastewater pumping station (via Storm Water Overflow), reduce the number of spills discharging to the Glebe River, improve performance, resolve ongoing issues at the existing site and to provide an Uisce Éireann complaint wastewater pumping station compound at this location.

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 BALLYHALE_KNOCKTOPHER WASTEWATER PUMPING STATION, KNOCKTOPHER, COUNTY KILKENNY 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. The existing Ballyhale_Knocktopher Wastewater Pumping Station (WwPS), serving Knocktopher Village, has been identified by Uisce Éireann as requiring interventions to improve performance and resolve ongoing issues as the site. The existing 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.

Description of the Scheme & Public Interest

6. Generally, the scheme consists of the provision of the following: -

- New Access Road into the site from Friary Street (R713) (Including Storm Drainage).
- New WwPS & Storm Storage Tank including all Mechanical & Electrical equipment (Pumps, drives, delivery pipework, Kiosk, Motor Control Centre (MCC), Control Panel, Auto Changer, Programmable Logic Controller (PLC)/ Human -Machine Interface (HMI), Supervisory Control and Data Acquisition (SCADA) & Telemetry).
- New valve chamber (including all valve chamber pipework).
- New Flow meter on the rising main (Including flow meter Chamber).
- New Non-Return Valve (Including Chamber) on the existing overflow pipe.
- New Inlet Chamber (With Isolation Valve on pipe to Wet Well & Screen on the Overflow pipe to the Storm Storage Tank).
- New sewer diversions into the new inlet chambers.
- New Overflow pipe (From Inlet Chamber to Storm Storage Tank).
- New Isolation valve (Including Chamber) on the new overflow pipe between the Inlet Manhole and the Storm Storage Tank.
- New Storm Return Pipe (Storm Tank to WwPS) including Isolation Valve (at the storm tank) and flap valve (at the WwPS).
- New Emergency overflow pipe from the Storm Storage Tank to the existing emergency overflow pipe (including spill monitor and spill monitor chamber).
- New Potable Water Tank (Including Kiosk to house the water pumps).
- New Security Fencing (Including Security Access Gate) around the proposed site.
- New Potable Water Supply to the Site.
- New Solar Photovoltaic (PV).
- New Ducting Network for Power and Telemetry Cables.
- Re-routing of the existing site power supply to the new MCC Kiosk.

- Abandonment and demolition of the Existing WwPS once the new WwPS becomes operational.

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

- To improve the water quality discharging from the existing WwPS (via its Storm Water Overflow).
- To reduce the number of 'Storm Water Overflow' spills discharging to the Glebe River (thus improving the water quality of the receiving watercourse).
- To improve performance and resolve ongoing issues at the existing WwPS site.
- To provide an Uisce Éireann compliant WwPS design at the site.

History of Scheme Development and Statutory Processes

8. In addition, the need for BALLYHALE_KNOCKTOPHER WASTEWATER PUMPING STATION, KNOCKTOPHER, COUNTY KILKENNY, is required to comply with: -

- Proper Planning and Sustainable Development
- Protection of Human Health and the Environment - The Project serves the objective of the Urban Wastewater 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 Wastewater 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.
- 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;
 - Provide Effective Management of Wastewater;
 - Protect and Enhance the Environment;
 - Support Social and Economic Growth; and
 - Invest in Our Future.

9. The reason(s) why the project is required to comply with the above are as follows: -
- To improve the water quality discharging from the existing WwPS (via its Storm Water Overflow).
 - To reduce the number of 'Storm Water Overflow' spills discharging to the Glebe River (thus improving the water quality of the receiving watercourse).
 - To improve performance and resolve ongoing issues as the existing WwPS site.
 - To provide a Uisce Éireann complaint WwPS design at the site.
 - To cater for future population growth in the catchment contributing to the WwPS.

The Need for these Lands

10. To facilitate the construction of elements of the scheme, namely the WwPS / Storm Storage Tank and all ancillary works including the new access road / turning head and perimeter security fencing. During the design process numerous options were examined with the current proposed scheme being the most feasible however it was determined that lands not in the ownership of Uisce Éireann would be required. These lands consisted of lands, permanent wayleaves, and temporary working areas. In this regard I refer to the attached Long List Options Report (LLOR) and Feasibility Study Report (FSR) of **JACOBS** Consulting Engineers dated June 2023 & September 2023 Respectively.
11. The lands, permanent wayleaves and temporary working areas required for the BALLYHALE_KNOCKTOPHER WASTE WATER PUMPING STATION, KNOCKTOPHER, COUNTY KILKENNY as it affects the ***Townland of Knocktopher Abbey*** area (and to be included in the proposed Compulsory Purchase Order) are described in the schedules to the enclosed draft "Uisce Éireann Compulsory Purchase Order (BALLYHALE_KNOCKTOPHER WASTE WATER PUMPING STATION, KNOCKTOPHER, COUNTY KILKENNY) 2025" and are depicted in the following proposed Compulsory Purchase Order Drawings:
- UE/10058737/CPO/001
12. Attempts have been made, in the period from June 2024 to date, to acquire these lands, permanent wayleaves and temporary working areas by agreement.
13. When it was determined that it would not be possible to acquire these lands, permanent wayleaves and temporary working areas by agreement, it was decided to seek a Compulsory Purchase Order.

Alternatives Considered

14. An outline of the alternatives include:
- An optioneering report was completed to determine all possible solutions for the scheme and during the design process the exiting site was the most feasible which was then progressed through the feasibility study phase.
- The existing site currently contains the tie in point for the gravity sewer network.
 - The outcome of the optioneering phase in all outcomes was to either extend the site or build a new WwPS in the current location.

- There are only two areas of undeveloped land, within the Knocktopher Settlement Boundary, that could potentially be connected into the gravity sewer feeding into the Ballyhale_Knocktopher WwPS however one area has been refused by Planning in the past due to a protected structure and the other site is densely populated with trees and wild vegetation.

The process of how the current proposals for this site, were arrived at, is described in detail in the Long List Options Report (LLOR) and Feasibility Study Report (FSR) by Jacobs dated June 2023 & September 2023 Respectively.

I am satisfied that all reasonable alternatives as outlined above and in the attached Long List Options Report (LLOR) and Feasibility Study Report (FSR) of JACOBS Consulting Engineers dated June 2023 and September 2023 respectively have been fully considered and are not demonstrably preferable and that these lands, permanent wayleaves and temporary working areas are necessary for the BALLYHALE_KNOCKTOPHER WASTE WATER PUMPING STATION, KNOCKTOPHER, COUNTY KILKENNY, are suitable for the purpose for which they are required.

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

15. The existing non-compliant Uisce Éireann infrastructure is being replaced with new compliant infrastructure so it is not in contravention of the existing County development Plan or the existing Local Area Plan i.e. it is an existing WwPS that is being upgraded to comply with current Uisce Éireann Standards.

Please refer to Planning Report dated March 2025.

Planning Status

16. Planning permission for the project was submitted on 20th March 2025.

Engagement with Landowners/Lessees/Occupiers

17. Uisce Éireann's Landowner Liaison Officer (LLO), Kieran O' Reagan, met with Mr William Holohan at his property in June 2024 and 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). Frank Holohan was contacted via telephone in October 2024 notifying him of the project. Richard Holohan, who resides in Australia was further notified via email in November 2024 of the project and the procession of a Compulsory Purchase Order. 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 19th September 2024

Introduction to Valuer – Issued on 28th January 2025

60 Day Letter – Issued on 15th April 2025.

Regulatory Compliance

18. Having consulted with the Irish Water 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 Wastewater 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 Wastewater 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.
- 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;
 - Provide Effective Management of Wastewater;
 - Protect and Enhance the Environment;
 - Support Social and Economic Growth; and
 - Invest in Our Future.

Conclusion

19. 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.

20. Accordingly it is recommended that Uisce Éireann make the Uisce Éireann Compulsory Purchase (BALLYHALE_KNOCKTOPHER WASTE WATER PUMPING STATION, KNOCKTOPHER, COUNTY KILKENNY) Order, 2025.

Dated this 29 day of August 2025

SIGNED:

A handwritten signature in blue ink, appearing to read "David Shalloo". The signature is fluid and cursive, with a large initial "D".

David Shalloo, Chartered Engineer

Portfolio Delivery Manager, Uisce Éireann

Documents referred to in This Report

1. Overview Drawings of Scheme
 - UE/10058737/CPO/001
2. Compulsory Purchase Order Drawings:-
 - UE/10058737/CPO/001
 - UE/10058737/CACQ/0001
3. Long List Options Report (LLOR) and Feasibility Study Report (FSR) of **JACOBS** Consulting Engineers dated June 2023 and September 2023 respectively.
4. Planning Report of JACOBS Consulting Engineers dated March 2025.

SCHEDULE

PART 1 – LAND ACQUISITION

**Land other than land consisting of a house or houses unfit for human habitation
and not capable of being rendered fit for human habitation at reasonable expense**

Plot Number shaded grey 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 Thomastown Library Marsh's Street Thomastown Co. Kilkenny							

001	UE/10058737/CPO/001	0.0605	Knocktopher Abbey	Mixed broadleaved / conifer woodland (WD2) & Artificial Surfaces (BL3)	Mr Richard Holohan Knocktopher Village, Knocktopher, County Kilkenny R95 P084. Mr William Holohan 32 White's Castle, Knocktopher, County Kilkenny, R95 AW9P. Mr Frank Holohan 2 Rosehill, Old Blackrock Road, Cork City, T12 V8ND.	Unknown	Unknown
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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 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 Thomastown Library Marsh's Street Thomastown Co. Kilkenny							

002	UE/10058737/CPO/001	0.0042	Knocktopher Abbey	Mixed broadleaved / conifer woodland (WD2) & Artificial Surfaces (BL3)	Mr Richard Holohan Knocktopher Village, Knocktopher, County Kilkenny R95 P084. Mr William Holohan 32 White's Castle, Knocktopher, County Kilkenny, R95 AW9P. Mr Frank Holohan 2 Rosehill, Old Blackrock Road, Cork City, T12 V8ND.	Unknown	Unknown
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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 Ballyhale_Knocktopher Wastewater Pumping Station . 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 Thomastown Library Marsh's Street Thomastown Co. Kilkenny							

003	UE/10058737/CPO/001	0.0925	Knocktopher Abbey	Mixed broadleaved / conifer woodland (WD2) & Artificial Surfaces (BL3)	Mr Richard Holohan Knocktopher Village, Knocktopher, County Kilkenny R95 P084. Mr William Holohan 32 White's Castle, Knocktopher, County Kilkenny, R95 AW9P. Mr Frank Holohan 2 Rosehill, Old Blackrock Road, Cork City, T12 V8ND.	Unknown	Unknown
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