

**Adare Rationalisation River Crossing
Compulsory Purchase Order**

Planning Report



DOCUMENT AMENDMENT RECORD

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	Compulsory Purchase Order
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1 INTRODUCTION

The existing Adare Water Treatment Plant was constructed in the 1970's and has reached its end of life. The plant has suffered from considerable deterioration and cannot be relied upon to produce water to current standards on an ongoing basis. An EPA in Q1 2024 observed risks to interruption to supply, water quality and pollution of the environment.

In addition to concerns at the plant, the 4km rising main to the reservoir is in very poor condition, with bursts now occurring on average 6 – 8 times per year. In September 2027, Adare Manor will host the Ryder Cup, an event which will place a significant additional demand on both the plant and this rising main.

The works relating to this report are part of a larger project known as Adare Rationalisation. The Adare Rationalisation project will supply water to Adare Water Resource Zone (WRZ) from the Limerick City WRZ. A new distribution main will be installed and supply the local network.

As part of the installation of the 350mm Ductile Iron trunk mains works, the river Maigue will have to be crossed.

A Compulsory Purchase Order is required to facilitate the river Maigue crossing. This Planning Report sets out the planning context associated with the proposed acquisition of lands.

The applicant is **Uisce Éireann**, previously Irish Water.

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 Irish Water by section 7(1) of the Water Services (No 2) Act 2013. Consequently, Irish Water 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, Irish Water is responsible for the provision and development of water and wastewater services.

As a Water Services Authority, Irish Water 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.

Uisce Éireann is responsible for the implementation of this project and has the power under the Water Supplies No. 2 Act 2013, section 11, to continue any water services project commenced by a local authority, including the subject project.

This report was prepared by TOBIN for Ward and Burke on behalf of Uisce Éireann.

2 OVERVIEW

This is an application by Uisce Éireann for confirmation of a Compulsory Purchase Order (CPO), entitled:

Uisce Éireann (Adare Rationalisation) Order, 2025.

The Compulsory Purchase Order relates to the compulsory acquisition of rights over lands in the townland of Castleroberts and is made pursuant to the powers conferred on Uisce Éireann, which is designated as a water services authority, by Sections 32 and 93 of the Water Services Act 2007, as amended.

3 PURPOSE OF CPO

The acquisition of lands is required to facilitate the supply of water from Limerick City Water Resource Zone (WRZ) to Adare Reservoir WRZ.

The lands that are the subject of this Compulsory Purchase Order are required for the following reasons:

1. To facilitate the construction of elements of the scheme, namely the trunk main pipeline and associated fittings.

4 SITE LOCATION, SITE DESCRIPTION AND SITE CONTEXT

The proposed works are located south of Adare as shown in Figure 4.1. The pipeline route is shown in red. The river crossing detail is shown in figure 4.2.

The land on either side of the river is currently used for agricultural purposes. The nearby Castleroberts Bridge is a Recorded Monument and NIAH(National Inventory of Architectural Heritage) site.

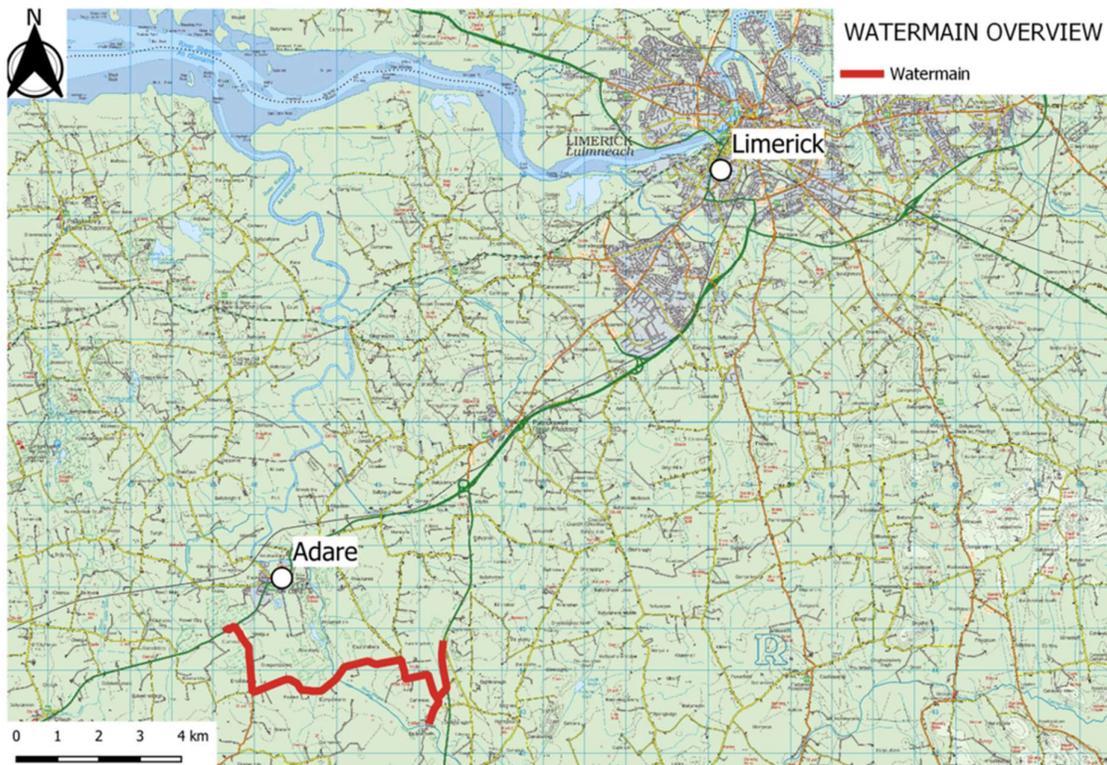


Figure 4-1 Site Location

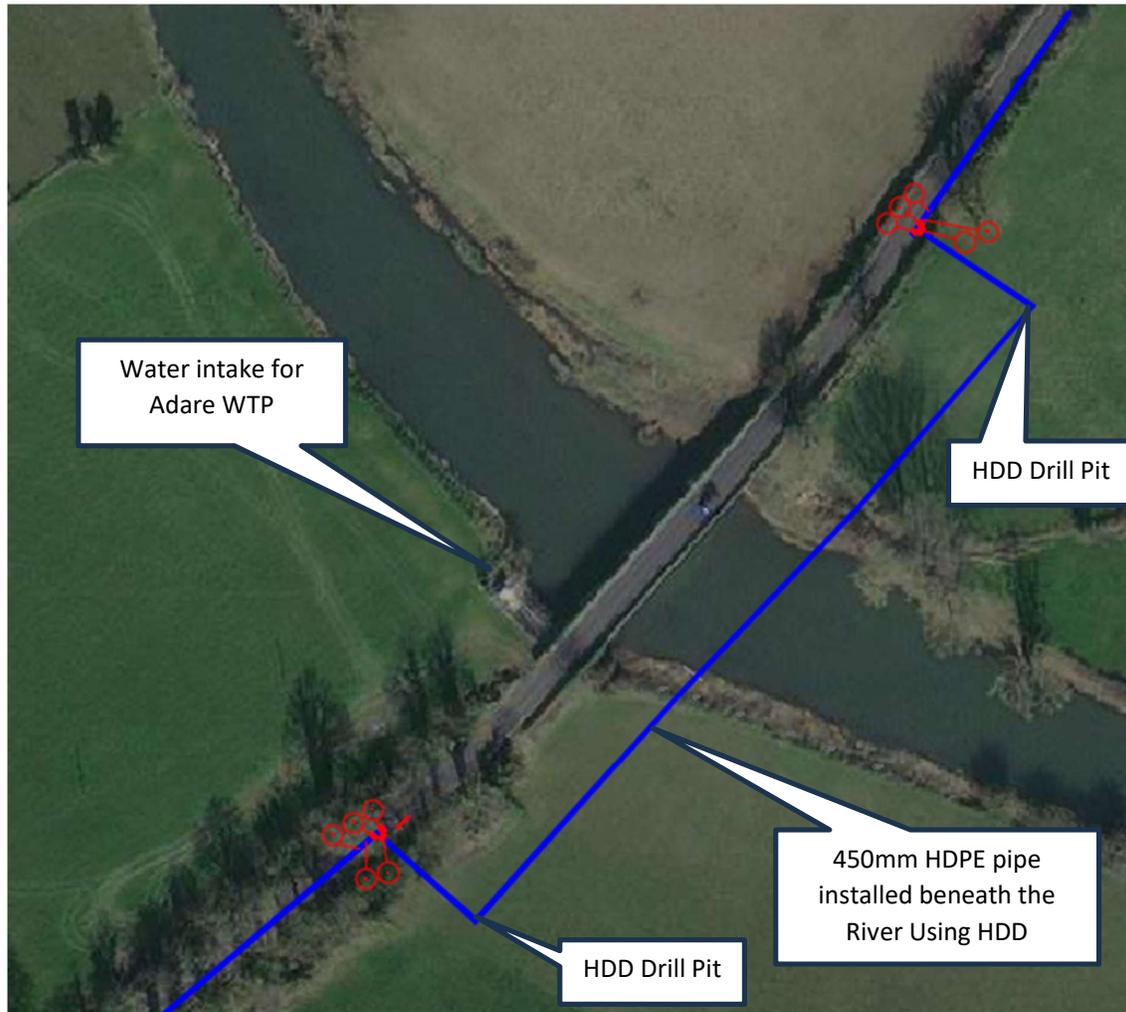


Figure 4-2 Proposed Works

The existing site and the lands subject to this CPO are all located in the townland of Castleroberts.

The closest houses to the works are those located approximately 300m to the North West.

5 OUTLINE PROJECT DESCRIPTION

In order to provide for the continued growth of Adare, and to provide a reliable supply of quality drinking water, it is necessary to bring a supply from Castletroy Newcastle Towers to Adare Reservoir. This will involve crossing the River Maigue.

The proposed development will include the following elements:

- A water main 450mm HDPE (High Density Polyethylene) Horizontally Directionally Drilled beneath the River Maigue.

These areas are outlined on the following drawings:

- UÉ/10051295/CPO/001. This drawing shows all lands included in the CPO procedure.
- UÉ/10016932/CWL/002. This drawing shows the lands in private ownership for which a compulsory Wayleave is required as part of the CPO procedure.

6 RELEVANT PLANNING HISTORY

There is no relevant planning history associated with the works areas.

7 LEGISLATIVE AND POLICY CONTEXT

7.1 European Context

Water Framework Directive

The Water Framework Directive 2000/60/EC (WFD) provides the European Union legislative framework for the protection of all waters including rivers, lakes, estuaries, coastal waters and groundwater, and their dependent wildlife and habitats across Europe. The WFD sets objectives to reduce the discharge of pollutants to waters, to prevent deterioration in water quality and achieve 'Good Status' in all waters over time.

Environmental Impact Assessment Directive

The EIA Directive is European Policy on the environment and is based on the precautionary principle, requiring that effects on the environment are considered as early as possible during planning and decision-making processes.

The EIA Directive is set out in EU Directive 2011/92/EU, as amended by 2014/52/EU ("the EIA Directive"). Annex I lists developments for which EIA is mandatory and Annex II lists projects which require a determination of their likely significant effects. Criteria to determine whether a sub-threshold development should be subject to an EIA is set out in Annex III.

Under Schedule 5 of the Planning and Development Act 2001, as amended, EIA is mandatory for Part 1 developments where thresholds are met or exceeded, but also for Part 2 developments where the national thresholds are met or exceeded. A screening determination is required for all sub-threshold developments for both Part 1, where not covered by Part 2, and for Part 2 developments.

The criteria to determine whether a sub-threshold development should be subject to an EIA are set out under Schedule 7 of the Planning and Development Regulations 2001, as amended. Schedule 7A lists information to be provided for the purpose of an EIA Screening. Under Article 103 of the 2001 Planning and Development Regulations, as amended the planning authority can request the submission of an EIA Report, if it is of the view that sub-threshold development would likely result in significant effects on the environment.

7.2 National Context

Uisce Éireann's Water Services Strategic Plan 2050

Uisce Éireann's Water Services Strategic Plan (WSSP) sets out Uisce Éireann's strategic objectives for the delivery of water services up to 2040 to ensure the availability of safe drinking water, an environment that is protected from the impacts of wastewater discharges, and efficient modern

systems that meet the needs of customers, contribute to economic growth and development, and provide value for money.

The completion of the Adare Rationalisation project will ensure the availability of safe drinking water to the consumers, contribute to the economic growth and development of Adare.

7.3 Local Context

Limerick Development Plan 2022 – 2028

Policy Objective IN 06 of the *Limerick Development Plan 2022–2028* is “*Liaise with Irish Water during the lifetime of the plan to secure investment in the provision, extension and upgrading of the pipe water distribution network and wastewater pipe network across Limerick City and County to serve existing population and future population growth and sustain economic growth, in accordance with the requirements of the Core and Settlement Strategies.*”

The installation of the river crossing is consistent with the policy objectives set out in the Limerick Development Plan 2022–2028.

Adare Local Area Plan 2024-2030

The Adare Rationalisation project is referenced in the Adare Local Area Plan 2024-2030. “*A Project to facilitate interconnection with Limerick City WRZ, Via Croom is underway and is expected to be delivered by 2026, subject to the necessary approvals. It is envisaged that, with these works there will be adequate capacity available to cater for the proposed population growth over the plan period.*”

The lands that are the subject of this CPO are located outside the Adare Local Area Map and therefore not zoned.

8 CONCLUSION

The installation of a of the water main beneath the river Maigue is required to meet future requirements, both in terms of capacity to provide for the growth of Adare, and also to ensure safe drinking water for the consumers in the area.

A Compulsory Purchase Order is required to facilitate the installation of water main beneath the river Maigue to complete the Adare Rationalisation project. This Planning Report has set out the planning context associated with the proposed acquisition of lands.

The proposed development is consistent with all European, national and local legislative requirements.

