

COMPULSORY ACQUISITION OF LANDS AND RIGHTS OVER LAND

Uisce Éireann COMPULSORY PURCHASE (Rathbride Abbey Wastewater Network) ORDER, 2025

ENGINEERS REPORT

To: Chief Executive Officer, Uisce Éireann

Date: May 2026

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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 (Rathbride Abbey Wastewater Pumping Station Upgrade) Order, 2026.
2. The Order is required for the purposes of Uisce Éireann's advancing the Rathbride Abbey Wastewater Pumping Station Upgrade ("the Project") which is part of the capital maintenance programme within the WWPS Upgrade / WWBG programme.

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 (formerly Irish Water) 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 Rathbride Abbey Wastewater Pumping Station Upgrade 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 wastewater collection and treatment facilities, the construction or maintenance, or arrangement for the construction and maintenance of, water works, or wastewater 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 Rathbride Abbey Wastewater Pumping Station (WwPS), located within the Rathbride Abbey housing estate in Kildare, plays a critical role in safeguarding public health and supporting sustainable growth in Kildare Town. As part of Uisce Éireann national Capital Maintenance Programme, this project addresses persistent operational and structural challenges at the station, ensuring reliable wastewater management for the 234 properties it currently serves and accommodating future development. With Uisce Éireann prioritizing this site due to recurring equipment failures, capacity limitations, and health and safety concerns, the proposed interventions will not only resolve immediate deficiencies but also future proof the infrastructure in line with Uisce Éireann standards. The planned upgrades will enhance operational resilience, reduce maintenance costs, and support the continued social and economic development of the wider Kildare area.

Description of the Scheme & Public Interest

6. In order to provide the wastewater capacity necessary to accommodate current needs and future development in Kildare Town, the scheme includes the construction of a new wastewater pumping station (WwPS), new gravity sewer from the existing inlet manhole to the new wet well and connection with the existing rising main.
7. Construction of a new 5.5m diameter wet well (precast concrete caisson), providing 79m³ of emergency storage.
8. Construction of a new reinforced concrete valve chamber and a new flowmeter chamber.
9. Diversion of flows from the existing inlet manhole to the new wet well via a new gravity sewer.
10. Connection of the existing rising main to the new valve chamber.
11. The main objectives of the project are as follows:
 - Addresses critical structural and operational deficiencies in the existing pumping station, ensuring reliable wastewater services for the Rathbride Abbey estate and wider Kildare Town.
 - Provides increased storage and pumping capacity to meet current and future demand.
 - Delivers a resilient, future-proofed for sustainable infrastructure.

The Need for these Lands

12. Lands are required to facilitate the construction of elements of the scheme, namely the WwPS site, connection with the rising main and the gravity sewer.
13. During the site selection process, two site locations were examined with the current scheme being the most feasible however it was determined that lands not in the ownership of Uisce Éireann would be required. These lands consist of permanent acquisition, permanent wayleaves, and temporary working areas. In this regard I refer to the Site Selection Report, undertaken by AtkinsRéalis Consulting Engineers dated April 2026.
14. The permanent acquisitions, permanent wayleave and temporary working area required for the Rathbride Abbey Wastewater Pumping Station Upgrade, are described in the schedules to the enclosed draft "Uisce Éireann Compulsory Purchase Order (Rathbride Abbey Wastewater Pumping Station Upgrade) 2025" and are depicted in the following proposed Compulsory Purchase Order Drawings:
 - UE-10060142-CPO-0001
15. Attempts have been made, in the period from June 2025 to date, to acquire these permanent acquisitions, permanent wayleaves and temporary working areas by agreement.
16. Uisce Éireann's Tracy Horan introduced the project in person and acted as the point of contact for the landowner (LO) for any queries related to the project (not related to compensation). [This introduction was followed by multiple engagements with the landowners, their solicitors and other representatives by phone, email and in person].
17. When it was determined that it would not be possible to acquire these permanent acquisitions, permanent wayleaves, and temporary working areas by agreement in a time for the project to proceed, it was decided to seek a Compulsory Purchase Order.

Alternatives Considered

18. An outline of the alternatives include:

- Two initial site options were considered for the proposed Rathbride Abbey Wastewater Pumping Station (WwPS) upgrade, based on site boundaries constraints:

- (1) Construct the works within the boundaries of the existing WwPS site
- (2) Acquire a new or extended site to accommodate the new infrastructure.

Following a thorough evaluation, the first option was discounted. The second option was progressed through the development of two alternatives design solutions involving extensions to the existing site boundaries. Both options were assessed and subsequently shortlisted. The preferred site was selected based on planning, technical, and community criteria. The eastern site was selected as the preferred location, based on the above criteria.

- (3) I am satisfied that all reasonable alternatives as outlined above and in the Route Selection Report, undertaken by AtkinsRéalis Consulting Engineers dated April 2026, have been fully considered and are not demonstrably preferable and that these permanent acquisitions, permanent wayleaves, and temporary working areas are necessary for the Rathbride Abbey Wastewater Pumping Station Upgrade, and are suitable for the purpose for which they are required.

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

- (4) The proposed development is supported by national, regional, and local planning policy, including:
 - Project Ireland 2040 – National Planning Framework, First Revision (April 2025)
 - The Eastern and Midlands Regional Assembly Regional Spatial and Economic Strategy (RSES) 2019–2031.
 - The Kildare County Development Plan and the Kildare Town Local Area Plan 2023–2029.
- (5) The proposed scheme is located on lands zoned as “Open Space and Amenity” under the Kildare Town Local Area Plan. The design has been developed to minimize permanent impacts on amenity lands, with above-ground structures limited and green space preserved wherever possible.
- (6) In this context, the proposed scheme is consistent with the relevant objectives of national, regional, and local planning policy, including the zoning objectives pertaining to the site. The scheme would not materially contravene the policies or zoning objectives of the Kildare County Development Plan or the Kildare Town Local Area Plan.
- (7) Please refer to CPO Planning Report dated October 2025 from AtkinsRéalis.

Planning Status

The existing pumping station was originally granted planning permission as part of the proposed residential development under PA Ref. No. 98/235, granted permission on 20th January, 1999.

The proposed works as outlined in section 2.4 above are exempt under Class 58(b) and (c) of the Planning and Development Regulations, 2001, as amended,

Regulatory Compliance

- (8) 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.
 - 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:
 - Provide Effective Management of Wastewater;
 - Protect and Enhance the Environment;
 - Support Social and Economic Growth; and
 - Invest in Our Future.

Conclusion

(9) 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.

(10) Accordingly, it is recommended that Uisce Éireann make the Uisce Éireann Compulsory Purchase (Rathbride Abbey Wastewater Pumping Station Upgrade) Order, 2025.

Dated this 28 day of May 2026

SIGNED: _____

David Shalloo, Chartered Engineer

Portfolio Delivery Manager, Uisce Éireann

Documents Enclosed with This Report

1. Compulsory Purchase Order Schedule
2. Compulsory Purchase Order Drawings: -
 - UE-10060142-CACQ-0001
3. Route Site Selection undertaken by AtkinsRéalis Consulting Engineers dated April 2026:
4. CPO Planning Report dated October 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							
Kildare County Council, Devoy Park, Naas Co Kildare							

002	UE/10060142/CPO/0001	0.019787	Bishopsland	Open space	Whitesland Limited, C/O Mr Joe Flanagan & Mr Paddy White The Square, Kildare, County Kildare Mr Joe Flanagan c/o Mr Brian Flanagan Dunbrody Rathbride Road Kildare Town Co Kildare R51 W206 Mr Paddy White Oghilt Kildare Co Kildare	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	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							
Kildare County Council, Devoy Park, Naas Co Kildare							

001	UE/10060142/CPO/0001	0.018347	Bishopsland	Open space	Whitesland Limited, C/O Mr Joe Flanagan & Mr Paddy White The Square, Kildare, County Kildare	Unknown	Unknown
					Mr Joe Flanagan c/o Mr Brian Flanagan Dunbrody Rathbride Road Kildare Town Co Kildare R51 W206		
					Mr Paddy White Oghill Kildare Co Kildare		

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 Rathbride Abbey Wastewater Pumping Station 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							
Kildare County Council, Devoy Park, Naas Co Kildare							

003	UE/10060142/CPO/0001	0.022726	Bishopsland	Open space	Whitesland Limited, C/O Mr Joe Flanagan & Mr Paddy White The Square, Kildare, County Kildare Mr Joe Flanagan c/o Mr Brian Flanagan Dunbrody Rathbride Road Kildare Town Co Kildare R51 W206 Mr Paddy White Oghill Kildare Co Kildare	Unknown	Unknown
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