

Notice of a Compulsory Purchase Order under the Water Services Acts, 2007 to 2013 (and, in particular, Sections 7 and 11 of the Water Services (No. 2) Act, 2013 and Part 2 and Sections 31 & 32 and Part 7 and Section 93 of the Water Services Act, 2007, as amended)
The Planning and Development Acts, 2000 to 2014 (and, in particular, Part XIV and Sections 213 and 217 of the Planning and Development Act, 2000)
Section 184(2) of the Local Government Act, 2001,
The Housing Act, 1966 (and in particular Part V, Sections 76, 78 and 83(2) and the Third Schedule)
Section 10 of the Local Government (No. 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 by Section 222 of the Planning and Development Act, 2000)
The Lands Clauses Acts
The Acquisition of Land (Assessment of Compensation) Act, 1919

AS RESPECTS ALL OR PART OF THE LAND TO WHICH THIS COMPULSORY PURCHASE ORDER RELATES
TO BE PUBLISHED IN ACCORDANCE WITH ARTICLE 4(a) OF THE THIRD SCHEDULE TO THE HOUSING ACT, 1966, AS AMENDED BY THE PLANNING AND DEVELOPMENT ACTS, 2000 – 2014.

COMPULSORY ACQUISITION OF LAND

Irish Water Compulsory Purchase (Regional Biosolids Storage Facility Project) Order, 2018

1. Irish Water (hereinafter referred to as “the Company”) as a Water Services Authority for the purposes of the Water Services Act, 2007, proposes, for the purposes of the Water Services Acts, 2007 to 2013 and in exercise of its powers under Sections 32 and 93 of the Water Services Act, 2007, to acquire compulsorily the lands hereinafter described and has made an order entitled as above which is about to be submitted to An Bord Pleanála (hereinafter “the Board”) for confirmation. If confirmed, the order will authorise the Company to compulsorily acquire, for the purposes of the Water Services Acts, 2007 to 2013 and of the Regional Biosolids Storage Facility Project:-

Permanently, the lands described in Part 1 of the Schedule hereto - which lands are shown **shaded grey** on the map marked “Irish Water Compulsory Purchase (Regional Biosolids Storage Facility Project) Order, 2018” and numbered IW/RBSF/CPO/100.

NOTE: Such acquisition will by Section 83(2) of the Housing Act, 1966, by operation of law and subject to a right of compensation operate to vest in the Company without any conveyance or transfer, the rights described in Part 2 of the Schedule hereto, which rights are over the land hatched yellow on the map marked “Irish Water Compulsory Purchase (Regional Biosolids Storage Facility Project) Order, 2018” and numbered IW/RBSF/CPO/100.

All of the said lands described in the Schedule hereto are situate in the County of Dublin and within the functional area of Fingal County Council.

Which map is sealed with the seal of the Company.

2. Owners, lessees and occupiers of the lands described in the Schedule hereto will receive individual written notice.
3. Any objections to the compulsory acquisition of the lands described in the Schedule hereto should be made in writing to An Bord Pleanála, 64 Marlborough Street, Dublin 1, before 5.30pm on 31st July, 2018.
4. The Board cannot confirm a Compulsory Purchase Order in respect of the lands if an objection is made in respect of the acquisition by an owner, lessee or occupier of the lands, and not withdrawn, until it has caused to be held an Oral Hearing into the matter and until it has considered the objection and the report of the person who held the Oral Hearing. However, regard should be had to the provisions of Section 218 of the Planning and Development Act, 2000, as amended which provides that where as a result of the transfer of functions under Section 214, 215, 215A, 215B or 215C of the Planning and Development Act, 2000, as amended, the Board would otherwise be required to hold a local enquiry, public local enquiry or oral hearing, that requirement shall not apply to the Board but the Board may, at its absolute discretion, hold an Oral Hearing in relation to the matter, the subject of the function transferred.
5. An Environmental Impact Assessment Report, for which separate public notice has been given, has been prepared in respect of the development which it is proposed to carry out on the lands. A Natura Impact Statement has also been prepared as to the possibility of significant effects of the proposed development on European Sites. Copies of the Environmental Impact Assessment Report and the Natura Impact Statement are available for inspection or purchase at the locations listed in point 6 below and may be downloaded from www.ringsendwwtpupgrade.ie. Submissions or observations as to the effects on the environment and/or on European Sites may be made in writing to the Board before 5.30 p.m. on the 31st July, 2018. Evidence in relation to the likely effects on the environment of the proposed development and the Natura Impact Statement, may also be heard at the Oral Hearing, if any.
6. A copy of the Order, deposited map, Engineer’s Report, Site Selection Report, Planning Report and Managing Director’s Order may be seen at:
 - i. The offices of Fingal County Council, Planning Counter, County Hall, Main Street, Swords, Co. Dublin, between the hours of 9.00 a.m. to 5.00 p.m. Monday to Thursday and between the hours of 9.00 a.m. to 4.30 p.m. on Friday;
 - and
 - ii. The offices of Fingal County Council, Planning Counter, Grove Road, Blanchardstown, Fingal, Dublin 15, between the hours of 9.30 a.m. to 4.30 p.m. Monday to Thursday and between the hours of 9.30 a.m. to 4.00 p.m. on Friday;

and

- iii. The offices of Dublin City Council, Planning Counter, Ground Floor, Civic Offices, Wood Quay, Dublin 8, between the hours of 9.00 a.m. to 4.30 p.m. Monday to Friday.

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 map deposited at the offices of Fingal County Council (Swords & Blanchardstown) and the Offices of Dublin City Council (Wood Quay)	Drawing No.	Quality, Situation and Description of the Land			Owners or Reputed Owners	Lessees or Reputed Lessees	Occupiers
		Area in Hectares	Location	Description of Property			

PART 2 –RIGHTS

The right of [Landowner Name], the registered owner of Folios DN9948 and DN93232F, his executors, administrators, mortgagees, transferees and assigns, the owners and occupiers for the time being of the lands comprised in Folios DN9948 and DN93232F to the free and uninterrupted passage and running of surface water from the property comprised in Folios DN9948 and DN93232F, through a surface water drain laid and installed by [Landowner Name] on part of the property described in Part 1 of the Schedule hereto hatched yellow on the map marked “Irish Water Compulsory Purchase (Regional Biosolids Storage Facility Project) Order, 2018, and numbered IW/RBSF/CPO/100, together with the full right and liberty at all reasonable times upon giving reasonable notice to enter upon the property set out in Part 1 of the Schedule hereto for the purpose of connecting to, inspecting, maintaining, improving, replacing, repairing, cleansing or clearing obstruction in the said surface water drain and to make any excavations necessary for same.

Plot Number hatched yellow on map deposited at the offices of Fingal County Council (Swords & Blanchardstown) and the offices of Dublin City Council (Wood Quay)	Drawing No.	Quality, Situation and Description of the Land			Owners or Reputed Owners	Lessees or Reputed Lessees	Occupiers
		Area in Hectares	Location	Description of Property			

Dated this 1st Day of June 2018

Liam O’Riordan, Secretary, Irish Water, Colvill House, 24-26 Talbot Street, Dublin 1.