

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 DEVELOPMENTS 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
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 LAND 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

COMPULSORY ACQUISITION OF LAND AND RIGHTS OVER LAND

Irish Water Compulsory Purchase (Greater Dublin Drainage Project) Order, 2018

To: [Landowner Name]
[Landowner Address]

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 and the rights over 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.
2. 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 Greater Dublin Drainage Project:
 - (a) **Permanently, the lands** described in Part 1 of the Schedule hereto - which lands are shown **shaded grey** on the maps marked “Irish Water Compulsory Purchase (Greater Dublin Drainage Project) Order, 2018” and numbered; **IW/GDD/CPO/05**;
 - (b) **Permanently, the wayleaves** described in Sub-Part A of Part 2 of the Schedule hereto, over the lands described in Sub-Part B, of Part 2 of the Schedule hereto - which wayleaves are shown **coloured yellow** on the maps marked “Irish Water Compulsory Purchase (Greater Dublin Drainage Project) Order, 2018”, and numbered; **IW/GDD/CPO/01, IW/GDD/CPO/03, IW/GDD/CPO/04, IW/GDD/CPO/05, IW/GDD/CPO/07, IW/GDD/CPO/08, IW/GDD/CPO/13 and IW/GDD/CPO/14**;

- (c) **Permanently, the rights of way** described in Sub-Part A of Part 3 of the Schedule hereto, over the lands described in Sub-Part B, of Part 3 of the Schedule hereto – which lands are shown **hatched in red** on the maps marked “Irish Water Compulsory Purchase (Greater Dublin Drainage Project) Order, 2018” and numbered; **IW/GDD/CPO/07**;
- (d) **Temporarily, the rights** described in Sub-Part A of Part 4 of the Schedule here, to over the lands described in Sub-Part B, of Part 4 of the Schedule hereto - which lands are shown **coloured green** on the maps marked “Irish Water Compulsory Purchase (Greater Dublin Drainage Project) Order, 2018” and numbered; **IW/GDD/CPO/01, IW/GDD/CPO/03, IW/GDD/CPO/04, IW/GDD/CPO/05, IW/GDD/CPO/07, IW/GDD/CPO/13 and IW/GDD/CPO/14.**

All of which lands are situate in the County of Dublin and within the functional areas of Fingal County Council.

All of which maps are sealed with the seal of the Company.

3. A copy of the Order, deposited maps, Engineer’s Report, Routing Report, Planning Report and Managing Director’s Order may be seen at the following locations:-
 - (a) 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
 - (b) The offices of Fingal County Council, Planning Counter, Grove Road, Blanchardstown, 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
 - (c) 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.
4. The Housing Act, 1966, as amended, provides that if an objection is made with respect to the proposed compulsory acquisition of lands or rights over lands, the lands in respect of which an objection is duly made by any of the persons upon whom notices of the making of the Order are required to be served, shall not be acquired compulsorily unless the Board makes an order to confirm the Compulsory Purchase Order, unless: -
 - (a) the objection is withdrawn, or
 - (b) the Board is satisfied that the objection relates exclusively to matters which can be dealt with by the Arbitrator by whom the compensation may have to be assessed.

Prior to a decision on confirmation or otherwise of a Compulsory Purchase Order, the Board may at its absolute discretion, hold an oral hearing in relation to the matter.

5. Any objections to the compulsory acquisition of land and rights over land described in the Schedule hereto should be made in writing to An Bord Pleanála at 64 Marlborough Street, Dublin 1, before so as to reach the said Board **before 5.30 p.m. on 17th August 2018.**

6. 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 3 above and may be downloaded from www.gddapplication.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 17th August 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.
7. The Board, if it thinks fit, may in one or more stages annul the Compulsory Purchase Order or confirm the Order, with or without modification.
8. If no objection is received to the proposed compulsory acquisition of lands or rights over lands, or the objection is withdrawn or the Board is satisfied that the objection relates exclusively to matters which can be dealt with by the Arbitrator by whom the compensation may have to be assessed, the Board shall inform the Company, which may then confirm the Order with or without modification, or refuse to so confirm it.
9. If lands or rights over lands to which the Order, as confirmed by either the Board or the Company, relates are acquired by the Company, compensation for the lands or rights over lands will be assessed in respect of the acquisition as the value of the lands or rights over lands at the date that the relevant Notice to Treat is served.
10. In the opinion of the Company, no part of the lands in which you have an interest consists of a house or houses which is/are unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense. If the lands or rights over lands to which the Order relates is acquired by the Company, compensation will be assessed in accordance with Part 11 of the Fourth Schedule to the Housing Act, 1966, and the provisions of the Acquisition of Land (Assessment of Compensation) Act, 1919 as amended by the Acquisition of Land (Reference Committee) Act, 1925, the Property Values (Arbitrations and Appeals) Act, 1960, and the Local Government (Planning and Development) Act, 1963 (as applied by section 265(3) of the Planning and Development Act, 2000), subject to the modifications contained in the Third Schedule to the Housing Act, 1966.
11. Any dispute in relation to compensation shall be referred to and determined by a Property Arbitrator appointed under the Property Values (Arbitrations and Appeals) Act, 1960.
12. A claimant for compensation may at any time after the expiration of fourteen days from the date on which the relevant Notice to Treat is served, send to the Secretary, the Land Values Reference Committee, C/o High Court, Four Courts, Dublin 7 an application in writing for the nomination of a property arbitrator for the purpose of determining the compensation to be paid. The application should be made in accordance with the Property Values (Arbitrations and Appeals) Rules, 1961 (S.I. No. 91 of 1961).

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 maps deposited at the offices of Fingal County Council (Swords & Blanchardstown) and the offices of Dublin City Council	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 – 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 lands specified in Sub-Part B below, together with the right,
- (ii) to enter, with or without 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 maps deposited at the offices of Fingal County Council (Swords & Blanchardstown) and the offices of Dublin City Council	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 3 – PERMANENT RIGHT OF WAY

Sub-Part A – Description of Right of Way

The right for the Company, its successors in title, assigns, tenants, licensees, servants or agents, contractors and workmen, to enter upon and to pass and re-pass over the lands specified in Sub-Part B below, with or without vehicles, plant and machinery, 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, of any lands (including rights over land and the wayleaves described in Part 2 of this Schedule).

Such right shall include:

- the right to lay and maintain a suitable roadway and works ancillary thereto over the lands specified in Sub-Part B below
- the right to do in, on, under or over the lands specified in Sub-Part B below anything reasonably necessary or desirable for or ancillary or incidental to the construction, repair, maintenance and alteration of the Greater Dublin Drainage Project on any land (including rights over land and the wayleaves described in Part 2 of this Schedule).

Plot Number hatched red on maps deposited at the offices of Fingal County Council (Swords & Blanchardstown) and the offices of Dublin City Council	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 4 – TEMPORARY WORKING AREA

Sub-Part A – Description of Rights

The temporary right for the Company, its successors in title, assigns, tenants, licensees, servants or agents, contractors and workmen, to enter upon and to pass and re-pass over the lands specified in Sub-Part B below, with or without vehicles, plant and machinery, 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, of any lands (including rights over land and the wayleaves described in Part 2 of this Schedule) for purposes of construction and commissioning of the Greater Dublin Drainage Project.

Such right shall:

- Include the right to lay and maintain a suitable roadway and works ancillary thereto over the lands specified in Sub-Part B below.
- Include the right to do in, on, under or over the lands specified in Sub-Part B below anything reasonably necessary or desirable for or ancillary or incidental to the construction of the Greater Dublin Drainage Project on any land (including rights over land and the wayleaves described in Part 2 of this Schedule).
- Terminate on final commissioning of the Greater Dublin Drainage Project following completion of its construction.

Sub-Part B – Description of Land

Plot Number coloured green on maps deposited at the offices of Fingal County Council (Swords & Blanchardstown) and the offices of Dublin City Council	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 18th of June 2018

Signed:

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