

Grainne Oglesby

From: Patrick Doyle
Sent: 13 August 2015 09:01
To: Grainne Oglesby
Subject: FW: H0002-01

From: Patrick Doyle
Sent: 13 August 2015 08:53
To: 'Jacinta Ryan'
Subject: RE: H0002-01

Hi Jacinta,

I acknowledge receipt of your submission.

Regards,
Patrick

PATRICK DOYLE PROGRAMME OFFICER, OFFICE OF CLIMATE,
LICENSING & RESOURCE USE, EPA, JOHNSTOWN CASTLE ESTATE, CO.
WEXFORD
+353(0)53 9160600 | 7376 (internal) | P.Doyle@epa.ie

Environmental Protection Agency, Ireland - www.epa.ie

From: Jacinta Ryan [<mailto:ryansjac1@hotmail.com>]
Sent: 12 August 2015 23:06
To: Patrick Doyle
Subject: H0002-01

Dear Patrick

Please find enclosed documents which were sent and received by the EPA on the 6th July 2015, An Post reference number is RL541577012IE.

You informed me last week that the documents that were received by the EPA on the the July 2015 cannot be located and you asked me to resubmit the documents directly to yourself.

Mr Patrick Doyle
Office of Climate, Licensing and Resource
PO Box 3000
Johnstown Castle
Wexford.

CERTIFICATE OF AUTHORISATION FOR CLOSED LANDFILL AT CARCUR H0002-01.

Dear Sir/Madam,

In addition to my previous letter dated 26th March 2012, I would like to submit the following documents for your attention regarding the above referenced application.

1. Infrastructural Agreement at Carcur - Park, Wexford prepared by Malone O'Regan Consulting Engineers for Roadstone Provinces.
2. Letter dated 1st December 2006 re meeting with Derry O'Sullivan, Technical Director of Roadstone Provinces, Liam Fennelly and Brian Mackey. I refer you to point 6 of this letter.
3. Email dated 29th May 2007 from Malone O'Regan to Ambrose Madders and cc to Adrian Doyle, Ifennelly of Malone O'Regan and Derry O'Sullivan of Roadstone Provinces LTD. Landfill to be removed to facilitate the construction of the road.
4. Emails dated from Monday 11th June 2007 - 12th June 2007 between Alan Mooney, Ken Egan and Ger Griffin. CRH wants a straight contribution of 2million and they will carry out the landfill works.
5. Letter dated 2 April 2012 to each member of Wexford Borough Council, I refer you to page 2 paragraph Town Park application for Certificate of Authorisation lodged in September 2011 and an additional information submitted on 30th January 2012.
6. Conditions of Sale of the Roadstone Land dated 26th June 2007 Vendor, I refer you to page 8 section c, where as Roadstone as vendor is obliged to construct works comprising inter alia a roundabout, road and railway bridge.

I believe the above referenced documents will show that the road at Carcur/Park constructed in 2009, was knowingly built over the Carcur landfill without a Certificate of Authorisation, and under S.I. 524 of 2008 the EPA regulates the Local Authorities in relation to closed landfills.

I await the results of your investigations in relation to this matter.

Kind Regards

Jacinta Somers

PS, Patrick could you please acknowledge my email. Thanking you.

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

CONSULTING ENGINEERS
O'NEILL & REGAN

WATERFORD

Infrastructure at Carour-Park, Wexford

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Roadstone Provinces Ltd

Waterford
St Catherine's Road
Catherine's Hill
Wexford
Tel 051 876 855
Fax 051 876 828
Email info@waterford.morcel.ie

WATERFORD

info@morcel.ie
091 564 644
051 069 231

WATERFORD

info@morcel.ie
091 564 644
051 069 231

DUBLIN
28 Richmond Office Park
Dublin
Tel 01 454 2222
Fax 01 454 2222
Email info@morcel.ie

W05007
OCTOBER 2003

transfer by way of sub-sale by Roadstone Provinces Limited (as the registered owner or the person entitled to be registered as owner) and by the Vendor (as sub-vendor). The Purchaser shall not require any registration in respect of Roadstone Provinces Limited to be completed in advance of completion.

5. **Access and infrastructure works**

(a) **Former access**

The Subject Property enjoys a right of way over adjoining lands contained in folio 3582F County Wexford which has not been used by the Vendor or its predecessors for many years and no objection requisition or enquiry shall be made in relation to this right of way.

(b) **Current access**

The current access to the Subject Property is over and along a dirt road and railway bridge the property of Wexford County Council and Coras Iompair Eireann respectively. This access has been enjoyed by the Vendor and its predecessors in title with the knowledge of Wexford County Council and Coras Iompair Eireann for many years. The Vendor understands that this access would not be adequate for the purposes of a major development on the Subject Property and no objection requisition or enquiry shall be made in relation to this access, but the Vendor will assure all its estate right title and interest in this access if required by the Vendor.

(c) **Wexford County Council**

The Vendor has agreed with Wexford County Council ("Wexford") for the construction by the Vendor of certain infrastructural works to facilitate development of the Subject Property on the terms set out in the agreement set out at Document 3 (the "Development Agreement"). The Purchaser shall be deemed to have read and understood the rights and obligations of the respective parties under the Development Agreement including the avoidance of doubt:

- (i) The Vendor is obliged to construct works comprising inter alia a roundabout, road and railway bridge;
- (ii) Wexford has agreed to permit construction of those works on its property and to contribute €2,000,000.00 plus VAT in respect of those costs;
- (iii) Wexford has agreed to take those works in charge on completion of construction;
- (iv) The Vendor has agreed with Wexford that any person purchasing the Subject Property shall assume the liabilities of the Vendor under the Development Agreement and as a condition of completion Wexford and the Purchaser shall execute the form of Deed of Novation set out in the Schedule 3 to the Development Agreement.

FAMILY HOME PROTECTION ACT, 1976 SPOUSAL CONSENT

I, _____ being the Spouse of the under named Vendor hereby, for the purposes of Section 3, Family Home Protection Act, 1976, consent to the proposed sale of the property described in the within Particulars at the price mentioned below.

SIGNED by the said Spouse
in the presence of:

MEMORANDUM OF AGREEMENT made this _____ 2007
BETWEEN

CRH ESTATES LIMITED having its registered office at Belgard Castle, Belgard Road,
Clondalkin, Co. Dublin

("VENDOR")

AND

("PURCHASER")

whereby it is agreed that the Vendor shall sell and the Purchaser shall purchase in accordance with the annexed Special and General Conditions of Sale the property described in the within Particulars at the purchase price mentioned below.

Purchase Price	€ _____	Closing Date	Eight (8) weeks from the date hereof.
Less deposit	€ _____	Interest Rate	10% per annum
Balance	€ _____		

SIGNED _____

SIGNED _____

(Vendor)

(Purchaser)

Witness _____
Occupation _____
Address _____

Witness _____
Occupation _____
Address _____

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THE LAW SOCIETY OF IRELAND
GENERAL CONDITIONS OF SALE (2001 (REVISED) EDITION)

PARTICULARS
and
CONDITIONS OF SALE
of
Lands at Park, Wexford

SALE BY AUCTION

to be held at Whites of Wexford Hotel, Abbey Street, Wexford

on 26 June 2007
at 3 o'clock

Auctioneer: Purcell Properties
Address: 51 High Street, Waterford.

Vendor: CRH Estates Limited

Vendor's Solicitor: Arthur Cox
Address: Earlsfort Centre
Earlsfort Terrace
Dublin 2

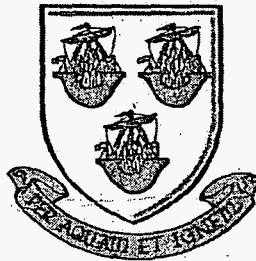
Reference: KME1972

WARNING: It is recommended that the within should not be completed without prior legal advice.

COMHAIRLE BHUIRG LOCH GARMAN

Wexford Borough Council,
Municipal Buildings,
Wexford.

Town Clerk : **Pat Collins**



Two further phases remain of the development work:

1. The construction of the Railway Bridge
2. The Roundabout and Road Improvement Works on the old Enniscorthy Road.

When the Roundabout is completed it will facilitate access to:

- a) The proposed Town Park
- b) The Sports Clubs, Wexford Wanderers, Volunteers, Faythe Harriers, St. Mary's and Sarsfields
- c) The development lands over the Railway.

The Roundabout will also facilitate the new Section of the Inner Relief Road. (see separate report).

Town Park

The proposal for a Town Park on the Old Dump Site requires a Certificate of Registration from the Environmental Protection Agency (E.P.A.) Following detailed survey and analysis by Consultants, Fehily Timoney & Associates, the application for the Certificate of Registration was lodged in February 2011. Further information was requested by the E.P.A. in September 2011. The information sought was submitted to the E.P.A. on 30th January 2012.

No further progress can be made until the Certificate of Registration is obtained. The ideal situation would be to commence the building of the Park in 2013, with a view to opening in 2015.

Adrian Doyle,
Director of Services
Manager Wexford Borough Council

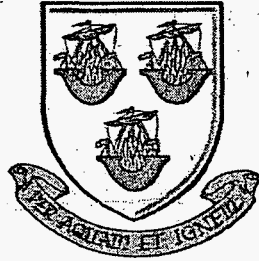
e-✉: adrian.doyle@wexfordcoco.ie
☎: 053 9196460

WEXFORD BOROUGH COUNCIL ~ WORKING FOR WEXFORD

Telephone Nos. 053-42611 & 053-42987 • Fax No. 053-45947 • E-mail: postmaster@wexfordboroughcouncil.ie

COMHAIRLE BHUIRG LOCH GARMAN

Wexford Borough Council,
Municipal Buildings,
Wexford.



Town Clerk: **Pat Collins**

2 April 2012

To Each Member of Wexford Borough Council

RE: Carcur – Park Action Plan

Action Area Plan

The Action Plan was jointly commissioned by Wexford County Council (W.C.C.) and Cement Roadstone Holding (C.R.H.) in 2003.

The Plan was adopted as an amendment to the Wexford Town & Environs Development Plan by W.C.C. and Wexford Borough Council (W.B.C.) in July 2003.

Infrastructural Development

On foot of the Plan an agreement, entitled 'The Development Agreement' was drawn up between C.R.H. and W.C.C. This agreement provided for the infrastructural developments required to provide services and road network including a railway bridge and a roundabout.

The Development Agreement was sealed by W.C.C. in July 2007. Since the completion of the Agreement, C.R.H. sold their landholding to Wm. Neville & Sons. In accordance with the Agreement, the terms and conditions of the Development Agreement transferred to the new owners.

In 2008 the Wexford Borough Boundary was extended to include the Carcur/Park area. W.B.C. then became the Planning and Roads Authority for the area.

Part VIII

In accordance with the Planning Regulations the proposed development works were advertised in July 2006. Following a Report to the County Council in July 2006, no submissions were received and the Council agreed to proceed in accordance with the plan in December 2006.

Wm. Neville & Sons have built part of the Roads and Services network in accordance with the Development Agreement and the Part VIII Planning Permission.

WEXFORD BOROUGH COUNCIL ~ WORKING FOR WEXFORD

Telephone Nos. 053-42611 & 053-42987 • Fax No. 053-45947 • E-mail: postmaster@wexfordboroughcouncil.ie

Ger Griffin

From: Ger Griffin
Sent: 12 June 2007 09:41
To: 'Alan Mooney'
Subject: RE: CRH - Park Carcur - Infrastructural Works[Scanned]

Alan,

We will give the max contrib of 2 million and the developer will carry out the works including the removal of the fill.

Ger,

-----Original Message-----

From: Alan Mooney [mailto:Alan@ensoroconnor.ie]
Sent: 12 June 2007 09:32
To: Ger Griffin
Subject: FW: CRH - Park Carcur - Infrastructural Works[Scanned]

Hi Ger,

See e-mail below from Ken Egan Legal for Roadstone, you can see that CRH have rejected the proposal that WCC would pay 1,750,000.00 as its contribution to the works with a further contribution of 250k in the event that crh carries out the landfill works.

CRH wants a straight contribution from WCC of 2 million plus vat and they will carry out the landfill works.

Can you telephone me to discuss or e-mail me as I need your instructions,

Regards,

Alan.

Alan Mooney,
Solicitor,
Ensor O' Connor,
Westgate,

amooney@ensoroconnor.ie

-----Original Message-----

From: Kenneth Egan [mailto:Kenneth.Egan@arthurcox.com]
Sent: Monday, June 11, 2007 5:57 PM
To: Alan Mooney
Cc: DOSullivan@Roadstone.ie
Subject: CRH - Park Carcur - Infrastructural Works[Scanned]

Alan

Further to our call this afternoon I have had the opportunity of discussing with my client the proposal regarding the treatment of any landfill beneath the route of the proposed road.

My instructions are (and this was minuted by Derry O'Sullivan in his mail to us and Adrian Doyle on 1 June) that it was agreed that Wexford could negotiate at a later stage a reduction in the "Contribution" in

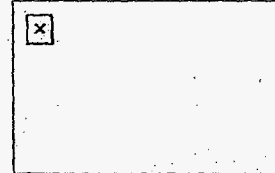
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Dolores Whitty

From: Malone O'Regan (Brian Mackey) [bmackey@waterford.morce.ie]
Sent: 29 May 2007 22:23
To: Ambrose Madders
Cc: Adrian Doyle; lfennelly@waterford.morce.ie; DOSullivan@Roadstone.ie
Subject: Access Road at Park/Cárcur
Attachments: ParkCarcurSK2007-05-29.pdf

Email

File Carcur

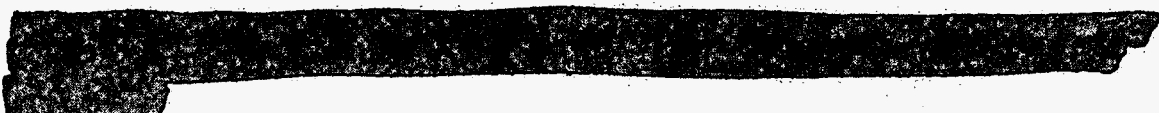


Job No.	W03157	Attached files:	

Ambrose,

Further to our meeting on site and subsequently with Adrian Doyle and Eamon Hoare at County Hall we attach a revised proposed alignment for the access road to the above lands. This has been established following completion of a new survey and additional trenching on site and is provided to avoid encroachment onto the GAA Pitches while minimising the volume of landfill material to be removed to facilitate construction of the road. The road has a design speed of 50kph as discussed at the meeting in County Hall.

Based on this alignment and the trial trenches excavated since our meeting we estimate that approximately 3,000m³ of landfill material will need to be removed off site and replaced with suitable fill material to facilitate construction of the road. Could you please review the proposal and comment as soon as possible.



Regards,

Brian Mackey.

St. Catherine's House,
Catherine Street,
Waterford.

☎: +353 51 876855
Fax: +353 51 876828
e-✉: info@waterford.morce.ie

2B Richview Office Park,
Clonskeagh,
Dublin 14.

☎: +353 1 2602655
Fax: +353 1 2602660
e-✉: info@morce.ie

13 Mill Street
Galway.

☎: +353 91 531069
Fax: +353 91 531084
e-✉: tbolgermor@eircom.net



roadstone

Park Lands Development

Meeting with Malone O'Regan, Consulting Engineers - 1st December 2006

Present: Liam Fennelly, Brian Mackey, Derry O'Sullivan

1. The costings for the roundabout, road & bridge were discussed. LF said that there was no progress possible on this as the alignment and width of road still had not been decided. Wexford County Council still have to decide:
 - a. whether the design road speed will be 50kph or 85kph, the selected speed will determine road curvatures.
 - b. Width of carriageways to be 6m or 7.3m + 1.5m cycle track.
2. The position of the roundabout is still not certain. However this can be established later and need not delay auction. We can make a working assumption that is going in the middle of Redmond Road.
3. Only when the road details are decided on as per 1. above can the detailed design and costings be done. This will take 6 weeks from that decision.
4. The road length is approx. 560m long and LF gave a *working estimate* of €3 to €3.5million for the construction cost.
5. The cost will also have to include the Irish Rail requirements for the existing bridge as set out in the first 4 bullet points of their *Special Conditions*. MO'R are to cost these and include them in the total costings.
6. DO'S expressed some concern at the possibility of the old dump resulting in future claims unless its exact location is confirmed. BM agreed to request Geotech to carry out 7 or 8 borehole to confirm ground conditions on the new alignment **and** to dig a series of trenches to establish the exact boundaries of the old dump. This is to be done before Christmas. Geotech are to include in their work an assessment of the treatment works area as being suitable for embankment building for the new bridge.
7. BM to organise OS maps and superimpose land ownerships and location of roundabout, route of road and position on new bridge. Copies to be made available to Ken Egan, Des Purcell and Wexford County Council.

Derry O'Sullivan
1st December 2006

Budget Cost Estimate

A budget cost estimate has been prepared for provision of the infrastructure outlined above. The estimate has been broken down into 5 separate parts:-

- A – B: Entrance at Redmond Road to Junction with Access Road to Playing Fields/Residential.
- B – C: Junction with Access Road to Bridge over Railway Line
- C: Bridge over Railway Line.
- B – D: Access Road to Playing Fields/Residential.
- A – S: Entrance at Redmond Road to Pumping Station at Spawell Road.

The budget cost estimates are based on preliminary survey work carried out on site to date and on information obtained from a limited number of boreholes. A more extensive site investigation will be required on site and a more detailed topographical survey will also have to be undertaken to progress the proposals. The budget includes for dealing with an area of fill ground that may be encountered depending on the exact location of the road. A method for dealing with fill material encountered on site has yet to be concluded and an agreement on how to proceed in the event of encountering fill material should be put into place to help finalise costs in this area.

Road Specification

Although T5 is no longer an objective of Wexford County Council, the road is likely to be reasonably heavily trafficked due to the development of the area as a Local Neighbourhood hub, incorporating a mix of office, retail, community and residential uses. The road pavement specification is provided to suit the expected usage and will consist of:-

- 45mm of Clause 911 Wearing Course Asphalt on;
- 55mm of Clause 906 Basecourse Dense Bitumen Macadam on;
- 85mm Dense Bitumen Macadam Roadbase, with 28mm Aggregate.

Foul Drainage

The area is low lying and the foul drainage will be collected in a sump and pumped via rising main to the Carcur Catchment Pumping Station located at Spawell Road. The route for this rising main is taken to follow the access from Redmond Road due to the need to accommodate the proposed Residential Area in Carcur.

conditions for siting the access roads was available. This laneway also bounds the existing playing fields over part of its length and by following its route, minimal disruption of the playing areas would be necessary.

Using this information we have reviewed the access proposals and have prepared a preliminary revised access road layout for the site. (See Sk. 2003-10-08 and Dwg. No. W03007/01). This route avoids most of the area of fill ground and also avoids having to disturb the playing fields on which significant development work has been carried out in the recent past. Further preliminary geotechnical investigative work was carried out along this alignment and the ground in general was found to be of a suitable nature for carrying the proposed access roads. The routes do however cross some areas of fill material and there will be significant cost involved in dealing with these areas.

These proposed routes deviate somewhat from those proposed in the Masterplan included in the Action Area Plan. We have issued the preliminary layout of the proposal to Murray O' Laoire Architects and Wexford County Council. Initial comments from both parties are positive and while some modification of the Action Area Plan will be necessary, the proposed roads appear to fit into the overall concept for the area as envisaged by Murray O' Laoire. One possible consequence of relocating the primary access road further west is that in the future a branch road may be required to access lands to the east of the road towards the mudflats. A junction similar to that provided for the access road to the playing fields/residential area could be provided if this is deemed necessary at a later date.

The Action Area Plan states the desire to have pedestrian and cycle access incorporated with the access roads. The access is provided as a 7m wide carriageway with a 1.8m wide footpath on either side of the road and a 2.3m wide two way cycle lane on one side.

of tidal mudflats. A second road is indicated on the Masterplan to provide access to the playing fields and proposed residential area.

Based on the access roads proposed in the Masterplan, Malone O'Regan Consulting Engineers organised a geotechnical investigation in July 2003 to assist in preparing budget costs for providing these roads. Five boreholes were carried out on the access road from Redmond Road to Park with a further three on the proposed access to the playing fields. A number of these boreholes encountered domestic fill material to a depth of up to 8m. The domestic fill material appeared in boreholes over a wide area and was of such depth that providing a road along the routes proposed in the Masterplan would prove very difficult. There are essentially two options available if a road is proposed over areas of domestic fill:-

1. Excavate out all of the fill material and backfill with suitable material to the proposed road level.
2. Pile through the fill material at close centres and cast a reinforced concrete slab on top of the piles to carry the road.

Both of these solutions are very expensive in this case due to the depth of fill on site under the location of the proposed roads.

Based on the costs associated with dealing with the fill ground and the lack of fill material in a number of the boreholes it was agreed between Roadstone Provinces Ltd. and Wexford County Council to seek an alternative route for the access roads to avoid if possible the area of fill ground.

A meeting was held on site in early September 2003 with Roadstone Provinces Ltd., Wexford County Council, Mr. Billy Byrne (formerly Wexford County Council) and Malone O'Regan in attendance. Mr. Byrne had previously been in charge of fill operations on the site and outlined the extent of the fill in the area. It was found that the existing access laneway used by Roadstone runs close to the area of fill on original ground and that by following this as closely as possible, a route with reasonable ground

Introduction

Roadstone Provinces Ltd. wish to have their lands at Park, Wexford developed in accordance with the Action Area Plan for the townlands of Carcur and Park prepared in May 2003 by Murray O' Laoire Architects with advice from Malone O'Regan Consulting Engineers.

Malone O'Regan have subsequently been employed by Roadstone Provinces Ltd. to advise them with regard to the provision of infrastructure and drainage to facilitate development of their lands. Wexford County Council wish to provide the infrastructure to enable the Action Area Plan to come to fruition and have entered a partnership with Roadstone Provinces Ltd. with the intention that Wexford County Council be the contracting body for the purposes of providing the infrastructure. This report outlines the work undertaken to date to establish locations for the access roads in the area, the recommended location for these roads and budget costs for provision of the infrastructure.

Proposed Road Access

The roads proposed to provide access to the Carcur-Park Area are outlined on the overall Masterplan for Carcur-Park Urban Design Framework in the Area Action Plan and these alignments are indicated on Sk 2003-10-08. The access road from Redmond Road to service the area is provided in the Masterplan to facilitate the objectives as stated in the Wexford Town and Environs Plan 2002 with the alignment of the road leaving open the potential for a new bridge over the river (objective T5 in the Development Plan). Following discussions with Wexford County Council we understand that T5 is no longer an objective of Wexford County Council and it is proposed to have this removed from the Development Plan in 2007. The alignment was provided to divide the Carcur Area into two with an area currently zoned as Residential to the West of the road and an area to the East consisting mostly