

MEMO	
TO: Board of Directors	FROM: Gerry Carty
CC:	DATE: 3 December 2001
SUBJECT: Technical Committee Report on Objection to Proposed Decision – Reg. No. 134-1	

Application Details	
Applicant:	N. Murphy Waste Disposal Limited
Location of Activity:	Sandyhill, St. Margaret's, County Dublin
Reg. No.:	134-1
Licensed Activities under Waste Management Act 1996:	Third Schedule: Classes 11, 12 and 13 Fourth Schedule: Classes 2, 3 and 4
Proposed Decision issued on:	21/09/01
Objection received:	18/10/01
Submissions on objection received:	None
Inspector:	Ms Maeve McHugh

Objection Received.

One objection to the proposed decision was received from Dr. G. J. Dennison on behalf of N. Murphy Waste Disposal Ltd.

Consideration of the Objection.

The Technical Committee (Gerry Carty, Chairperson, Dave Shannon and Donal Howley) has considered the objection and this report details the Committee's comments and recommendations following examination of the objection.

Objection No. 1

Ground 1: Condition 3.4.1

Condition 3.4.1 states:

“(a) Security and stockproof fencing and gates shall be installed and maintained along the facility boundary as shown in a drawing entitled Attachment No. B2(a) Rev.01. Within three months access to the shed excluded by this boundary shall not be via the facility, but by some alternative means.”

N. Murphy Waste Disposal object to the requirement as underlined above of Condition 3.4.1 to provide alternative access to the shed excluded by the site boundary for the following reasons:

- 1. N. Murphy Waste Disposal Ltd does not own the site, therefore the provision of alternative access to the shed would require the consent of the landowner and the occupier of the shed.*

2. *The lands occupied and leased by N. Murphy Waste Disposal Ltd and the shed excluded from the site, do not bound a public road save at the existing entrance to the site.*
3. *The provision of alternative access would require the agreement of a neighbouring third party landowner to sell or lease lands to N. Murphy Waste Disposal Ltd.*
4. *The provision of alternative access to the public road would require planning permission from Fingal County Council.*

For the aforementioned reasons N. Murphy Waste Disposal Ltd believe it would be impractical to provide an alternative means of access and accordingly request that this requirement be deleted from the licence.

Technical Committee's Evaluation

The technical committee notes that it may not be practical to provide alternative access to the shed and considers that allowing access via the facility will not affect the waste activities as controlled by the licence. The technical committee also notes that the licence forbids scavenging and casual public access to the facility and that gates must be locked shut when the facility is unsupervised. Therefore the technical committee considers that the provision of alternative access to the shed is not necessary.

Recommendation

Delete the last sentence in Condition 3.4.1

Signed: _____
Gerry Carty