



OFFICE OF CLIMATE,  
LICENSING & RESOURCE USE

**ENVIRONMENTAL LICENSING PROGRAMME MEMORANDUM**

**TO:** Director

**FROM:** Ann Kehoe, Programme Officer

**C.C.:** Frank Clinton, Programme Manager

**DATE:** 18/09/2014

**RE:** Request for the withdrawal of an application for the transfer of Waste Licence, Reg. No. **W0163-01**, from **BERGIN WASTE DISPOSAL LIMITED** to **ALL STAR SHREDDING LIMITED**.

**Background**

An application for the transfer of waste licence W0163-01 from Bergin Waste Disposal Limited to All Star Shredding Limited was received on 02/01/2013.

The application was duly processed by Environmental Licensing Programme (ELP) in accordance with Section 47 of the Waste Management Act 1996 as amended.

On 19/11/2013, the Agency received a letter from Mr Sean Bergin of All Star Shredding Limited, stating that All Star Shredding Limited requested a withdrawal of the transfer application and also requested a refund of the €5000 transfer application fee. At this time the application assessment was partially completed. ELP had examined the application and the applicant was liaising with the Office of Environmental Enforcement for the approval of the necessary requirements.

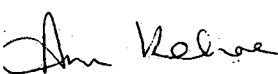
**Recommendation**

With regard to the background outlined above, I recommend the Agency note the withdrawal of the application for the transfer of licence W0163-01 dated 02/01/2013.

With respect to the refund of fees, Article 45(1) of the Waste Management (licensing) Regulations 2004, as amended, states:

*"The Agency shall have an absolute discretion to refund or waive up to half of any fee payable in respect of a particular application where it is satisfied that the payment in full of the fee would not be just and reasonable having regard to the relevant circumstances of the activity".*

An application fee of €5000 was paid by the applicant. I recommend that a refund of 50% (€2500) is made to the applicant. This partial refund is based on the amount of resources expended to date in dealing with the application, as well as the limitations set in the above regulations. No recommendation or decision on the transfer of licence application has been made prior to Mr Sean Bergin's request to withdraw the application.

Signed: 

Date: 30/09/2014