



Electronic Copy

Mr Mark Hamill

On behalf of Westland Horticulture

29/05/2020

Reg. No.: P0914-01

Regulation 10(2)(b)(ii) of the EPA (Industrial Emissions) (Licensing) Regulations 2013, in respect of a licence application from Westland Horticulture Limited for an installation located at Lands located within the townlands of Lower Coole, Mayne, Ballinealoe and Clonsura Near Coole & Finneagh, County Westmeath.

Dear Mr Hamill,

I refer to the application for a licence received by the EPA on the 31st July 2013, and previous correspondence in respect of this application, in particular letter issued to you on 16 April 2019.

As you will be aware, the European Union (Environmental Impact Assessment) (Peat Extraction) Regulations 2019 (S.I. No. 4 of 2019), as referred to in that letter, have been quashed by Order of the High Court. In those circumstances, the legislative position pertaining to licence applications for the extraction of peat has reverted to that which was in place prior to the enactment of S.I. No. 4 of 2019. Your application will be assessed in accordance with that legislative position.

Having examined the documentation submitted, pursuant to Regulation 10(2)(b)(ii), you are now required to provide the information detailed below:

1. For the purposes of section 87(1B)(b) of the Environmental Protection Act 1992 as amended, please state, whether there exists a grant of planning permission comprising or for the purposes of the activity to which the application for a licence relates that was issued by the planning authority or An Bord Pleanála.
2. For the purposes of section 87(1B)(a) of the Environmental Protection Act 1992 as amended, please state, whether an application for planning permission comprising or for the purposes of the activity to which the application for a licence relates is **currently** under consideration by the planning authority or An Bord Pleanála. If so, please state the date on which

the application for such permission was made to the planning authority or An Bord Pleanála.

The required information, in the form of answers to the questions raised at 1 and 2 above, should be submitted to the Agency **within 14 days of the date of this notice**, in order to allow the Agency to progress your application.

Please note that if there is a failure to comply with a requirement under Section 10(2)(b)(ii), the Agency may, as it considers appropriate having regard to the extent of the failure, inform the applicant, by notice in writing, of such failure, and that the application cannot be considered by the Agency.

Your response to this request is to be submitted via EDEN. Guidance on how to use this portal is available on the EPA website at <http://www.epa.ie/pubs/forms/lic/industrial%20emissions/licenceapplicationformguidance.html>.

Please direct any queries to licensing@epa.ie.

Yours faithfully,

Environmental Licensing Programme
Office of Environmental Sustainability