



Board Direction

Ref: 10.HM0001

The submissions on this file and the Inspector's report were considered at a further Board meeting held on 25th February 2015.

The Board decided not to make the requested amendment. Letter to applicant to issue generally as follows:

Having considered the request from KCC and the report of the Inspector, the Board decided not to exercise the discretion available to it under s146A(1)(b) because it did not consider :

- i. That there was any clerical error in the decision under 10.HA0014
- ii. That the amendment requested was necessary in order to facilitate the implementation of the approval (10.HA0014), given that the mitigation measures of the approved EIS are expressly stated,
- iii. That the granting of the request is necessary in order to otherwise facilitate the operation of the decision.

In arriving at the above decision, the Board did consider whether the request might be construed as relating to an interpretation of compliance with the terms of the approval given by the Board under 10.HA0014. Any such interpretation would be outside of the remit of ABP.

The Board did not consider it necessary to use its discretion under s146A(3) to invite submissions on this matter.

Board Member: _____
Conall Boland

Date: 25th February 2015