



Board Direction

Ref: 29S.NA0005

The submissions on this file and the Inspector's report (including appendices) were considered at a series of board meetings held on November 16th, November 22nd, November 24th, November 29th, and November 30th 2011. The Board also visited the route and various sites on the proposed scheme on November 17th in the company of the Inspector.

At a further board meeting held on 7th December 2011, the Board decided, unanimously, to grant the Railway Order, generally in accordance with the recommendation of the Inspector, and subject to modifications and conditions.

At a further board meeting held on 9th December 2011, the Board approved this Board direction including the attached documents, namely:

- Preamble (including Reasons and Considerations)
- Railway Order (including modifications to the draft submitted by the applicant)
- Schedule 11 – Conditions imposed by ABP
- Schedule 12 – Explanatory notes on decision of ABP

Notes:

In relation to an application from observers seeking re-imbusement of costs, the Board noted the Memorandum on file from the Senior Executive Officer to the effect that there is no provision for the recovery of costs in the subject application (either for the Board, the planning authority, or for observers). The case was lodged with the Board prior to the implementation of section 81 of the Planning & Development (Amendment) Act 2010. Therefore no costs can be awarded to the observers in the case.

The Board noted the memoranda on file from the Inspector and Director of Planning regarding the report of the Board's specialist noise consultant, concerning information arising following the closure of the oral hearing. It was decided not to take such new information into account. The Board noted that the issues of concern had been discussed at the oral hearing and fed into the overall assessment of the scheme by the Inspector.

The Board noted that an observer had requested that the Dublin Fire Brigade be invited to the oral hearing to give evidence in relation to the choice of tunnel in the scheme, but the Board did not consider this necessary.

Board Member: _____ Date: 9th December 2011.
Conall Boland