

File With _____

SECTION 131 FORM

Appeal NO: ABP 314485

TO: SEO

Defer Re O/H ☐Having considered the contents of the submission dated/ received 17/12/24
fromPatricia A Byrne recommend that section 131 of the Planning and Development Act, 2000
be not be invoked at this stage for the following reason(s): no n usedE.O.: [Signature]Date: 20/12/24

To EO: _____

Section 131 not to be invoked at this stage. ☐Section 131 to be invoked – allow 2/4 weeks for reply. ☐

S.E.O.: _____

Date: _____

S.A.O.: _____

Date: _____

M _____

Please prepare BP _____ - Section 131 notice enclosing a copy of the attached
submission

to: _____

Allow 2/3/4 weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

File With _____

CORRESPONDENCE FORMAppeal No: ABP 314485

M _____

Please treat correspondence received on 17/12/24 as follows:

1. Update database with new agent for Applicant/Appellant _____

2. Acknowledge with BP 233. Keep copy of Board's Letter ☐

1. RETURN TO SENDER with BP _____

2. Keep Envelope: ☐3. Keep Copy of Board's letter ☐

Amendments/Comments

Further Resp Rec Patricia A Byrne

4. Attach to file

(a) R/S ☐(d) Screening ☐(b) GIS Processing ☐(e) Inspectorate ☐(c) Processing ☒RETURN TO EO ☐Plans Date Stamped ☐Date Stamped Filled in ☐EO: [Signature]AA: F. M. [Signature]Date: 20/12/24Date: 15/12/24

Sinead White

From: Alwyn Byrne <alwynbyrne@gmail.com>
Sent: Tuesday 17 December 2024 14:47
To: Appeals2
Subject: appeal re case 314485
Attachments: JR, legal actions between airlines, DAA and IAA.docx

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Patricia Alwyn Byrne
Rolestown House
Rolestown
Swords
Co Dublin
K67 PK75

Dear Sir or Madam,

Please find attached a document outlining legal concerns regarding noise and air pollution. Some points may assist in your decision making. Other points may inform in a broader context.

Coleman and Sons, Solrs are taking an action in nuisance for over 70 households, to date. Brendan Byrne, Solr, Swords is representing personal injuries cases against the DAA et AL. There may be other solicitors taking PI cases. Other than the DAA, it is unclear who the other defendants may be, as these cases increase in number.

I wish to inform of the above as the residents feel they have no other option.

Kind regards

Patricia Alwyn Byrne

JR, legal actions between airlines, DAA and IAA

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Introduction

I am deeply concerned that the parties engaged in these aviation legal disputes will represent their own interests with no legal representation for a priority stakeholder, ie the residents of Fingal and east Meath that are being overflowed continuously throughout the day. Is there a right of audience for an ordinary citizen with locus standii and some legal training at these upcoming JR hearings?

Matters requiring legal analysis prior to coming to a fair and equitable judgement must include evidence on the harm being caused to my demographic; affected residents.

I have only looked at a small fraction of laws and regulations that have been breached.

I don't believe there are many persons opposed to airport expansion per se. However, we are vehemently opposed to one autocrat, the CEO of the DAA, ruling the skies entirely outside of any democratic process. A democratic planning process involves designing flightpaths over rural, industrial or renewable energy acreage, data processing centres, etc and not over erstwhile peaceful homes and gardens, causing intense suffering to residents.

A "**balanced approach**" is now being adopted by our legislature. Does this mean that our community is to continue to suffer increased risks of cancer, etc to save money for the vastly wealthy aviation industry? What is "**balanced**" about jets flying over a woman's house and garden, relentlessly all day every day when she has breast cancer, for instance, and is at proven risk of metastasis due to increased exposure to aviation pollution? How is she supposed to interpret "**a Balanced approach**"?

There can be no balanced approach when it comes to knowingly causing serious health issues and even premature deaths to thousands of potential victims of the DAA et al.

EU law supersedes the domestic laws of member states. Our domestic law favours a "*Balanced Approach*". But EU law protecting National Monuments and their settings is not "*Balanced*". It is mandatory. EU Law definitively protects and trumps the state trying to modify aviation flightpaths near protected structures. Likewise, EU law sets absolute legal thresholds for air pollution. Air or noise pollution seriously harming Fingalians cannot be subject to ". We are absolutely protected under EU law, environmental Law and Human rights law.

The European Convention on Human Rights;

Article 1 Protection of Property

"Every natural or legal person is entitled to the peaceful enjoyment of his possessions".

DAA et Al are in breach of this article.

Article 3 Prohibition of Torture *"No-one shall be subjected to torture or to inhuman or degrading treatment ...".*

It is without doubt at least degrading behaviour to knowingly subject us to constant noise and air pollution and to decimate the value of our homes. I believe it is also inhuman. The DAA et Al are in breach of this article also.

Article 8 Right to respect for private and family life,

"1. Everyone has the right to respect for his private and family life, his home and his correspondence".

The DAA et Al have zero respect for my private or family life or my home.

So the DAA et Al are in breach of 3 Articles of the ECHR.

Article 13 "Right to an effective remedy -

"Everyone whose rights and freedoms as set forth in this convention are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity".

TransportEnvironment.org Health study briefing June 2024 "Can living near an airport make you ill?"; Dublin airport was included in this European study.

7. Conclusions and policy recommendations

"This study highlights how aviation emissions of gases and particulate matter (PM) not only affect climate, but also air quality, focusing on the effects of ultra fine particles (UFPs). Tens of millions of Europeans are exposed to increased health risks due to aviation UFPs.

To reuse aviation's UFP emissions, and thus improve air quality and mitigate the adverse health impacts, T&E recommends the following measures;

- Address exponential increase in air traffic and air pollution by banning further expansion of airport infrastructure, introduction of flight caps, promoting shift to rail....".*
- Install sampling points in and around airports in Member States to better quantify UFP's concentrations in next review of the "Ambient Air Quality Directive".*

The Chicago Convention

This international Convention sets the standard for international aviation behaviours. "...This landmark agreement laid the foundation for the standards and procedures for peaceful global air navigation. It set out as its prime objective the development of international civil aviation.....in a safe and orderly manner". There is nothing safe or orderly in one non expert dictate flight paths over people's homes. The DAA are in breach of the Chicago Convention. Are ICAO aware of this? Whose duty is it to report? The Minister for Transport?

ICAO; The international Aviation Regulating body:

Their website states under their section on Aircraft noise ;

1. *"Limiting or reducing the number of people affected by significant airport noise is therefore one of ICAO's main priorities and one of the Organisations key environmental roles".*

2. *"The main overarching ICAO policy on aircraft noise is the Balanced Approach to Aircraft Noise Management".*

The DAA et AI are in breach of this ethic. They will not even try to alter take off and landing trajectories as advised by pilots.

Breaches of International and domestic law / agreements;

1. EU Climate Law
2. Breach of Climate Action Plan 2024
3. Breach of terms of the "European Green Deal"
4. Breach of the terms of the Climate Action and Low Carbon Development (Amendment Act) 2021.
5. Breach of WHO guidelines re effects of noise on human health. Max exposure should be 45DB.
6. Breach of our Constitutional right to the peaceful enjoyment of our properties ie a right to silent skies.
7. Breach of COP 28 even with the current cap.
8. Breach of the Paris Agreement
9. Breach of the Aarhus Convention
10. Breach of the Aviation Regulation Act 2001 to 2004
11. Breach of Anti Greenwashing European Legislation
12. Breach of EU legislation to protect Protected Structures
13. Breach of Human rights law by exposing our demographic singularly to thresholds of pollution whether by air or noise that are above tolerable and internationally recognised levels.

Any increase in flights at Dublin airport is non-compliant with COP 28. Matt Cooper, Newstalk journalist has investigated and verified this.

1. EU Climate Law

Opinion of Environmental Journalist

John Gibbons environmental journalist with the Irish Examiner opines "COP 28: *"There are no quick techno-fixes for climate crisis"* in his recent article.

He documents the worlds first Virgin Atlantic 100% sustainable aviation fuelled transatlantic flight. It took 50 tonnes of substances including tallow and cooking oil.

"All the 'sustainable aviation fuel available worldwide would, in total, provide barely one tenth of one percent of the fuel needed for global aviation, and scaling this up dramatically is, experts believe, next to impossible".

"But, what really matters here are the optics. Images and articles about this supposed "breakthrough" have been published all around the world, allowing the industry to claim that technology will solve the problem of ever-expanding aviation".

"While the Intergovernmental Panel on Climate Change (IPCC) has mandated countries to agree measures leading to an overall 43% reductions in emissions by 2030, Ireland remains an international laggard, on track for only 29% cuts at most".

Dublin airport is a primary contributor to emissions without any increase in flight numbers, as it stands.

"While success can be difficult to gauge in international climate negotiations, what we know

for sure is that we cannot afford Cop 28 to fail"

Sam Trantum's article in the Dublin Inquirer, Jan 10th 2024, ***"Plans to expand Dublin Airport clash with global effort to slow climate change"***.

"Adding more flights and passengers would mean more greenhouse gas emissions, planning documents submitted last month by airport operator DAA show".

"Even as governments around the world, including Ireland's, are pushing to reduce carbon emissions to limit climate change and its damage and disruption, Dublin Airport's operator is proposing a major expansion".

Excerpts from the planning application documents;

"If its plan is approved, and the airport grows to handle more flights and millions more passengers each year, that would mean more greenhouse gas emissions, planning documents say".

"The environmental impact assessment report filed by operator DAA shortly before Christmas as part of its planning application to FCC foresees more emissions via four avenues as part of the proposed expansion".

"Those arelonger lasting impacts from getting millions more passengers to or from the airport, operating the expanded airport, and more planes flying in and out of the airport".

"...aviation emissions account for most of the overall emissions associated with the proposed Development, accounting for greater than 90% in 2034".

"The planning documents see greenhouse gas emissions associated with the airport falling in the coming decades, primarily due to more fuel-efficient planes and the planned adoption of sustainable aviations fuels".

Do the DAA state how much emissions will fall by as a matter of fact and not speculation and dodgy projections i.e. a greenwashing narrative?

How can this be achieved in the light of expert reports detailed by John Wilson, environmental journalist and other experts, stating how impossible it is to achieve any significant reduction in the coming decade or more? Its just not possible. Are Fingal resident's to ruin their golden years with health issues waiting for any significant decrease in air pollution that is improbable? This still leaves the huge problem of aviation noise even if there was some miraculous reduction in harmful aviation emissions in our lifetimes.

If planning is granted for the expansion, *"emissions from planes using Dublin Airport would be about 24% higher than they would have been without it"*.

Jack Chambers, the previous Min of State at the Dept of Transport indicates that the government are in favour of expansion. It is beyond belief that a government would be in favour of an expansion that is proven to seriously harm human health and to almost exclusively concentrate those known harms to one group of people only - Fingal and East Meath residents.

According to Andrew Murphy, member of The Climate Change Advisory Council when talking to Claire Byrne, Aug 25th 2024, *"emissions increased 12% at Dublin Airport last year alone"*.

"Any increase in the passenger cap is going to increase emissions".

Michael O'Leary mislead the public by claiming that aviation accounts for only 2% of GHG's worldwide. He failed to admit that in Ireland, aviation contributes anywhere from 4% to 10%. I believe this is Mr O'Leary greenwashing again.

EU regulations;

The EU is creating rules on increasing the use of more sustainable aviation fuels. Non CO2 contrails amplify global warming by trapping heat underneath them on busy flight routes. They merge to form a cloud like effect due to additives called aromatics.

The sustainable aviation fuels (SAFs) mix green hydrogen with carbon dioxide. This will be 2 to 3 times the cost of kerosene. There is currently insufficient investment. Combustion will still be needed for take-off. The hydrogen must be stored in 120 bar pressurised, weighted tanks. This will take up half the space in the aircraft. Safety will still be an issue. The last hydrogen craft was the Hindenberg.

As per John Wilson's opinion above, sustainable aviation remains aspirational only. It is optics only and could never justify these unauthorised flights over Fingal or any increase in same.

Breaches in Corporate Governance;

1. Breach of Fiduciary Duties under the Companies Acts, specifically the duty to act honestly and responsibly.

It is a breach of the duty to act responsibly by flying on a flightpath over homes with absolutely no planning framework in place. Mr Jacobs rules the skies over Fingal and East Meath. He has no qualifications in aviation, toxicology, human rights law, air traffic control or aviation planning, that in any way merits or justifies this autocracy.

The proposed mitigation insulation is only to apply to bedrooms? Is this true? How outrageously disingenuous is that? So people have to stay confined to their bedrooms not to be annoyed by the noise? Murderers in prison have more human rights than us if this plan gets approved. What kind of mind can concoct such an outrageous suggestion and expect it to be taken seriously?

As a community, we know the ANCA readings are conveniently erroneous to favour the DAA. But on what grounds do they refuse to accept the data this community present? Are they claiming Google or other global companies aren't sufficiently competent to design a simple app?

What is ANCA's remit? Are they worthy of salaries courtesy of the taxpayer when they refuse to be informed other than by a company steeped in unlawful behaviour?

ANCA are not fit for purpose and should be disbanded. They have a corporate duty of care to safeguard our community from the hardship of almost constant noise exposure. They have failed utterly in their duty to us. They serve absolutely no purpose now except to try to facilitate further harms to the community they have a duty to protect. They need to go now and an enquiry into their behaviour initiated. There can be no justification for their continued existence.

The massaging of the metrics in measuring noise quotas is an exercise in futility;

The average quota system requested dilutes individual effects. This is an acceptable international standard in the world of statistical analysis.

The device of manipulating the noise quota metrics will achieve nothing. It will not lessen a persons measured and actionable anguish when measured by standardised questionnaire forms. Accountability in the courts for damaging people seriously will not be lessened by trying to manipulate the metrics. The perception of the harms visited on affected residents including;

- I. Never having restorative sleep, 8 hours is not enough for some people.
- II. Continuous dread wondering when this nightmare will stop
- III. Losing the monetary value of ones home
- IV. Having very little energy
- V. Knowing we are now predisposed to mental ill health
- VI. CVA
- VII. Cancer
- VIII. Respiratory and Cardiac Disease
- IX. the total loss of quality of life
- X. the inevitable loss of years of life
- XI. Juggling with the metrics won't provide a statistical device sufficient to obscure this reality. In fact, air quota systems might allow unlimited flights and a constant noise in our skies. Those who accept this standard international practise when applied to matters of human health, need to critique this approach.

Data provided by the DAA et al;

Any data presented by the DAA et al is highly suspect and cannot be relied upon as a basis for important planning decisions.

For instance, the DAA pride themselves on their complaints online form as a valid mechanism for data gathering. It is anything but. Exhausted residents have wasted hours trying to complain online on a defunct interactive portal. It is conveniently user unfriendly. Its use for data input cannot be relied upon. People are using it less and less. Please be advised that many residents affected are boycotting this system so any data based on it is groundless.

Current EU Environmental and Human Rights caselaw;

Recent anti-“greenwashing” litigation is holding major airlines to account for false claims of being “*sustainable, low carbon or contributing to net zero*” or similar claims that are unfounded. Such spurious claims are littered throughout the DAA’s justification for its expansion plans. That is now illegal. It will take about 2 years for member states to transpose this directive. Are planners going to approve the expansion knowing full well the effects of building the expansion will be illegal by the time it is built and contrary to the spirit of the law in the meantime?

The DAA needs to be forced back to the drawing board. FCC need to enforce fines for flights along unauthorised flightpaths retrospectively. We citizens are entitled to this money which could fund our human rights litigation. The plans for expansion needs to be relocated away from our area so that air and noise pollution levels are more tolerable for all and that no longer meet the threshold for legal action.

Breaches of the Law by Mr Jacobs, Basil Geoghegan, Catherine Gubbins and probably the Board of the DAA;

How many Assumptions by Mr Jacobs and the DAA have proven erroneous or untrue thus far?

1. Erroneous projection of return to growth post covid.
2. Erroneous design of flightpaths taking off from NR
3. Current night flights far in excess of 65.
4. Current totally unregulated flightpaths over homes
5. Lack of predictability that flightpaths would go over homes
6. Claiming only a small number of residents affected when 1 million is quoted in their own reports.
7. Breach of passenger cap in 2019 and scheduled to breach again in 2023
8. Breach of 2007 planning granted
9. Mr Jacobs claiming he is engaging with residents. He has never met me despite requests.
10. He has blocked my last email.
11. Total lack of compliance with the FDP
12. The DAA et al have had knowledge of expansion needs since 2019. They have refused to engage honestly with Fingal planning authorities since then.
13. Misleading us over PFAS at the airport
14. Kenny Jacobs has greenwashed again stating “*the noise has halved*”.
15. Their key defence is that the “**economy will suffer**” if they are not allowed expand.
16. Mr Jacobs has shares in numerous other airlines. This is a conflict of interest. Did he declare this conflict of interest to the board?
17. There is a fiduciary duty to have a board that is not devoid of skills. There is no expert in flightpath design or environmental issues on the board.
18. Was the tendering process in hiring the DAA to manage Dublin Airport open and transparent? Were other companies more qualified in aviation matters than the DAA, who are devoid of such expertise?
19. At a Transport Committee Meeting, 18th Jan 2023, Duncan Smith asked Catherine Gubbins “*When did she know there was going to be a deviation in the flightpaths?*” I believe she lied when she stated that the DAA did not know until the second day of the operation of the flightpaths when they “*Noticed a pattern*”. The DAA are responsible for the flightpaths. Kenny Jacobs is singularly responsible. He sat beside her and let her mislead the Committee. On the 17th May 2023, Declan Fitzpatrick of the IAA clarified that “*everyone in the whole world*”

of aviation knew what the SIDS were going to be from "the first day of operation".

The amount of errors informs the lack of credibility of Mr Jacobs assertions in their entirety. Our community can no longer trust the DAA at all. Some still refer to the airport as "friends" or "good neighbours". Friends and neighbours don't engage in torture by noise and slowly killing people by air pollution. Any evidence, especially evidence based on modelling, which is usually biased, cannot be taken at face value by the court.

Regarding their key defence that the "*economy will suffer*" if they are not allowed expand, have they done a cost-benefit analysis on how the economy will suffer? No one is against expansion as long as it is safe and compliant with 2007 planning. Have they assessed their economic losses if and when they have to respond to decades of litigation by residents asserting their rights under human rights law and environmental law? We know this area of law is getting more effective due directly to global aviation caselaw.

So far there is an action for nuisance pending, a JR between the DAA V AnCA, and a JR to restore the noise mitigation measures. Personal Injuries claims are inevitable.

There has been a lack of enforcement by others in authority in blocking the illegal flights. Unfortunately, although Fingal County Council has considered these flightpaths to be an unauthorised development. Under normal circumstances, a citizen would be forced to get rid of any unauthorised development. But, despite its legal obligation to enforce, there is no effective enforcement by FCC against a state body, the DAA.

The DAA have told complete untruths on all aspects that inconveniences them. They have lied about the noise, the number of nightlights, the passenger caps, PFAS etc.

PFAS;

There is a total lack of trust now in all Mr Jacobs and the DAA do. Vast tonnes of PFAS contaminated soil has been removed in many airports, globally and including huge amounts in Dublin. In most cases, naturally the contaminants have seeped into the water table. Strangely, Mr Jacobs tried to get away with claiming the water table around Dublin airport did not absorb particulate matter despite the considerable amount of contaminated soil situated there for decades. Again, a blatantly dishonest statement in breach of both company law and any standard of corporate governance.

Breaches of Company Law;

In Company Law, it is an offence to not keep proper books of accounts. This applies not just to revenue but to record all transactions. The DAA have not kept proper books of the number of night flights etc. Either that or Kenny Jacobs is being dishonest, which is also a breach of Company Law. Dishonesty or fraud is an indictable offence in this jurisdiction. Mr Jacobs has been dishonest on numerous occasions.

Again, the director of Corporate Enforcement is turning a blind eye and ignoring its statutory obligation to enforce? Where these authorities seek to enforce breaches by other bodies now seems disingenuous when the DAA state body has, thus far gotten off scott free with their illegal activities.

Greenwashing is illegal and has been litigated in the EU. Litigation focussed on air pollution. It can also apply to pollution by noise as all have a deleterious effect on human health.

I would ask that all decision makers read Sam Trantum's article. It is informative and concise. It does not include reference to the planners biggest conundrum and that is the mental anguish this is causing and the cases of chronic illness that will be exacerbated by not addressing the illegal flightpaths to begin with. Any increase in flights over an already deeply distressed demographic is just inhumane, short-sighted and irresponsible at a time when people are prepared to litigate on environmental issues.

Kenny Jacobs states that as soon as planning is approved for this expansion, they will immediately apply for the next expansion. The man is also devoid of a conscience when it comes to harming people. He is convinced that his company can continue to fly over our homes along unauthorised flightpaths, destroying our lives, and that he will have the full backing of planners and the government as he continues his mission to expand indefinitely.

The WHO reduced its air quality guidelines in 2021 by up to 75% in some cases. The European Commission has revised the Ambient Air Quality Directive (AAQD). German residents and Belgian residents have sued their local authorities and governments for failing to uphold their right to breathe clean and healthy air. Updating air pollution data is now within the remit of the EPA, I believe. Have they updated real data or false, modelled data supplied by the DAA when monitoring air quality around the airport?

By leaving member state air pollution laws unchanged, the Belgian authorities are exposing people to air pollution up to four times higher than scientists have deemed is acceptable to breathe. If this expansion goes ahead at Dublin Airport, residents will continue to be exposed to unsafe levels of pollution similar to the residents of other member states with an equal right to litigate.

EU anti Greenwashing Directive;

Consumers can use legal mechanisms such as commercial practise or consumer protection regulations as happened in a recent green washing complaint to the European Commission filed by consumer groups in 19 countries against 17 airlines.

Calum MacLaren, PhD in Climate Litigation, UCD opines the following in his book CorporateKnight:

"A wave of anti green washing litigation is seeking to hold major players in aviation history to account for sensational claims of being sustainable, low carbon or contributing to net zero. While the industry has faced legal backlash in the past, the dramatic proliferation of these cases may spell disaster for major airlines".

"The impact of global aviation on the climate is greater than almost any other sector".

"This litigation is also buoyed by the demonstrable falsehoods that riddle the sustainability strategies of these companies. The pillars upon which their net-zero strategies rest vary from the broadly ineffective to the dangerously fraudulent and facilitate growth in a sector in dire need of reduction".

It is "misleading" to describe unsubstantiated claims minimising GHG emissions and is illegal. Cases of greenwashing have been litigated by the EU commission.

Most current litigation falls under misleading advertising practices. Dutch campaigners are suing KLM for greenwashing using the phrase "fly responsibly". It was found that Flying responsibly is not possible and that KLM are trying to increase flights instead of reducing emissions by reducing the number of flights. The same finding can be used against the DAA.

Legal Remedies for Greenwashing;

"Recent research suggests that any climate related case taken against a polluter will affect the firm's value". These cases are not limited to misleading advertising.

"In Ireland, significant damages can be awarded against companies for misleading advertising".

More importantly, *"The UK'S Competition and Market's Authority, which is currently investigating claims of greenwashing in other sectors, will soon be able to fine companies 10% of their global income for non-compliance".*

When the DAA are trying to secure more flights out of Dublin while claiming they will be using more climate friendly craft, this is green washing and is illegal. Vast tracts of the 7,700 pages of their expansion application contains completely illegal misleading information. How can the Relevant Action or the new planning infrastructure be approved when the core rationale of both is misleading, illegal information on both?

The Environmental Watchdog, Client earth;

"A major opinion in an EU level case suggests that people in the EU may be able to sue their governments for financial compensation from air pollution damage .

Frances top administrative court recently published a ruling requiring the government to pay two €10 million fines for breaching air pollution limits".

All DAA plans, including increasing the passenger cap instead of decreasing it, are based on illegal flight paths over our communities. A JR is needed if the Relevant Action or plans for expansion (ADP) are granted based on illegal flight paths. How can an unauthorised development , as declared by FCC, form the basis of a Relevant Action or a subsequent ADP when these actions demonstrably harm people?

The probable argument is when the economic interests of the country trump a demographic. But with current science showing the harm caused to people, this argument is no longer acceptable. Environmental and human rights law is catching up on the polluters.

Granting the airport expansion or any increase in the passenger cap, will inevitably push levels of noise and air pollution to utterly intolerable thresholds in Fingal/ east Meath. We find ourselves in the realm of multiple causes of action to protect our environment against foreseeable harms inflicted upon us by the DAA, IAA and others. The DAA needs to get back to the drawing board to avoid decades of litigation with locals.

Current global litigation over air and noise pollution in airports;

There are a myriad of cases pending against airlines and airports for both noise and air pollution;

1. **Quiet skies San Diego** filed suit against San Diego County Regional Airport Authority claiming *"commercial jet noise from the San Diego International Airport causes significant harm to human health, including cardiovascular disease, strokes, heart attacks, stress, metabolic disease like obesity and diabetes, and cognitive decline"*. The grounding affidavit for the case itself is now available online.
2. **Neighbors Sue over Noisy New Air Traffic Route**, A new, more efficient route along California's Central Coast has drawn thousands of complaints and a lawsuit against major airlines filed by a group of Santa Cruz County residents. The lawsuit was filed against the City and County of San Francisco, the city of San Jose, United Airlines, Southwest airlines, Virgin America, American Airlines and Delta Airlines. Again, its the same situation we are enduring in Fingal; an unbearable increase in noise.
3. **KUOW Sea Tac Airport sued over pollution by firm that took on Big Tobacco**. The airport is being sued over emissions on behalf of residents that live along its flight paths. Plaintiffs say airplane emissions have caused harm to the roughly 300,000 residents who live along its flight paths. This is a class action suit. Class actions are now available in Ireland but exclude environmental issues. The suit says Sea Tac Airport along with Alaska Air and Delta Airlines knew its emissions caused high cancer rates and lower life expectancy for people living nearby.XXXX
4. **Elk Grove Village sues Chicago FAA over "fly quiet" plan at Chicago O'Hare Airport**. Late night flights include cargo flights which disturb sleep greatly. New runways are causing this problem. The suit accuses the FAA of failing to consider other plans that would rotate the use of the runways, so the noise would be distributed more equally between communities.
5. **LA residents sue FAA overcharged flight paths out of Burbank and Van Nuys airports**. Residents are suing to end the health and environmental harms of flight path changes around these airports. xxxxxxx
6. **Colorado Noise Disputes Escalate**. Continued complaints about aircraft operations at Rocky Mountain Airport have led the town of Superior, Colorado to retain legal counsel ahead of potential litigation. These residents have become so distraught that they have begun to harass individual pilots in person and on social media
7. **Canadian residents launch a class action against airport over noisy late-night flights**. Planes are taking off and landing with curfew restrictions being ignored. The class action is demanding compensation for past disturbances and for the late night flights to stop. They are suing both the Airport and the airlines.

Is this what we really want? To spend decades litigating against all parties that let our demographic be exposed to this aviation pollution, both noise and air and now PFAS in the water? It is not financially feasible for any party to continue to destroy our quality of life and to face indefinite lawsuits as a result. The costs and damages awarded for each insult will just roll on to challenge the next.

The DAA needs to be forced back to the drawing board. FCC need to enforce fines for flights along unauthorised flightpaths retrospectively. We citizens are entitled to this money which could fund our human rights litigation. The plans for expansion needs to be relocated away from our area so that air and noise pollution levels are more tolerable for all and that no longer meet the threshold for legal action for just our, local residents.

While we were begging FCC to enforce the 2007 flightpaths, the DAA were scheming away drawing up their ADP in an attempt to distract from their original illegal transgressions, which remains the core problem.

Substance of San Diego case, number 1 above;

The arguments raised in the San Diego case against the airport reflect exactly our legal issues regarding noise and air pollution. Specifically litigated some years ago is the unfairness and inappropriateness of using average noise quotas in an attempt to minimise the well established and detrimental effects of single aircraft flights on human health.

I transcribe a few arguments and paraphrase some points raised in this case below, substituting DAA for San Diego airport where relevant;

1. Commercial jet noise from Dublin Airport causes significant harm to human health, including cardiovascular disease, strokes, heart attacks, stress, metabolic disease like obesity and diabetes and cognitive deficits. The proposed Airport Development Plan (ADP) would add new terminal gates, an undetermined number of "remain overnight" jet parking places, and approximately 30%(?) more flight operations per hour, thereby dramatically exacerbating a well-known and documented serious health risk to human health.

2. There are available noise mitigation measures, however, that will help the communities on the ground that would otherwise pay the price for the airports expansion. Examples include flying standard departures further out before turning left or right to abate noise and flying standard arrivals higher and further away from the impacted communities.

(The DAA could achieve this by flying according to the authorised flightpaths 2007). American law requires such commercial jet noise studies as a condition of ongoing funding. The results of the US studies must be submitted to their equivalent of the FCC/IAA.

(Do we mandate such studies prior to any public funding going to the DAA, IAA, ANCO, EPA?)

3 The claimants is filling a petition for a mandatory injunction requesting the court to require the DAA to rescind and set aside the specific portions of the proposed ADP's Environmental impact report (EIR) that violate the agencies statutory duty not to undertake or approve environmentally damaging projects without both(1) disclosing all potential significant harm, including growth inducing impacts, and (2) adopting and implementing all feasible mitigation for such harm. (There are no plans for mitigation for noise in the DAA's ADP. They hid the fact that the airport water is contaminated with PFAS. The most recent EIA reports on the wrong area).

4. The claimants seek a mandate under Environmental statutory obligations to disclose the adverse environmental consequences of projects, like the ADP, it proposes to carry out and to refrain from undertaking and approving projects that may significantly harm the environment, including public health and welfare.

5. Some of the ADP plan is non controversial, such as updating terminals for an improved passenger experience. The DAA currently accommodates how many flights per hour, but under the ADP flights will increase to how many flights per hour over the next several years? (Do we have this information or is it mere speculation when dealing with the DAA?). The noise of these flights will be borne by those underneath and near the departure and landing paths.

6. The increased flight operations supported by new gates further exacerbate noise impacts on impacted communities, because they will all fly on the new NR runway. (There are new satellite navigation systems that require all departures and arrivals to fly on a single concentrated path, purportedly for jet fuel savings and efficiency reasons. One such system is NextGen). Where flight paths used to be more disbursed, spreading the burden and reducing the frequency of noise on any particular community, planes now fly on a laser-like line over the same impacted areas, exacerbating the noise impact for those nearby. NextGen was implemented without consideration of the extreme increase in noise and in fact a slight modification to routes would greatly reduce the noise.

(This is the future of global aviation. Do the DAA eventually plan to use the current unauthorised flightpaths for their future satellite systems? They know this information. If their justification for using shorter, unauthorised flightpaths to economise on fuel, then their interest in more expensive SAFs is feigned. More greenwashing).

8. The DAA rushed the ADP and the EIR and puts its interest in economic expansion far ahead of human health. Are there any airport noise mitigation studies submitted with the ADP? These studies should inform any decision about adding new gates to Dublin Airport.

9. American law requires noise studies to be conducted at airports. These studies, which are a critical first step in reducing noise and protecting human health, should be completed prior to consideration of any approval of an increase in the numbers of gates at the airport.

10. The DAA prepared and certified an EIR that ignored, denied, or minimised significant and harmful environmental impacts, including but not limited to greatly increased exposure in surrounding and proximate communities to noise from aircraft operations, particularly during take-offs and landings. It has long been established that aircraft noise above certain levels is responsible for serious adverse human health impacts. Medical studies show that environmental noise, including aircraft noise, is correlated with heart attacks, cardiovascular disease, sleep disruptions and disturbance, stress and impaired cognitive performance. Epidemiological studies found that environmental noise is also associated with arterial hypertension, myocardial infarction, heart failure and stroke. Furthermore, nighttime noise especially increases the levels of stress hormones and vascular oxidative stress, which can lead to endothelial dysfunction and arterial hypertension. Based on epidemiological evidence and mechanistic insight from translational human and animal data, aircraft noise induces a stress response, characterised by the activation of the sympathetic nervous system and increased levels of catecholamines, cortisone, and angiotensin, which ultimately leads to vascular damage, stroke and cardiac failure. In just the last decade, several studies have found that traffic noise, including road, aircraft and railway noise, is associated with increased risk of both cardiovascular and metabolic diseases. Chronic noise generates cardiovascular risk factors on its own, including increased blood

pressure, glucose levels, blood viscosity and blood lipids and activation of blood coagulation, all of which may manifest as cardiovascular disease. Additionally, high levels of environmental noise have been correlated with mental health problems, such as depression and anxiety, conditions that are known to adversely affect cardiovascular function. The risks are real and serious.

11. Yet the EIR fails to adequately and accurately disclose the extent of these impacts. The failure to even adequately disclose the extent of these noise and health impacts, and the airport authority adopting no meaningful measures to address the aggravation of the current noise problem that would occur with implementation of the ADP.

13. The EIR fails to adequately consider the growth-inducing impacts of the ADP, and provides inadequate responses to comments on this issue. The Airport Authority falsely alleges that the ADP project would not enable or accelerate the airlines to reach maximum capacity sooner than they could without an expansion of gates. Adding new gates will clearly accelerate the path to maximum capacity, and will necessarily allow more planes to land, park and depart again every day. The failure to adopt, or even consider, feasible measures to mitigate the adverse impacts of increased noise on nearby communities is a violation of our statutory and human rights.

25. The EIR fails to analyse and disclose the increase in flights that will or may reasonably be expected to use Dublin airport after the ADP is carried out. The airport exceeds capacity as it is. The ADP substantially accelerates the rate at which the airport exceeds capacity. In turn, this accelerates the time at which more Fingal residents are subjected to the very serious increased health and environmental risks and consequences. The EIR's assertion that the ADP will cause no increase in noise or air pollution is illogical and not supported by reason or analysis.

26. The EIR fails to analyse and disclose the full numbers and types of aircraft that may be used once the ADP project is implemented. Residents anticipate that the additional flights will be serviced by larger, and likely noisier, aircraft.

27. The EIR fails to calculate the baseline levels of noise that are currently being generated, as well as the projected levels of noise projected to be generated under the ADP, by aircraft flying over our area in a manner that fully discloses the adverse impacts on the residents of those areas. (Ryanair have pulled their greener aircraft from Dublin airport due to increased costs). Their methods use only noise measurement techniques and standards that report on average noise, and does not use techniques or standards that report on spikes of maximum noise that now occur and that will occur more frequently after the ADP is carried out (i.e., the Single Noise Event Level (SENL) unless mitigation measures are adopted. This EIR thus deprives the public and decision-makers of the full information required by failing to establish a valid noise baseline against which to measure the ADP's impacts; by failing to adequately determine the increase in aircraft noise that will or may reasonably be expected to occur as a result of the ADP; and by failing to analyse methods to reduce those impacts.

33. In addition to the inadequate analysis of noise, the EIR fails to calculate all greenhouse gas ("GHG") emissions increases that will result from the increased aircraft flights and the flights of larger aircraft with greater GHG emissions, on baseless grounds.

34. The EIR also presents a misleading calculation of increased emissions of conventional air pollutants.

36.The EIR fails to identify and adopt all feasible mitigation measures to reduce noise increases caused by the ADP, especially in the context of the unauthorised flightpaths.

38. The EIR also fails to identify and adopt all feasible mitigation measures to reduce GHG emissions increases and their resultant climate-altering impacts,...

39. The EIR further fails either to adopt mitigation measures proposed or to show, based on substantial evidence, that such mitigation measures are infeasible.

43. The DAA has failed to respond to comments by affected residents with any good faith or reasoned responses. The responses to comments about noise increases, methods of measuring and reporting noise levels, the state of scientific and medical knowledge concerning the human health impacts of noise, the increase in aircraft operations that will result from the ADP, and the treatment of GHG emissions and other air pollutants are often superficial, false, are inadequate, and do not demonstrate good faith. (This paragraph describes greenwashing in the ADP which is now illegal).

44. In each of the respects enumerated above, the DAA has violated its duties under the law, abused its discretion, failed to proceed in a manner required by law, and decided the matters complained of without the support of substantial evidence. (PFAS, GHG, noise and air pollution).

Core legal issue remains the authorising of unauthorised flightpaths where no legal mechanism exists to do so without incurring huge potential for lawsuits.

EU shuts legal case after Ireland finally submits years-late climate plan- but its still unfinished". Article in the Journal, excerpts;

"The European Commission has closed infringement proceedings against Ireland over the government being years late in submitting its long term climate strategy".

"Despite missing an EU deadline by several years, the document does not reflect much of Ireland's existing legislation and is set to be re-submitted as an updated version in the coming months".

"The Department of the Environment (DECC) expects to send an updated version in the coming months, which will be the first edition of the strategy to be prepared in line with the Climate Action and Low Carbon Development Acts from 2015 to 2021. It will also take into account the 2024 Climate Action Plan".

"In 2018, a European Union Regulation set out that member states should develop 30 year strategies laying down how they plan to tackle the climate crisis to help fulfil EU requirements under the crucial Paris Agreement".

".....an update to the Strategy is being prepared, to be completed in Q1 of this year".(2024)

"While the updated Strategy is a nationally determined obligation under our legislation, as it will conform to both EU and national requirements, for consistency, the updated Strategy will also be submitted to the EU Commission and UNFCCC to replace the Strategy submitted in 2023".

"There is a heavy reliance on technology for more sustainable energy sources in the Strategy that in some cases, the technologies that they are leaning on as a way of getting to net-zero emissions well before 2050 doesn't even exist yet". -Sadhbh O'Neill.

Ireland's Climate Strategy;

So, somewhat conveniently, the last Strategy would have been presented prior to this application for expansion at Dublin Airport. The government has now submitted the Strategy. It is silent on the intention to expand Dublin airport. It is devoid of any planning for aviation. It is not fit for purpose.

Likewise, the 614 page update failed to inform the EU Commission of the plans for repeated expansion of Dublin Airport as a central European hub airport, in breach of planning and in the middle of an area of the most rapidly expanding residential demand? Will it be left to us to inform the EU Commission of this plan that is in breach of all their efforts to control climate change? Is the EU commission being kept completely in the dark about the real strategy for Ireland?

Cases by Belgian and German citizens are being taken against their governments for failure to transpose European Directives regarding air pollution thresholds and thus, failing to protect them against air pollution. Has our government transposed all environmental EU protective directives in a manner that is indeed "protective" and not just balanced, sustainable etc, words that are not absolutely protective? How does this breach COP 28?

In the above cases, the authorities were also accused of placing pollution monitors in areas that were not near the zones of maximum pollution potential where monitoring was most needed. The DAA were doing the same in Fingal. Monitors were /are not being placed in core pollution areas. This has been discussed in the European courts and is a failure of due diligence. It is an attempt to deceive the EU commission and FCC by giving false readings of the seriousness of their pollution. More greenwashing. Did they intentionally deceive about PFAS not being in the water? Still more greenwashing.

In 2021 ClientEarth won a 5 year legal battle for clean air in Brussels, together with local residents. The ruling found that the Brussels authorities had not been measuring levels of air pollution in the most polluted areas and were ordered to install new monitors. Of course, the new monitors showed increased pollution levels.

Four cases have been taken in Europe for advertising green washing. Ryanair was sued and lost. They had to pull ad campaigns.

Is COP 28 legally binding?

The Paris agreement of 2015 is legally binding. Countries committed to holding global temperature rises to "well below" 2 degrees above pre-industrial levels, while "pursuing efforts to" limit heating to 1.5C". Those goals are legally binding and enshrined in the treaty.

Under the 1992 UN framework convention on climate change (UNFCCC), every country is treaty bound to avoid

“dangerous climate change” and “find ways to reduce greenhouse gases in an equitable way.”

“In an equitable way” means one demographic cannot be isolated and discriminated against compared to others. We in Fingal and East Meath cannot be exposed to more noise or air pollution than other citizens. The DAA and IAA are in breach of their obligations to us under the 1992 UN treaty. Their behaviour is also a breach of their Company Law duties to behave responsibly.

I opine that the entire EU legal framework needs upgrading to cater to the now proven deleterious harms to human health. Globally, the aviation industry is struggling at maximum capacity. But to expand by injuring and shortening the lives of millions of affected residents as the DAA et al is hell bent on doing, cannot be accepted as a sustainable or balanced approach.

Planning refused on local developments for environmental concerns;

Kenny Jacobs et al are trying to push their plans for expansion and passenger cap increases despite knowing full well that any increase in flight numbers at Dublin airport constitutes a breach of COP 28.

Again, the optics in the media with photos of Mr. Kenny Jacobs smiling from ear to ear against a backdrop of either Cork or Dublin airports, knowing the distress he is causing residents, smacks of the ultimate in disingenuousness. Of course, the false claim is that aviation is evolving to pollute less. They can produce zero statistical evidence of this, just speculation to support their false narrative.

Planning rightly was refused for Kinvara SHD at Balbriggan on the basis that residents would be mainly car dependent and would therefore *“promote unsustainable transport modes” and be contrary to the provisions of the Fingal County Development plan”*.

The same logic should apply to refusing to increase the passenger cap for one of the nation’s primary polluters to further contribute to greenhouse gas emissions in open defiance of COP 28 requirements.

Planning refused for loss of value of homes in Swords area;

Planning for a development of apartments at Swords Iron Works, River Lane, Swords was refused.

The council ruled that the proposed development would *“adversely impact on the residential amenity of adjacent properties,”* and would *“depreciate the value of property in the vicinity”*. the same argument applies to flights on flightpaths with no planning. The amenity value and equity value of thousands of homes has been absolutely decimated by the DAA. Yet another example of irresponsible behaviour by the DAA et al.

Howth Castle August 2024;

FCC rightly refused planning for Glenveagh to build adjacent to Howth Castle. This is hugely important to those of us trying to save historic structures and their peaceful settings, that too often are aesthetically destroyed by new builds, designed unsympathetically built on historic landscapes. Kinsealy house comes to mind and multiple old houses, nationwide, whose settings have been obliterated with new builds.

The objection by residents was that the development *“would destroy the visual impact of the Architectural Conservation Area of Howth Castle”*.

FCC refused planning citing the following reasons;

1. *“The scale, form, massing and overall height of the development failed to respond to the baseline environment and surrounding history and natural environment of the site which is located within a designated highly sensitive landscape adjacent to Howth Castle ACA”*.
2. *The proposed development “is wholly inconsistent with the established character of the area, would be seriously injurious to the visual amenities and detrimental to the character, setting, and special interest of protected structures.*
3. *“It would also act as a poor precedent for other similar developments”*.

Although compliance with EU law was not iterated in this decision, nevertheless, the decision reflects the spirit of EU law admirably. FCC are now saving historic settings that otherwise would be lost forever.

The current passenger cap is in excess of COP 28 guidelines. Any increase in the passenger cap is not compliant with EU law. Protected structures in Rolestown and elsewhere are not being protected as they should be under EU law.

National Framework Plan

Of note, the National Framework Plan 2040, [nfp.ie](https://www.nfp.ie) is also devoid of any aviation planning thus far.

The current FDP has a chapter on the Airport (8). Again, *“balanced”* and *“sustainable”* are words used to pit economic growth against slowly poisoning thousands of residents. There is no meaningful information on the harms of noise and air pollution in this chapter.

In contrast, the wonderful economic growth and future projections of the Airport are fully detailed in the DAA's efforts to increase capacity. "Balanced" and "sustainable" are words used to justify the great commercial success of Dublin Airport at the cost of causing severe chronic illness and depression for thousands of residents.

Unauthorised flightpath over my historic property;

Please bear in mind, my first objection to the building of a huge estate on the very parklands of Rolestown House, in which I stated I had plans to save the property and restore it in a very sensitive, historic manner. I am open to various uses but all exploit the unique tranquillity of this Georgian property. Uses included tea rooms, exclusive accommodation, yoga and mindfulness retreats, artisan cottages, etc. I had the interest of an American investor who is keen on the yoga retreat concept. This will not happen now under roaring skies. I lost this opportunity too to the DAA.

The 2000 European Landscape Convention

The convention has been ratified by Ireland. Its mission statement is to Contribute to Human Rights, Democracy and Sustainable development. Under this Convention historic landscaped "shall be protected, managed and maintained". This is mandatory.

In April 2022, the most recent European workshop was held under the auspices of this convention. "Biodiversity in the City." An old monastery in Bergamo's Asino valley being restored, is core to this project;

"In order to restore the historic value of this landscape, restoration of the monastery, farm buildings and archeological vestiges in the area have been undertaken, restoring dilapidated structures that were abandoned, and in certain cases, had collapsed roofs".

"The project has sought to redefine mobility in the area by promoting soft mobility and discouraging motor traffic, as part of a broader effort to manage growing anthropic pressure".

Contrast this approach to an ancient site with what the DAA are doing in Rolestown. They are flying over a settlement dating from the mid 1400s. My property includes Yew tree octagons and walkways that are magnificent. They were planted by the holy men of the Stubbs family that married into the house. JW Stubbs was the treasurer of St Patrick's Cathedral, Dublin and his father had laid the founding stone for St. Canice's Church, Finglas in 1742. Books such as "*The History of the University of Dublin from 1516*" were written in this house.

In stark contrast to the respect shown by the work done in Europe under the auspices of the ELC, where ancient, holy sites are being sensitively restored in an urban area and where every effort is being taken to protect these structures from air pollution, here, in Dublin we are allowing flights directly over my protected structure and her Yew gardens. Yew trees were planted in old graveyards to protect the spirituality of the place. Our European obligations could include trying to limit car traffic near these historic sites, ie not flying over them.

Our politicians tried to alter the European Landscape Convention wording and so change its meaning utterly. Words like "*balance*" and "*sustainable*" are endemic in almost all our development plans. This modifying language is an aberration of European law mandating protection of historic protected structures and landscapes.

The Convention for the Protection of the Architectural Heritage of Europe;

Rowlestown has a cluster of protected buildings at its core, my property, Rowlestown House, an old graveyard and the Corn Mill. The surrounding area has been designated an ACA (Architectural Conservation Area) and thus, is protected also. Development cannot interfere with the character of the setting of a protected structure or the character of an ACA.

Overhead flights every two minutes is a reckless breach of these European protections and derivatives.

Granada Convention;

Otherwise known as the Granada convention, it was ratified by Ireland in 1997, making it incumbent upon Ireland to enact statutory measures to "*protect*" its architectural heritage. Note the legal obligation is to protect and not to "*balance, guide, have regard to*" etc.

The Local Government (Planning and Development) Act 1999, since consolidated in part iv) of the Planning and Development Act, 2000 implements appropriate supervision and authorisation procedures to protect listed buildings and their attendant grounds and ACA areas by force of law.

It is undesirable that the airport is struggling to accommodate passengers. But, it is more undesirable that historic buildings and landscapes be lost forever, smothered in aviation noise and air pollution, because the legal instruments to protect them have not been invoked which is, in itself, a breach of European Directives.

I note the current Fingal Development Plan refers to the DALAP Dublin Airport Local Area Plan for protections for protected structures.

9.8.2 of the DALAP refers to the protection of only specific structures within the curtilage of the airport. Protected structures and landscapes have been completely ignored in this plan and the current FDP with regards to the development of the airport.

Thus I refer to the older FDP 2023, as it is more in line with legal European Law protections.

Excerpts from; The Heritage Council Submission to the National Planning Framework 2040 November 2017;

Pg 9, 3.3; "Accordingly, it is submitted that new Section 28 Landscape Assessment Guidelines will be needed as the Section 28 Guidelines (2000) are still in draft form over 17 years later. The Heritage Council recommends that this chapter includes a National Policy Objective to support the formulation of a National Landscape Character Assessment/NCLA, as per the NLS 2015 - 2025. Council sees the development and use of such a resource as fundamental to the planning and management of landscape change in Ireland".

Pg 11; 3.8, "It is unclear how "change" in our landscape (i.e. ALL landscapes as per the ELC definition) will be monitored without a robust base-line....The Heritage Council submits that given the scale of landscape changes envisaged within the lifetime of the NPF 2040, a comprehensive monitoring framework for landscape and cultural heritage needs to be devised and implemented".

Pg 12, 3.8; "Given the degree of change projected in the NPF 2040, the monitoring of changes to cultural heritage will be a pressing area. At present, our "systems" are not measuring changes in historic environment in any meaningful way, e.g. trends in Protected Structures, Architectural Conservation Areas (ACA's), Recorded Monuments, developmental impacts or mitigation measures required through EIARs, etc. A review of how this is measured and monitored and viewed in terms of Strategic Environmental Assessment is also required (SEA)".

Pg 18, 5.3, (3); Robust Section 28 Guidelines are required in relation to Landscape Character Assessment, including Historic Landscape Characterisation".
To my knowledge, this requirement has not been done.

Pg 28; The "Historic Landscape Characterisation" should provide a wider and more varied landscape context for historic landscape resources such as Records of Protected Structures".

Architectural Heritage Protection; Guidelines for Planning Authorities 2011;

(13.1) The statutory basis for these guidelines is set out in the preamble and is pursuant to Part iv) of the Planning and Development Act, 2000 (as amended), S52(1) for the Protection of Structures or parts of Structures, and the preservation of the Characteristics of ACA's.

Chapter 13 (13.3) Determining the Attendant Grounds of a Protected Structure

(13.2.1); The attendant grounds of a structure are landscapes outside the curtilage of the structure but which are associated with the structure and intrinsic to its ..setting and /or appreciation.

This definition captures Rowlestown House, the Corn Mill and their setting/ attendant grounds/ historic landscapes and ACA.

(13.7.1) Development within the Attendant Grounds, including settings;

As the flightpaths constitute an unauthorised development, the criteria listed below for protecting historic landscapes applies.

"... The planning authority should consider;

a). Would the development affect the character of the protected structure?

b). Would the proposed works affect the relationship of the protected structure to its surroundings and attendant grounds.

c). Would the protected structure remain the focus of its setting?

How would this affect the character of the protected structure and its attendant grounds?"

e). Do the proposals respect important woodland and parkland? Do they conserve significant landscape features?"

f). Are there important views to or from the structure that could be damaged by the proposed development?

Would important vistas be obstructed by the new development?

g). Would distant views of important architectural.....landmarks be blocked or changed?

Would a significant skyline be altered?

h). "Even where the proposed development is at a distance from the protected structure, could it still have an impact?"

i). "Where the new works would not be directly visible from the protected structure, would they be visible from the approaches to the structure or from other important sites or features within the attendant grounds?"

In applying these criteria and questions to the Relevant Action and any plans for expansion, the answer to each question is a resounding confirmation of the travesty that this plan represents for Rowlestown's historic lands and ACA.

Damage to my house, a protected monument / structure;

It is deeply concerning that my fragile house, built around 1740, is subjected to constant particulate pollution. The damage caused to ancient buildings by air pollution is also well established in academic literature. The exhaust particulate corrodes the lime mortar and can destabilise old structures. I will attribute any further structural defects in my house to the pollution to which she is now exposed. It has taken me 4 years to structurally salvage just the house. The outbuildings and walls are now seriously threatened by being directly under the flightpath.

Even if insulated glazing was offered to me as a temporary appeasement, the house can only have single glazing to comply with conservation measures.

Please note the contents of the research listed below. I included this for the attention of An Bord Pleanála who have duties under European law to protect historic buildings and landscapes. I ask that ABP do not give planning for flight routes near the older buildings in Rowlestown. Currently, planes are flying low, every few minutes, directly over all the historic structures in Rowlestown. Every article below has a multitude of reference articles on this topic. The science is now well established;

1. *"Air pollution puts Cultural Heritage at risk _ UNESCO". "Air pollution is a key factor in the degradation of surfaces of historic buildings. The impact of pollutants emitted into the atmosphere on materials is enormous and often irreversible".*
2. meritnation.com. *"Air pollution leads to acid rain mainly oxides of sulphur play a prominent role in acid rain which corrodes metallic installations and degrades marble, stone monuments as acid rain helps in the easy degradation of carbonates and stones".*
3. Acid rain. Effects on human made structures - britannica.com. *"The most common effects occur on marble and limestone which are common building materials found in many historical structures.*
4. byjus.com. *"Acid rain can cause damage to buildings, historical monuments". "Statement: Acid rain can cause damage to buildings, historic monuments, **plants and animals**". "Acid rain contains acids like nitric acids, which corrodes the upper layers of the buildings and monuments and damages them".*
5. *"Dirty air endangers UNESCO world Heritage sites".*
6. ScienceDirect.com. *"Mapping the susceptibility of UNESCO World Cultural Heritage Sites in Europe to ambient (outdoor) air pollution". "Air pollution accelerates the natural processes of deterioration of the materials of Historic Buildings and Monuments, causing premature aging".*
7. PBS.org *"Monuments at Risk: European city sites are being Damaged by pollution, rain".*
8. researchgate.net. *Damage caused to European monuments by Air Pollution, Assessment and Preventative Measures".*

Excerpts from landscape historian's report;

This report in its entirety is available upon request.

"The Ecology Report is thorough in many respects and makes interesting recommendations in regard to bats. However, the fact that six species have been recorded tells how important is the ecosystem of the parkland and how it is intrinsically connected with the grounds, trees and vegetation of Rowlestown House and loss of this habitat would severely damage its integrity. It is remarkable how few bird species were recorded in this survey/report.

Researches show that many historic landscape features still survive, notably a good number of veteran trees; yew, beech, chestnut, sycamore, ash and exotic conifers. Within the grounds of Rowlestown house and in the parkland 'fields' there are trees of 18th and 19th century date. Many of the parkland trees are clearly visible from within the grounds of Rowlestown House and form a green canopy and indeed to some degree shelter from the east.

The owner of Rowlestown House would be at a great financial loss and at a loss for the ecological damage and aesthetics of these mature specimens. Financial compensation could not adequately replace these losses.

There are a number of veteran trees in Rowlestown grounds, notably the copper beech which dominates the pleasure ground, a towering sentinel, probably planted for the purpose of guiding horses and carriages towards Rowlestown House as well as being a spectacular specimen amongst the varied shades of green. This is a designed landscape feature I've recorded on previous occasions on other sites of major significance, such as Duckett's Grove, Co. Carlow and Dowth Hall, Co. Meath, part of the UNESCO world heritage site Bru na Boinne.

While Rowlestown House is not as historically significant in size or possessing as many features as other better known Georgian houses it does demonstrate a sophisticated understanding of historic landscape design. Rowlestown is ...a classic Georgian house of middle size with well laid out pleasure grounds and gardens.

There is an 'ancient' Yew Walk leading to an Octagon of Yew in the pleasure grounds. This 'ancient' tag is not misplaced, because the growth habit of these yews are extraordinary to behold and they do seem to be truly
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ancient. This octagonal/circular planting of Yew is a rare surviving feature, similar to ones in other 18 /19 century pleasure grounds. Its presence hasn't been recorded by NIAH or, to my knowledge, by any other garden history body or organisation. This feature is protected as part of the curtilage and environs of Rowlestown house but it **must also be safeguarded against any adverse changes to its environs and location.**

Summary

This is a brief report intended to better inform decision making in the planning process but it will also alert the owner of Rowlestown House to the possibilities and capabilities of her grounds and gardens. The local community should also be made aware, if not already so, that at the heart of their village is a rare and historically significant heritage property which can benefit them in so many ways.....it would be better left as parkland, managed as a protected native habitat and used as a green open space for passive recreation.

The game plan of the DAA et al, is instead of designing for sustainable airport expansion, they have submitted plans for an unsustainable expansion. Dublin airport is already running at maximum capacity. They know they are devastating resident's lives and yet they trundle on trusting that every semi state body will capitulate and that we will have no option but to continue to litigate torts for nuisance, personal injury and the intentional or reckless infliction of emotional harm. When the premature deaths inevitably become evident, we will be in the realm of corporate manslaughter issues.

Obliteration of democracy by DAA

Local Authority members are elected to represent their constituents. These elected representatives liaise and engage with County Councils regarding planning matters. Planning matters are further referred to ABP (An Bord Pleanála). People can make submissions such as this to voice their concerns at every step in this democratic process. And so, the FDP for the airport is based on the 2007 permission granted.

Judicial Reviews and the courts are available where there is continued dissatisfaction with a quasi judicial process. These are systems in place to protect democracy and human rights of citizens. The flouting of the planning permission 2007 is also a flouting of the Aarhus convention, whereby the public have a legal right to fully partake in planning matters.

The DAA et al have flouted our democratic rights. They brazenly and enthusiastically ignore the planning they applied for and were given in a democratic process. They persistently ignore our constitutional rights to bodily integrity and the right to peaceful enjoyment of our homes and the right to a livelihood.

There is a collapse of democratic structures in Fingal and Meath. Why should any planning authority be vested in a county council when a conglomerate can override its decisions with utter impunity for 2 years now?

Fingal is in an unprecedented situation. Of course, an expansion of capacity at Dublin airport is an exciting commercial prospect. But it cannot happen where thousands of residents are subjected to chronic illness as a result.

FCC executives are appointees. They have no electoral mandate. County Councillors are elected and have a public mandate. The elected Councillors have a duty of oversight over the executive. Their function is also to be ombudspersons on behalf of the electorate. It may be that there is tension between elected Councillors and the executive.

The elected Councillors will not be re-elected if they fail to adequately represent the electorate in this matter. It would be akin to turkeys voting for Xmas. Residents have been thrown under the bus by all state departments so far. Where is the Environmental Protection Agency? Silent even in the context of the intention by the DAA to breach COP 28. It is their remit to protect residents.

The DAA et al were on notice for some years now when there was an almost explosive return to normal passenger numbers. They failed to form a business contingency plan to cater for expansion in a democratic manner. No doubt they employed risk management personnel who should have been strategising contingency plans for expansion. There needs to be joined up thinking at a European level to regulate airport expansion in a democratic manner.

If the Relevant Action or attempt to increase the passenger cap is granted, this will set an anarchic precedent. What will the new role of our public representatives and ABP and the courts be? The DAA et al are pushing this outcome as inevitable in the media. It can't be set as a precedent. If it is then what are the legal grounds for mandating that all other citizens demolish their unauthorised developments? That polluters no longer pay but are rewarded? That greenwashing is somehow acceptable?

Future planning cannot be determined by heavily invested companies flying illegally. There must be compliance by these companies with democratic planning processes.

The unfair competition is between socio-economically dominant corporate conglomerates with huge global ambition and ordinary people who sought out peace and tranquility in the rural settings of Fingal and East Meath.

Also omitted from the planning application for expansion and the proposed increased passenger cap, is any input whatsoever from a medical, psychological or psychiatric expert specialising in the fields of noise and toxicology.

The DAA / IAA have failed utterly in their duty of care to our community. No counselling or medical support has been offered even tho they know our community are suffering hugely. They only honour their fiduciary duty to their shareholders who absorb huge profits annually.

Air pollution has been linked with neonatal deaths;

Listed below is a mere sample of five reviews of a multitude of studies available on a simple google search;

1. *"Air pollution to blame for one-fifth of the global burden of newborn health disorders"*, environment.ec.europa.eu
2. *"Ambient air pollution and infant health"*; a narrative review, the lancet.com
3. *"Before the first breath; why ambient air pollution and climate change should matter to neonatal-perinatal providers"*, Journal of Perinatology 2022 M Long
4. *"Air pollution and children's health - a review of adverse effects associated with prenatal exposure from fine to ultra fine particulate matter"*, NM Johnson 2021 environheafthprevmed.biomedcentral.com.
5. "State of Global Air 2020 Report, the Guardian newspaper, *"Air pollution is now the fourth highest cause of death globally, just below smoking"*.

Link of air pollution with breast cancer;

Again, there are a plethora of articles on a quick google search on this topic.

1. *"Association of air pollution with post-menopausal breast cancer risk in UK Biobank"*, C Smotherman 2023, breast-cancer-research.biomedcentral.com.

2. Air pollution is also causally linked to a recurrence of breast cancer. Cf. *infra*

Link of air pollution with brain cancer;

1. "Air pollution nanoparticles linked to brain cancer for first time", the Guardian newspaper "Air pollution may be damaging every every organ and virtually every cell in the human body".
Journal of Epidemiology
2. "We have measured these outside primary schools in the UK where UFP particle numbers regularly exceed 150,000 per cubic centimetre of playground air". Prof Barbara Maher, University of Lancaster, UK.

In Fingal, the best the DAA et al can do is offer insulated glazing in playgrounds. What an inappropriate and irrelevant suggestion. So the children can hear a little better in the classroom, but they are in real danger of developing serious illnesses over time, and even more so if they go out to play.

The Effect of Noise Annoyance on Human Health:

The term annoyance is used to describe the abject despair of having to endure almost continuous overhead flights. If more accurate terminology was used such as stress, depression, GAD, PTSD was used, the effects of these flights without any increase in flight numbers, would already result in literally thousands of studies leaving no doubt as to the connection of these flights with deleterious effects on mental and physical health.

A brief google search on effect of noise annoyance on human health reveals hundreds of studies and academic articles;

"WHO 2018 The WHO states that noise annoyance leads to anger, disappointment, dissatisfaction, withdrawal, perceived loss of control or even helplessness, depression, anxiety, distraction, agitation or exhaustion and sleep disturbance". Annoyance- anima project.eu

"Association between Noise Annoyance and Mental Health Outcomes: A systematic review and Meta-Analysis." International Journal of Environmental Research and Public Health ncbi.nlm.nih.gov.

The researchers found 350 articles in Web of Science, PubMed, Scopus, and PsycINFO database searches on annoyance and health.

They conclude *"Highly annoyed participants had an almost 119% increased risk of mental health problems as assessed by short form (SF-12) or General Health Questionnaire (GHQ)"*.

SF or GHQ are the most accurate assessment tools. This form of assessment has not yet been undertaken in Fingal, where up to 1 million persons may be adversely affected, according to EIAR demographic reports.

Pilots opinions;

Some brave pilots have shown concern in the media and at a meeting recently. Pilots have years of practical expertise in how flightpaths at Dublin airport should be managed. They state there is no effort on behalf of the DAA to mitigate the effects on residents.

1. There is a refusal to entertain engaging satellite airports in south County Dublin. Gareth / Paul O'Brien in the media, reported this would not be difficult to do. The DAA erroneously declared this approach to be impossible for aircraft. The pilot flying the craft knows it is not difficult. The DAA just won't do it.

2. There are staggered flights out of Germany and the UK to ease the looming health burden on residents. This is called flying in dependent mode. The DAA have not bothered doing this.

3. Currently, flights taking off from the north runway are banking (diverging) about 30 degrees eastward, flying over Kilsallaghan, Rolestown, Ballyboghil etc.

4. There has been a suggestion to re-route freight flights away from Dublin airport. Has this been done? No.

5. On or around wed 7th August 2024, an inbound flight from Vienna to Dublin had to land by turning left onto the 28 runway to avoid contact with debris from an earlier Ryanair flight. This is a suggestion presented to the DAA but was dismissed as being impossible. Now, it is apparent that this approach is the safest approach. The DAA claims it meets basic international safety standards. Where they ignore suggestions from pilots that increase safety, then this is a breach of their corporate governance duties to behave responsibly. It is irresponsible and unethical in Corporate Governance terms to embed less safe behaviours, even if the less safe procedures meet international standards. When it comes to aviation, maximal safety of all stakeholders should be the standard. International standards were set without the realisation that a company like the DAA et AL would engage in the deliberate tort of seriously harming thousands of residents for profit.

6. The 2007 planning permission was granted for an unworkable design. Runways should not end in lines parallel to each other as this allows for inter craft interference. There should be a divergence of 15 degrees away from each other at take off and climbing on both runways. This is a measure that would be easy to embed. Kenny Jacobs simply won't do this either. The design of the runway is farcical. Curtailing the 30 degree divergence to a 15 degree divergence for each runway, would appease many residents and be more compliant with the planning granted and is a breach of the ethical principles of the ICAO.

This also demonstrates a gap in EU Law. There should be uniformity in flightpath regulations across member states. So when asked at the Oireachtas committee about exploring all these other options which work well at other airports, Kenny Jacobs replied vaguely that he would explore other suggestions but he couldn't say when because at the moment he's really busy. He simply has done nothing to ameliorate the pollution over the last 2 years.

So from a corporate governance perspective, Mr Jacobs, by blatantly breaching his duty to behave responsibly has breached EU law, International Law and Agreements, Domestic Law, The Companies Acts and every Code of Conduct aimed at ethically guiding important decision making. Mr Jacobs et al are destroying lives and livelihoods.

There is a pilots charter in which pilots are informed of noise levels around European airports. This is a uniform regulation applying to all member states. Page 90 of the charter has been pulled out of this manual for Dublin airport. The responsibility for this action rests with Mr Jacobs and the IAA. Who authorised this? They too are also non compliant with their duties to behave ethically and responsibly.

Corporate Governance breaches by Mr Jacobs;

Below are just a brief sample of breaches by the DAA et al. I intend to expand on this section further to present to the CEA.

The Companies Acts:

Duty to behave Responsibly

Disqualifications of certain persons from acting as directors or auditors of or managing companies S 160 (1) *"Where a person is convicted on indictment of any indictable offence in relation to a company or involving fraud or dishonesty....."*

S 228 (1) provides for 8 fiduciary duties:

1. *Duty to act in good faith in what the director believes to be in the best interests of the company.* How can it be in the best interests of the company to set the company up for decades of nuisance and PI litigation that may eventually result in actions for corporate manslaughter?

2. *Duty to act honestly and responsibly in relation to the conduct of the affairs of the company:* An objective test applies when assessing an alleged breach of this duty.

Failure to act responsibly can refer to failure to keep proper books of accounts. Books of accounts includes transactions. Misleading information about the number of nightlights is a breach of the duty to be honest and responsible.

3. *Act in accordance with the company's constitution and the law.* Mr Jacobs is subject to no law when deciding flightpaths without any authority. He is in breach of a host of Laws.

6. *Duty to avoid any conflict between the directors duties to the company and the director's other (including personal) interests.* The test here is even the perception of a conflict of Interest constitutes a conflict. Mr Jacobs breached this duty when he bought shares in 12 other airlines.

7. *Duty to exercise Care, Skill and Diligence.* It is a breach of this duty to constitute a board that is devoid of the necessary skill level to make informed decisions. I am told that the DAA board have no expert in air traffic design or control, human toxicology or the effects of noise and pollution on human health. A failure to promptly implement the suggestions of the pilots group is a breach of this Duty.

S 839 (1) *A person is automatically disqualified if that person is convicted on indictment of -*

- (a) *any offence under this act or any other enactment as may be prescribed in relation to a company, or*
- (b) *any offence involving fraud or dishonesty.*

Mr Jacobs needs to be investigated for dishonesty regarding his grossly misleading statements on PFAS, etc.

EEA European Environment Agency European Aviation Environmental Report 2022 (EAER);

The report states that *"Despite the overall decrease of emissions and improvements in general, air pollutant emissions from aviation have increased within the EU"*.

Recommendations; Supporting the achievement of European Environmental objectives;

1. *To establish long term noise and emission reduction pathways.*

2. *To support the European green deal objectives;*

- a. *30% reduction in the share of people chronically disturbed by transport noise by 2030*

compared with 2017

b. Improvement in air quality to achieve a 55% reduction in the number of premature deaths caused by air pollution by 2030 compared to 2005, including near airports by tackling the emissions of pollutants from aeroplanes and airport operations.

3. Fostering green airport operations and infrastructure;

a. To promote Airport Noise Action Plans that mitigate adverse effects from aircraft noise on citizen's health by moving towards aircraft noise levels recommended by the WHO for the European region.

Official Journal of the EU; I. 173/65;

Regulation (EU) NO 598/2014 of the European Parliament and of the Council of 16 April 2014 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Union airports within a balanced approach.

"Having regard to the Treaty on the Functioning of the EU and in particular Article 100(2) thereof,

Whereas:

(2)...."Those measures should improve the noise levels around Union airports in order to maintain or increase the quality of life of neighbouring citizens....in particular where night flights are concerned".

There is no Balanced approach with one person ruling the skies over Fingal. Mr Jacobs is in breach of EU law yet again.

Mr Jacobs is in breach of all these objectives. In fact, he is utterly non compliant with EU objectives.

Aircraft Noise (Dublin Airport) Regulation Act 2019

S9 (2) The competent authority shall ensure that the balanced approach is adopted where a noise problem at the airport has been identified and, to that end, shall further ensure that , as appropriate;

(b) measures available to reduce the noise impact are identified

(f) the measures are adopted

(g) the measures are introduced.

In not assessing and introducing the measures suggested by the pilots group, the DAA and FCC are in breach of their statutory duties under this Act.

Corporate Governance Framework:

Published by the Dept of Finance and adhering to the Civil Service Code of Standards and Behaviours. This is the "**gold standard**" for all corporate bodies that fall under the aegis of a department.

"Fundamentally, good governance is about:

3. behaving with integrity

4. acting in the public interest".

By polluting our skies etc, Mr Jacobs et al are in breach of the basic principles of this framework.

Code provisions 2023

1.2 page 13, Ethical Standards: "The board has a key role in setting the ethical tone of a state body, not only by its own actions but also in overseeing senior management and staff. High ethical standards are in the long term interests of the body and a key means to make it credible and trustworthy".

1.11 Conflict of Interest: "The Board should have procedures in place to monitor and manage potential conflicts of interest of Board members and management". These procedures failed as Mr Jacobs invested in airlines.

Airnav Codes of Practise for the Governance of State Bodies;

Introduction; "State Bodies should act prudently, ethically and with transparency as public entities and should conduct their activities consistent with their statutory responsibilities...

High standards of corporate governance in State bodies, whether in the commercial or non commercial sphere, are critical to ensuring a positive contribution to the State's overall economic efficiency, competitiveness, **social cohesion** and regional development".

There is a duty to present reports to the parent Department, The Minister for Transport. How is it then that the DAA et Al can misrepresent the number of nightlights as 65? If the Min has all relevant reports, is there a connivance not to disclose such relevant information?

Breach of Equity Maxim of "clean hands";

The airlines are claiming their constitutional rights are being interfered with. Meanwhile they are decimating our property rights such as the right to enjoy one's garden, and the decimation in the value of our overflown homes. Our right to bodily integrity is being shattered on a minute by minute basis by these airlines.

My demographic face decimated golden years being tortured by continuous noise and chronic ill health. The airline claiming it will be impacted by not being able to fly children to Lapland, or for people to go skydiving at Winter fails to excite sympathy in comparison.

Ryanair was on target in 2022 for an annual profit of at least 1 billion euros.

If the legal concept of "the polluter pays" applied, then those who profit most and are responsible for this pollution should pay the most. Michael O'Leary disingenuously dismisses the health concerns of those residents his craft upset greatly. Let him put up with continuous flights flying directly over his home in Gigginstown. He wouldn't live there long.

Indeed, Mr O'Leary objected to a single wind turbine of 80 metres in height being extended another 20%. It was 4km from his house. Arguments presented by his barrister included the following;

"The mast currently can be seen for miles and is unsightly".

"This incursion by a company seeking to erect wind turbines on a rural community has all the hallmarks of a big business viewing a quiet rural area as a soft touch. It is unfair for a rural community to be burdened in this manner".

"The project ...represents a looming threat to the landscape" and "will reduce our asset values - natural and financial".

Mr O'Leary objected vehemently to the raising of a single mast height. Ironical indeed. He has the gall to consider our demographic a few cranks.

Mr O'Leary has bought up farmland in the Gigginstown area. He may use this land as a solar farm. This would suit a narrative to "offset" and feign being pro sustainable energy. This would be greenwashing. It would also allow him to avail of inheritance tax avoidance for his children under the "Green Certificate" scheme.

The reality is Mr O'Leary is against sustainable energy. In addition to objecting to a single wind turbine being raised, Ryanair has been sued successfully for greenwashing.

Financial Times "Too many boardrooms are climate incompetent".

According to a study of boardroom expertise, by New York University's Stern center for Sustainable Business, only 7% of board members were climate competent.

Failure to fill boardroom skills gaps

There is a duty in corporate governance to review the skills gap in a boardroom and fill it. The boardroom skill set is to be reviewed annually. Mr Jacobs has failed abysmally in this duty too for some years now. If there had been any expertise or even common sense at board level, the design of the north runway would have been done in a fit for purpose manner. A simple 30 minute consult with the pilots would have informed decision making.

Current FOI acts blocking transparency and accountability:

The DAA are hiding behind the FOI Acts exempting them from responding to requests. Requests would include all correspondence with the architects, engineers and contractors who undertook the design and building of the runway. Many suspect the tendering process was not put out to public tender. Many opine the companies selected were devoid of the expertise required to design a functional runway and that other companies, with more expertise were deselected in this process that lacks all transparency, accountability or basic due diligence.

Is it fair that one of the biggest air polluters in the country can hide behind FOI to avoid any accountability? The IAA are not exempt from FOI requests but they simply ignore requests that would help clarify these matters of queried serious breaches of corporate governance.

Can the courts in the course of this JR kindly review the unfairness in the FOI laws please? Currently, they are a hindrance to any form of justice.

My Education and Work Experience.

1982 - Physiotherapy UCD. I worked in the burns unit in James St Hospital, Dublin.

1982 - 1986 I was sole-in-charge of acute surgical and medical units, Cavan Surgical and Medical hospitals. I gained extensive experience in Acute care and Intensive Care for pulmonary patients. I watched their disease process first hand. These years of experience have informed my opinion regarding air pollution.

1986 - 1990 I worked in Princeton Medical Center, Princeton, NJ, USA. Because of my expertise in Intensive Respiratory and Cardiac Care, I was selected from 55 PTs and educated in ECG interpretation and Cardiology in order to run their Cardio-Pulmonary Rehabilitation Clinic. Again, I observed first hand the misery of cardiac pathology.

1988 - 1991 I commuted to Long Island University, New York, USA from Princeton to complete an Advanced Masters of Science Degree in Orthopedic and Sports Medicine. Part of this program included studying Research Methodology and Statistical Analysis at third degree level. These modules are also informing my opinion on the reports furnished by the DAA et Al..

2004 - 2008 I studied law at the Kings Inns and was called to the bar in 2008. I studied Company law, Tort law and Constitutional Law, all of which are core issues in this matter

2017 I was financed by Cavan Credit Union, where I was a Director for three years, to complete a Diploma in Corporate Governance. I studied in particular;

1. Conflict of interest,
2. Duty of Care of stakeholders
3. Due Diligence
4. Corporate Governance

I wrote up the Code of Conduct for Directors when in Cavan Credit Union. From my legal background, I realised that all levels of officers in a corporate structure are subject to Codes of Conduct, except the Directors. It is at Director level that most corporate governance issues arise. At the time when my Code Of Conduct for Directors was endorsed by Cavan Credit Union, very few Irish companies had any code for directors whatsoever. Many Directors exploited this obvious legal lacuna to the full, sometimes to the embarrassment of other Board members who often lost their positions and employability status by the unfettered actions of a few.

I believe my education and work experience in Medical, Legal and Corporate Governance place me in a unique position to have a somewhat informed opinion on the actions of the DAA et Al.
However, most importantly, like all affected residents, I am subjectively experiencing first hand the torture of constant overhead flights affecting me to such an extent that I cannot live in my own home. I can have no peace of mind there.