



Connolly O'Neill

SOLICITORS LLP

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email: conneill@securemail.ie
DX25015 Ennis.

Reply to:

An Bord Pleanála,
64 Marlborough Street,
Dublin 1.
D01 V902

REGISTERED POST

AN BORD PLEANÁLA	
LDG- _____	Email & Registered Post
ABP- _____	bord@pleanala.ie
26 SEP 2022	
Fee: € _____	Type: _____
Time: _____	By: <i>hy post</i>

Our Ref
RAC/VOC/2447

Your Ref

Date
23 September, 2022

RE/

Your Case Number: ABP-305972-19
Planning Authority Reference Number: 11/360
Our Reference: McMahon Find Wind Acquisitions Limited
Our Client's Agents: Inis Environmental Consultants Limited

Construct six turbine wind farm including sub-station, internal roads and borrow pits
Coor West, Shanavogh East and Shanavogh West, County Clare

Dear Sirs,

We have been passed your letter to our above client's agents Inis Environmental Consultants Limited, Suite 11 Information Age Park, Gort Road, Ennis and have been given instructions to reply to same.

Firstly, our clients wish to object in the strongest possible terms to your unilateral imposition of a time limit upon them in the aforesaid letter given the history of the matter to date. We would firstly point out that the Supreme Court determined, as long ago as, 17th July 2018 that the Bord's handling of this matter was legally defective and directed that the Bord rectify same.

We note that it has taken almost four years thereafter for you to take any action on foot of said judgment and when you did so you attempt to impose a time limit on our client.

We would firstly point out that your conduct in this matter has led to substantial and catastrophic financial damage being occasioned to the applicant in the above Planning. This is compounded by your recent effort to now impose upon our client an entirely unreasonable time limit in relation to any action which you suggest they should take, which is not admitted, but in all the circumstances of this complex matter our clients, in the first instance, wish to seek expert advice and in particular Senior Counsel's advice in relation to their position in the matter.

As discussed with S.A.O. Revised notice to issue, in absence of Board member availability

2/11/22

We would therefore request that you would, in the first instance, immediately issue a 12 month extension from the date hereof within which our clients can consider and respond fully to your letter under reply which said period is necessary anyway from an environmental monitoring perspective as same must be carried out through all four seasons of the year .

We reserve the right, in any event, both to apply for a judicial review in respect of firstly your attempted imposition of an unreasonable time limit on our client and secondly should you refuse the extension now requested to in addition judicially review any such refusal.

We await your immediate response.

Yours faithfully,

A handwritten signature in black ink, consisting of a stylized capital 'C' followed by a horizontal line.

Connolly O'Neill Solicitors LLP.

Eoin O'Sullivan

From: Bord
Sent: Friday 23 September 2022 10:04
To: Appeals2
Subject: FW: McMahon Find Wind Acquisitions Limited
Attachments: message.html

You've received an encrypted message from **bord@pleanala.ie**

To view your message

Save and open the attachment (message.html), and follow the instructions.

Sign in using the following email address: **appeals@pleanala.ie**

This email message and its attachments are for the sole use of the intended recipient or recipients and may contain confidential information. If you have received this email in error, please notify the sender and delete this message.

 Message encryption by Microsoft Office 365



Ronan A. Connolly B.C.L., A.C.T. Arb
Siobhán C. O'Neill B.A. Dip. Property Tax



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