



An
Bord
Pleanála

Memorandum ABP- 316144-23

To: Brendan Wyse- Assistant Director of Planning
From: Bronwyn Byrne- Senior Executive Officer
Re: Application for Sor substitute consent under section 177E for a Quarry on lands at Aghnaskew (Dartree By) Scotstown, Co Monaghan
Date: 3 July 2023

The above is an application for substitute consent, following a leave to apply for substitute consent – 311755-21 and an application for an extension of time application – 313585-22, under section 177E of the P & D Act, 2000, as amended.

Regard to be had to the amended legislative framework and Supreme Court judgement of the 1 July 2020 and subsequent Supreme Court order of the 28 January, 2021. It is noted that this case was lodged, post legislation on the 23 March, 2023.

It is noted that a statement of "exceptional circumstances" has been submitted as part of the application, Inspectorate to advise if this information is sufficient or whether further opinion is required from the applicant, given that the new legislation requires the Board to consider this again (with different Board members from those involved in the original leave for substitute consent applications provided for under Section 177 K(C)) of the 2000 act, as amended.

If new information is submitted new public notices may be required.

Also, please note that this development is within 5km of the Northern Ireland Border and may require advice on the transboundary issues.

File submitted for decision or further direction.