

FPLOGUE SOLICITORS

Our Reference: EJB/ 87503018
Your Reference: ABP-318302-23

14 April 2024

Brenda Ingle
Executive Officer
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

By email only: sids@pleanala.ie, laps@pleanala.ie

Our client: Futureproof Clare CLG

Address of client: c/o 4 Glenview Road, Ennis, County Clare

RE: Response to applicant submission on ABP-318302-23

Development: Strategic Infrastructure Development Application for expansion of Bauxite Residue Disposal Area at Aughinish Alumina Limited, in the townlands of Aughinish East, Aughinish West, Island Mac Teige, Glenbane West and Fawnamore at or adjacent to Aughinish Island, Askeaton, Co. Limerick

Dear Brenda,

We refer to the submission made on behalf of our client on 2 April 2024 and to your letter of 11 April 2024 noting that the submission is being rejected.

Your letter states that the submission was received on 2 April 2024, and that the last date for submissions was 29 March 2024.

You will note, as per your [website](#) and a confirmation telephone call made to your office on 29 March 2024 which was the Good Friday public holiday that your offices were closed on that day.

Monday 1 April 2024 was the Easter Monday public holiday, and the offices of An Bord Pleanála were also closed on that day.

We refer you to Section 141(3) of the Planning and Development Act 2000 which states:

Where a requirement of or under this Act requires submissions, observations or a request to be made, or documents, particulars or other information to be submitted, to the Board within a specified period and the last day of that period is a public holiday (within the meaning of the

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Holidays (Employees) Act, 1973) or any other day on which the offices of the Board are closed, the submissions, observations or request of documents, particulars or other information (as the case may be) shall be regarded as having been received before the expiration of that period if received by the Board on the next following day on which the offices of the Board are open.

The Board offices were next open on Tuesday 2 April 2024 and the submission as was noted in your letter was made to the Board during the time in which the Board offices were open.

Accordingly, please confirm by Friday **19 April 2024** that the error has been corrected and that the Board will proceed to consider the submission.

Please note that in the event that the Board do not correct the error as aforesaid, legal proceedings shall issue immediately seeking an Order for mandamus compelling the Board to consider the submission.

Yours faithfully



FP LOGUE