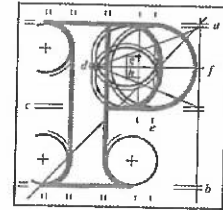


Our Case Number: ABP-314597-22



An  
Bord  
Pleanála

Angela Shaw  
139 College Road  
Co. Galway

Date: 29 November 2022

Re: BusConnects Galway Cross-City Link Scheme.  
University Road to Dublin Road, Galway City.

Dear Sir / Madam,

An Bord Pleanála has received your recent submission in relation to the above-mentioned proposed road development and will take it into consideration in its determination of the matter. A receipt for the fee lodged is enclosed.

Please note that the proposed road development shall not be carried out unless the Board has approved it or approved it with modifications.

The Board has also received an application for confirmation of a compulsory purchase order which relates to this proposed road development. The Board has absolute discretion to hold an oral hearing in respect of any application before it, in accordance with section 218 of the Planning and Development Act 2000, as amended. Accordingly, the Board will inform you in due course on this matter. The Board shall also make a decision on both applications at the same time.

If you have any queries in relation to this matter please contact the undersigned officer of the Board.

Please quote the above-mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Niamh Thornton  
Executive Officer  
Direct Line: 01-8737247

HA02A

Teil	Teí	(01) 858 8100
Glaó Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

**AN BORD PLEANÁLA**  
LDG- 059241-22  
ABP- \_\_\_\_\_  
18 NOV 2022  
Fee: € 50.00 Type: cash  
Time: 16.35 By: hand

The Secretary  
An Bord Pleanála (Strategic Infrastructure Division)  
64 Marlborough Street  
Dublin 1 DO1 V902

**Re: Objection in respect of an approval for an application under Section 51 of the 1993 Acts  
Bus Connects Galway: Cross City Link (University Road to Dublin Road) Scheme**

Dear Sirs,

I, Angela Shaw, of 139 College Road, hereby make a submission in respect of a proposed development entitled "Bus Connects Galway: Cross City Link (University Road to Dublin Road) Scheme of Development".

I say that having been aware of the public notice governing this application, I have now been advised that my name does not appear as is required in the Schedule of Owners or Occupiers affected by the said scheme. This has arisen because of the failure to carry out the necessary consultation and examination of the properties which is a fundamental requirement of the environmental Impact Assessment Directive (EIA Directive).

As is acknowledged in the Environmental Impact Assessment Report (EIAR) it is a fundamental matter that there be appropriate consultation with the stakeholders and the public in respect of any such scheme. There has been no consultation with me, there has been no acknowledgement of my particular circumstances notwithstanding that I am resident in 139 College Road and the fact that there has been no consultation with me illustrates the failure to comply with the public consultation requirements in the EIA Directive. The entire basis therefore of the application under Section 51 of the Roads Act is invalid and void.

The EIAR is required to consider all likely significant effects and where adverse effects are identified these require to be mitigated. This exercise has not been conducted either. It is impossible to identify likely significant effects unless one is aware of the existence of sensitive receptors, and I as a resident of 139 College Road, Galway, of advanced years, with significant health issues, am particularly vulnerable to the type of scheme that is proposed.

It is self-evidently the case that a person in my position will suffer significant adverse effects in respect of noise, dust, vibrations and the general nuisance attached to a major infrastructure project of this type. Furthermore it is self-evidently the case that a person my age will suffer above and beyond the normal level of impact that will be experienced by a young, healthy member of the public and in particular my specific condition.

The entire EIAR has been conducted with any recognition of or account being taken of my circumstances and therefore the most fundamental issue which is the effect on a human being



in terms of almost every indices that requires to be considered in an EIAR has not been addressed.

Insofar as I am aware, the documentation that has been produced takes no account of my sensitivity either in terms of dust, noise, vibration or the general traffic movements which will of course affect the residential amenity of my house, will affect my breathing and health which is vulnerable, which will affect my sleep which is critical to my well-being and which will render any reasonable continued occupation of the house impossible.

The effect will furthermore create anxiety which is medically very serious given my conditions, it will require me to leave the house because of these effects and I will in effect be rendered homeless as I will not be in a position to provide alternative accommodation and no account has been taken of any of these matters in the EIAR that has been prepared.

The only way in which this scheme can comply with the requirements of the EIA Directive and indeed with fairness and appropriate procedures is that the entire EIS and the basis upon which it is prepared be reviewed and be submitted again when the necessary documentation and information is available.

The further consideration of this scheme cannot proceed as if someone in my position which is the most vulnerable receptor has not even been considered, then it follows that there is a fundamental flaw in the entire procedure, as the weakest link in the chain is that which requires to be addressed, and therefore all of the documentation, the EIS or EIAR as it is now called must be discarded and rejected as failing to comply with the base requirement of European Law.

In those circumstances I require as a preliminary matter that the application under Section 51 be rejected because the EIS/Assessment report does not comply with the obligations of the EIA Directive and if the Board were to make the decision given my exclusion from the process and no regard being had to my circumstances, that the EIAR is adequate, then this would be absurd, perverse and completely contrary to every principle of European Community law.

I would be grateful therefore if you would confirm that no further steps will be taken to consider this application so that I do not have to engage further with this fundamentally flawed process.

I am of course completely prejudiced by the fact that this information has only come to my knowledge relatively recently, and therefore I have not had a sufficient opportunity to consider all the documentation but this default is arising from the approach adopted by the Galway City Council. In the event that the Board were not to accede to my application (unlikely though that may be), and reject the application, I would be required therefore to be given a further opportunity to take whatever steps that might be required in order to prevent this fundamental injustice from proceeding and you might inform me of any decision that you make in that regard, and how you propose to deal with the deficiencies in the procedure that the Council have adopted.

You might also just confirm that I will be entitled in the circumstances of this case to my costs in participating in the hearing and the costs of any experts or legal advice that I might require.

I await hearing from you with a determination as to the preliminary issues that I have raised.

As I do not appear on the schedule  
soundup the cvo I enclose a fee of  
£50 in support of the objection.

Yours faithfully,

*Angela Shaw*  

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Angela Shaw