

**From:** Collins, Kevin <Kevin.Collins@agriculture.gov.ie>  
**Sent:** Monday 26 February 2024 12:35  
**To:** Andy Bleasdale (Housing); Dunne, Seamus  
**Cc:** Cliona OBrien (Housing); Sinead Cummins (Housing)  
**Subject:** RE: WW02-FL0106 FIR - breach of SI 293 of 2021

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Thanks Andy, acknowledged.  
Regards, Kevin

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**From:** Andy Bleasdale (Housing) <Andy.Bleasdale@npws.gov.ie>  
**Sent:** Thursday, February 22, 2024 9:21 AM  
**To:** Dunne, Seamus <Seamus.Dunne@agriculture.gov.ie>; Collins, Kevin <Kevin.Collins@agriculture.gov.ie>  
**Cc:** Cliona OBrien (Housing) <Cliona.OBrien@npws.gov.ie>; Sinead Cummins (Housing) <Sinead.Cummins@npws.gov.ie>  
**Subject:** FW: WW02-FL0106 FIR - breach of SI 293 of 2021

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Good morning folks,

We have been copied on this communication, but it is ultimately a matter for yourselves to respond to.

All the best,

Andy

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**From:** NF <[neilfoulkes62@gmail.com](mailto:neilfoulkes62@gmail.com)>  
**Sent:** Wednesday 21 February 2024 11:16  
**To:** 'Felling Forest Service' <[Felling.ForestService@agriculture.gov.ie](mailto:Felling.ForestService@agriculture.gov.ie)>  
**Cc:** 'peter sweetman' <[sweetmanplanning@gmail.com](mailto:sweetmanplanning@gmail.com)>; Andy Bleasdale (Housing) <[Andy.Bleasdale@npws.gov.ie](mailto:Andy.Bleasdale@npws.gov.ie)>; Sinead Cummins (Housing) <[Sinead.Cummins@npws.gov.ie](mailto:Sinead.Cummins@npws.gov.ie)>  
**Subject:** RE: WW02-FL0106 FIR - breach of SI 293 of 2021

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Felling Section,

The correct procedures were not followed. The public was not afforded an opportunity to comment on a revised NIS. The last date for comment on the original NIS was 04/12/2022.

A revised NIS (dated 8th May 2023) was submitted by Coillte on foot of a FIR from DAFM and this was not uploaded to the FLV until the licence was issued on 26th May 2023. The AA Determination was made on 24-5-24, less than 30 days after the revised NIS was completed.

There was no opportunity for the public to comment on the revised NIS.

This is not consistent with 6 (b) (c to e) of SI 293 of 2021

*(c) The public authority shall make available for inspection to the public free of charge, or for purchase at a fee not exceeding the reasonable cost of such making available, and on its website, the application, map of the proposed plan or project, its determination made under paragraph (6), the Natura Impact Statement, if directed under paragraph (3) or required under paragraph (9), and any other information of documentation relevant to the application in the public authority's possession.*

*(d) The public may make submissions or observations in writing concerning the proposed plan or project to the public authority within 30 days from the date of publication of the notice or whatever longer timeframe is set out in the notice and, where additional information is published, at least 30 days from the date of publication of that information.*

*(e) The public authority shall have regard to any submissions or observations received during the public consultation under subparagraph (d).*

If an NIS is revised it must undergo a new consultation process.

Please do not look to shut the door in my face.

You can't just chop and change things under the radar of public scrutiny where the Habitats Directive is concerned.

I am copying in staff from the NPWS to this correspondence as they are responsible for the implementation of the Birds & Natural Habitats Regulations. I will be following up with them if you fail to rectify your mistake.

Neil Foulkes

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**From:** Felling Forest Service [<mailto:Felling.ForestService@agriculture.gov.ie>]

**Sent:** 20 February 2024 15:50

**To:** 'neilfoulkes62@gmail.com'

**Subject:** RE: WW02-FL0106 FIR

Dear Mr. Foulkes,

Your comments are noted, however, the Department believes that the correct processes were followed in the consideration and issuing of this licence.

We will not be engaging further on this matter.

Regards,

Felling Section.

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**From:** NF <[neilfoulkes62@gmail.com](mailto:neilfoulkes62@gmail.com)>  
**Sent:** Tuesday, February 20, 2024 8:07 AM  
**To:** Felling Forest Service <[Felling.ForestService@agriculture.gov.ie](mailto:Felling.ForestService@agriculture.gov.ie)>  
**Cc:** 'peter sweetman' <[sweetmanplanning@gmail.com](mailto:sweetmanplanning@gmail.com)>  
**Subject:** WW02-FL0106 FIR

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There was a FIR on this application for

*"Update Harvest plan map to accurately reflect proposed extraction route and stacking areas.  
Stacking area on current map on Aquatic Zone"*

The revised map was only made available to the public once the decision was issued.

The public were compromised during the consultation process by not having access to all of the relevant documentation.

If DAFM considered a FIR to be necessary then a new round of public consultation should have been initiated so that the public could examine the revised information.

A revised PSR / NIS (dated 8th May 2023) was also submitted which was not subject to the additional 30-day public consultation. It was only published when the decision was issued. This is contrary to the law - due process has not been followed.

The original NIS was open for comment from 4-11-2022 to 4-12-2022.

This licence should be suspended and a new round of public consultation initiated.

Regards,

Neil Foulkes  
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Department of Agriculture, Food and the Marine

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An Roinn Talmhaíochta, Bia agus Mara

Tá an t-eolas sa ríomhphost seo, agus in aon cheangaltáin leis, faoi rún agus tá sé dírithe ar an bhfaighteoir/na faighteoirí beartaithe amháin agus níor cheart ach dóibh siúd é a úsáid. D'fhéadfadh an t-eolas seo a bheith faoi réir pribhléid dhlíthiúil agus ghairmiúil. Mura tusa faighteoir beartaithe an ríomhphost seo, níor cheart duit an teachtaireacht seo, nó aon chuid di, a úsáid, a nochtadh, a chóipeáil, a dháileadh nó a choinneáil. Má fuair tú an ríomhphost seo go hearráideach, cuir an seoltóir ar an eolas láithreach agus scríos gach cóip den ríomhphost seo ó chóra(i)s do ríomhaire, le do thoil. Applying for a Tree Felling Licence? The Department now allows the submission of requested documents beyond the initial submission of a Tree Felling Licence application. Therefore please submit documents via IFORIS-iNET and not by email.

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