

Subject: RE: FW: Letter from the Implementation Committee under the Espoo Convention and its Protocol on SEA (EIA/IC/CI/5 - Hinkley Point C) - Reply requested by 12 February 2018
From: "Terry Sheridan - (DECLG)" <Terry.Sheridan@housing.gov.ie>
Date: 16/02/2018 18:04
To: "attracta@ien.ie" <attracta@ien.ie>, Transboundary EIA <transboundaryeia@housing.gov.ie>, Terence Dunne <terry.dunne@dccae.gov.ie>
CC: Michael Ewing <michael@ien.ie>

Dear Ms Ui Bhroin,

While the Planning Act requires a public consultation period of 6 weeks in respect of strategic infrastructure development applications to An Bord Pleanala, we now propose – further to your earlier email and having regard to the scale of the UK project concerned – to allow for an 8 week consultation period in respect of the Hinkley Point C transboundary consultation. Accordingly it is proposed that the consultation will run from the date of the press notice (Tuesday 20 February) until close of business on Tuesday 17 April.

I trust that you will find that this is reasonable in the circumstances.

Yours sincerely,

Terry Sheridan.

From: attracta@ien.ie [mailto:attracta@ien.ie]
Sent: 16 February 2018 12:52
To: Terry Sheridan - (DECLG); Transboundary EIA; Terence Dunne
Cc: Michael Ewing
Subject: Re: FW: Letter from the Implementation Committee under the Espoo Convention and its Protocol on SEA (EIA/IC/CI/5 - Hinkley Point C) - Reply requested by 12 February 2018

Dear Ms Sheridan,

That is most appreciated and we look forward to hearing from you following your reflections.

Kind Regards

Attracta

On 16/02/2018 12:49, Terry Sheridan - (DECLG) wrote:

Dear Ms Ui Bhroin,

While the EIA Directive refers to a minimum public consultation period of not less than 30 days for EIA related projects, I note your comments below. Accordingly I will reflect on the duration of the consultation period and come back to you later. The press notice is now earmarked for next Tuesday so I need to firm up on the closing date for the consultation this afternoon before finalising the press notice.

Yours sincerely,

Terry Sheridan

From: attracta@ien.ie [mailto:attracta@ien.ie]
Sent: 16 February 2018 11:16

To: Terry Sheridan - (DECLG); Transboundary EIA; Terence Dunne

Cc: Michael Ewing

Subject: Re: FW: Letter from the Implementation Committee under the Espoo Convention and its Protocol on SEA (EIA/IC/CI/5 - Hinkley Point C) - Reply requested by 12 February 2018

Dear Mr Sheridan,

Thank-you for your response and your efforts on this matter.

I am however more than concerned at the prospect of a 30 day public consultation as indicated in your email on such a complex matter and voluminous application. In short that can hardly be considered to provide for "effective" participation. Indeed this would also arguably further materially and yet again disadvantage and discriminate against the Irish public given the shorter timeframe which you propose for their consultation. I also note that the proposed period would overlap with our National Holiday of St Patrick's day, and I need hardly highlight the considerations in respect of effective consultation over a holiday period where it is not reasonable to include same in the time allocated. I would also point to the fact that Strategic Infrastructure Projects in Ireland and large EIAs typically would allow for 8 weeks consultation minimum. Additionally, further to a brief perusal of the Regulation 132 in SI 685/2006 I note no limitation on the "specified period" of consultation to be indicated in the notice regarding this consultation. So we find the constraint proposed to be of significant concern and without justification and raises further issues of non-compliance particularly with the Aarhus Convention. We would hope this can be addressed in advance of the publication to avoid this long awaited consultation being compromised yet again, and the potential for further costs incurred associated with re-publication of notices, which are at this juncture entirely avoidable. In this regard I note your comment about the costs already incurred.

I am conscious of the amount of time the Irish Government has had to consider this matter with dedicated and expert resources and what must therefore be considered fair for the Irish public.

I look forward to hearing from you and would welcome assurance that the issue of timeframes for the consultation will be addressed and extended, and that such good will in respect of the approach to the consultation will be appreciated.

Yours sincerely

Attracta Uí Bhroin, ELIG Facilitator at the IEN.

On 15/02/2018 13:10, Terry Sheridan - (DECLG) wrote:

Dear Ms Ui Bhroin,

I am informed by our media/ public affairs agency that it has provisionally reserved advertisement space in the Irish Times, Irish Independent and The Examiner for next Monday which will mark the formal initiation of the transboundary environmental public consultation on Hinkley Point C. The consultation will last for 30 days from the date of the advertisement with members of the public having to submit their observations to their local planning authority and NGOs submitting their observations to Dublin City Council – observations should not be submitted to the Department. If the press notice is not incorporated in the three main dailies on Monday, I am informed it will be Tuesday at the latest but hopefully Monday will prevail.

The press notice will refer readers to the websites of both the Department and of planning authorities where further more detailed information in relation to the consultation can be obtained, including where access to relevant detailed environmental documentation on Hinkley Point C can be obtained via designated weblinks. We have also arranged for the printing of all relevant documents in this regard (at quite significant cost) which will be available at the offices of each planning authority for members of the public to view in hard copy should they so prefer.

As I hinted at in my previous email, it is not possible for the Department to conduct a co-ordinated national transboundary public consultation of this nature which would have been much simpler due to our legislative provisions in this regard, hence the need to channel the consultation through our local planning authorities.

I have provided an update to the Espoo Implementation Committee Secretariat of the proposed arrangements in relation to the public consultation exercise.

Yours sincerely,

Terry Sheridan.

From: attracta@ien.ie [<mailto:attracta@ien.ie>]

Sent: 15 February 2018 12:38

To: Terry Sheridan - (DECLG); Transboundary EIA; Terence Dunne

Cc: Michael Ewing

Subject: Re: FW: Letter from the Implementation Committee under the Espoo Convention and its Protocol on SEA (EIA/IC/CI/5 - Hinkley Point C) - Reply requested by 12 February 2018

Dear Mr Sheridan,

I am just wondering if you could provide any further update in relation to the publication of notifications regarding the consultation on Hinkley Point C as previously raised.

I appreciate there is a lot to put in place - and welcome the Departments efforts in this regard. I was just seeking to gain an update on your progress and when you consider now that the notifications can be expected.

Yours sincerely

Attracta Uí Bhroin

On 09/02/2018 11:59, Terry Sheridan - (DECLG) wrote:

Dear Ms Ui Bhroin,

This Department has been progressing the matter of undertaking a transboundary environmental public consultation on the Hinkley Point C nuclear power plant in the UK which requires - having regard to the specific transboundary consultation provisions of our legislation which complicates the matter somewhat - a national co-ordinated approach involving all planning authorities in the country. This makes the proposed consultation a larger logistical exercise than might initially be foreseen.

We are in the process of finalising all of the necessary arrangements in this regard and we would hope that the newspaper notices initiating the transboundary public consultation will be shortly placed in the national newspapers, possibly by the end of next week.

I hope to write to the Espoo Convention Implementation Committee later today to provide them with an update on the initiation of the transboundary environmental public consultation on this matter.

Yours sincerely,

Terry Sheridan

From: attracta@ien.ie [<mailto:attracta@ien.ie>]
Sent: 09 February 2018 11:35
To: Terry Sheridan - (DECLG); Transboundary EIA; Terence Dunne
Cc: Michael Ewing
Subject: Fwd: FW: Letter from the Implementation Committee under the Espoo Convention and its Protocol on SEA (EIA/IC/CI/5 - Hinkley Point C) - Reply requested by 12 February 2018

Dear Mr Dunne and Mr Sheridan,

I am writing in relation to the correspondence (dated Dec 22nd 2017, significantly emailed and cc'd January 10th 2018 with a Christmas greeting) from the Espoo Implementation Committee, EIC, to the Irish Government regarding the consultation obligations with the Irish public in respect of Hinkley Point C. As you no doubt know we took considerable steps to try and avoid the considerably embarrassing position the Irish Government is now in in relation to this matter. However regrettably, the issue had to be escalated to the EIC, who have been very proactive and supportive in response to the concerns raised in the letter I prepared for the Environmental Pillar.

Despite the Irish Government now having the EIC's letter for over 1 month - we have heard nothing, officially or unofficially, in relation to proposals or notifications for the Irish public in respect of this consultation.

We would be grateful for an immediate clarification of what is intended and when, in order to comply with the obligations to provide for an effective consultation with the Irish public. The commencement of such a consultation is not so much a matter of urgency as to doing it right. Clearly we wish to having some confidence that this matter is being attended to. Clearly Ireland has a duty not to create further difficulties for our close neighbours in the UK with a further failure, in addition to the obligations to the Irish public as highlighted by the Espoo Implementation Committee.

I look forward to a prompt response by 3 pm Monday 12th February.

Kind Regards

Attracta Uí Bhroin

Facilitator the Environmental Law Implementation Group

From: Elena Santer [<mailto:Elena.Santer@unece.org>] **On Behalf Of** Eia Conv
Sent: 10 January 2018 22:09
To: terry.sheridan@housing.gov.ie; transboundaryeia@housing.gov.ie
Cc: michael@environmentalpillar.ie; Eia Conv <Eia.Conv@unece.org>
Subject: Letter from the Implementation Committee under the Espoo Convention and its Protocol on SEA (EIA/IC/CI/5 - Hinkley Point C) - Reply requested by 12 February 2018

Dear Mr. Sheridan,

Please find enclosed a letter from the Chair of the Implementation Committee under the Convention on Environmental Impact Assessment in a Transboundary Context and its Protocol on Strategic Environmental Assessment.

As the letters from the Committee's Chair are sent electronically only, you are kindly invited to acknowledge receipt of this message and the letter attached to it.

Wishing you peaceful and joyful Christmas season.

Best regards,



Secretariat

Convention on Environmental Impact Assessment in a Transboundary Context
Protocol on Strategic Environmental Assessment
Environment Division

Email: eia.conv@unece.org

[Twitter](#) [Facebook](#) [YouTube](#) [UNECE](#)

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Deimhnítear leis an bhfo-nóta seo freisin go bhfuil an teachtaireacht ríomhphoist seo scuabtha le bogearraí frithvórais chun vórais

ríomhaire a aimsiú.

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