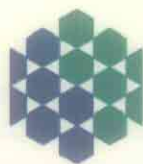


From the office of the
Minister of the Environment



Department of the
Environment

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Your reference:

Our reference: SUB/1294/2011

4 August 2011

Dear Assembly Member

I write to inform Assembly colleagues that in order to correct procedural defects with the processing of two applications in relation to compliance with the requirements of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 1999 it has been necessary to withdraw Notices of Opinion to Refuse (NOP). The two applications are:

- I. A/ 2006/0180/O: Proposed food store at Bunrana Road Londonderry for McCormack and Cromley Construction.
- II. T/2009/0283/F: Proposed Energy from Waste Power Plant at 51 Ballyutoag Road Belfast for Irish Waste Services.

The applicants for both applications have requested a hearing by the Planning Appeals Commission.

Following the withdrawal of the NOPs, processing of both applications will be completed in accordance with the necessary legislative and procedural requirements.

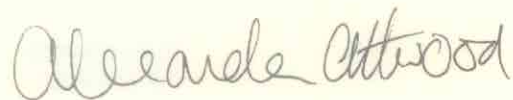
The Department accepts that failure to apply the statutory requirements is simply not acceptable. The newly appointed Director of Strategic Planning Division instigated a 100% check of all Article 31 applications and other applications accompanied by an Environmental Statement on 24 June 2011 to ensure that they are being processed in accordance with legislative requirements, guidance and established procedures.

In addition she arranged for fresh training on The Planning (Environmental Impact Assessment) Regulations (NI) to be delivered to all relevant staff before the end of July 2011. Management systems have been strengthened to provide assurance to me that there is full compliance with legislative and procedural requirements.

Planning Audit team have been asked to urgently review the handling of these two applications, as well as the interconnector application, and to provide the Deputy Secretary with additional recommendations on how procedures can be tightened and better policed in order to ensure that the situation does not reoccur. If any further action in the particular or in general is required this will be taken forward.

I have made my views crystal clear on how this was managed; the damage to public confidence; the need to rectify these cases, to identify any further defects or issues in the application process and take all remedial and other necessary actions.

Yours sincerely

A handwritten signature in black ink that reads "Alex Attwood". The signature is written in a cursive, flowing style.

ALEX ATTWOOD MLA
Minister of the Environment