

This material may also be inspected free of charge at the following office of the Department:

Foreshore Section  
Department of Housing, Local Government and Heritage  
Newtown Road  
Wexford

Tel: 1890 20 20 21  
Email: [foreshore@housing.gov.ie](mailto:foreshore@housing.gov.ie)

#### REVIEW PROCEDURE

A review procedure is available before the High Court whereby the substantive or procedural legality of the Minister's determination may be challenged. The review procedure is governed by Order 84 of the Rules of the Superior Courts, 1986 (S.I. 15 of 1986, as amended by S.I. 691 of 2011). A person wishing to avail of the review procedure must first file (i) a statement of grounds; and (ii) a verifying affidavit, in the Central Office of the High Court. It is then necessary to make an *ex parte* application for leave to a judge of the High Court.

An application for leave to apply for judicial review shall be made within three months from the date when grounds for the application first arose under Section 21(1) of the Order 84 of the Rules of the Superior Courts as amended by S.I No 691 of 2011. The time-limit for such a review commences from the Date of Publication of this Notice of Determination. Practical information on the review mechanism can be obtained from the Citizens Information's website at [citizensinformation.ie](http://citizensinformation.ie).

Section 50B of the Planning and Development Act, 2000 as amended applies *inter alia* to Judicial Review Proceedings. The matter of costs is addressed under Subsections (2),(2A),(3) &(4). Notwithstanding anything contained in Order 99 of the Rules of the Superior Courts (S.I. 15 of 1986) and subject to subsections (2A), (3) &(4), in proceedings to which this section applies, each party to the proceedings (including any notice party) shall bear its own costs. The full text of Section 50B is available at:

<http://www.irishstatutebook.ie/2010/en/act/pub/0030/sec0033.html#sec33> and  
<http://www.irishstatutebook.ie/2011/en/act/pub/0020/sec0021.html#sec21>

Part 2 Environment (Miscellaneous Provisions) Act 2011, Costs of Certain Proceedings to be Borne by Each Party in Certain Circumstances

<https://www.irishstatutebook.ie/eli/2011/act/20/section/3/enacted/en/html#part2>

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND HERITAGE,  
10/12/2021.

[39]

AN ROINN TITHIOCHTA,  
RIALTAIS AITIUIIL AGUS OIDHREACHTA  
Department of Housing, Local Government and Heritage

#### NOTICE OF DETERMINATION

In accordance with section 21A of the Foreshore Act 1933, as amended, the Minister of State, Department of Housing, Local Government and Heritage with special responsibility for Planning and Local Government ("the Minister") hereby gives notice that he has determined an application dated 09 January 2021 for a licence under Section 3(1) of the Foreshore Act, 1933 (as amended) made by CELTIX CONNECT LIMITED ("the Applicant") in respect of the INSTALLATION, OPERATION, MAINTENANCE and DECOMMISSIONING of a SUBSEA FIBRE OPTIC CABLE from landing point at LOUGHSHINNY, FINGAL, COUNTY DUBLIN to the 12NM LIMIT (Application Reference Number FS006915).

#### DETERMINATION

The Minister has determined pursuant to the provisions of the Foreshore Act, 1933 (as amended) to grant a Foreshore Licence to the Applicant in respect of the development described in the application, subject to the conditions set out in the Foreshore Licence, and has affixed his seal thereto.

#### MAIN REASONS AND CONSIDERATIONS

The Minister has had regard to the following matters in determining the application for a Foreshore Licence:

- the application for the Foreshore Licence together with accompanying materials;
- the submissions received from prescribed bodies and the applicant's responses;
- the submissions received during the public consultation and the applicant's responses;
- the nature of the proposal and its objective;
- the consent conditions to be attached to the Foreshore Licence, if granted;
- the pre-screening for environmental impact assessment of the proposed works;
- the screening for appropriate assessment of the proposed developments prepared by Merc Consultants Limited, and adopted by the Minister;
- the Screening for Appropriate Assessment Determination signed by the Minister;
- the Article 12 Assessment of the proposed development prepared by Merc Consultants Limited and adopted by the Minister;
- the Non-Statutory Environmental Report/Analysis of the proposed developments prepared by Merc Consultants Limited;
- the technical assessment, including the agreement and adoption of the environmental assessment of the proposed works by the Marine Licence Vetting Committee ("MLVC"), and its conclusions and recommendations;
- the advice of the Foreshore Section of the Department of Housing, Local Government and Heritage.

Having had regard to the foregoing, and in particular having regard to the environmental reports adopted by the Minister, the consent conditions attached to the Foreshore consent, and the recommendation of the MLVC, the Minister is satisfied that: (i) the proposed

development on the foreshore is not likely to have significant effects on the environment, (ii) the Appropriate Assessment Screening concluded that proposed development on the foreshore without mitigation, alone or in-combination with other plans or project, is not likely to have any significant effect on a European Site and (iii) it is in the public interest to grant the Foreshore consent having regard to the nature of the proposal.

The following information is available on the website of Department of Housing, Local Government and Heritage at:

Celtix Connect - Havhingsten Telecommunication Cable Dublin

- (i) Notice of Determination;
- (ii) Approval of the Minister to Grant the Foreshore Licence;
- (iii) Foreshore Licence as executed between the parties, including conditions attached to the determination (which forms part of the Foreshore Licence);
- (iv) Screening for Appropriate Assessment, adopted by the Minister;
- (v) Pre Screening for Environmental Impact Assessment ;
- (vi) MLVC Report and Appendix thereto;
- (vii) Information on the public participation process, including copies of all submissions received and the applicant's responses to those submissions;
- (viii) Submissions made by prescribed bodies and the applicant's responses to those submissions;
- (ix) Application for a Foreshore Licence together with supporting materials.
- (x) Screening for Appropriate Assessment Determination
- (xi) Non Statutory Environmental Analysis
- (xii) EU Habitats Directive: Article 12 Assessment
- (xiii) Submission (Screening for Appropriate Assessment Determination)
- (xiv) Submission (FS006915 FS Licence Application)

This material may also be inspected free of charge at the following office of the Department:

Foreshore Section  
Department of Housing, Local Government and Heritage  
Newtown Road  
Wexford

Tel: 1890 20 20 21  
Email: [foreshore@housing.gov.ie](mailto:foreshore@housing.gov.ie)

REVIEW PROCEDURE

A review procedure is available before the High Court whereby the substantive or procedural legality of the Minister's determination may be challenged. The review procedure is governed by Order 84 of the Rules of the Superior Courts, 1986 (S.I. 15 of 1986, as amended by S.I. 691 of 2011). A person wishing to avail of the review procedure must first file (i) a statement of grounds; and (ii) a verifying affidavit, in the Central Office of the High Court. It is then necessary to make an *ex parte* application for leave to a judge of the High Court.

An application for leave to apply for judicial review shall be made within three months from the date when grounds for the application first arose under Section 21(1) of the Order 84 of the Rules of the Superior Courts as amended by S.I No 691 of 2011. The time-limit for such a review commences from the Date of Publication of this Notice of Determination. Practical information on the review

mechanism can be obtained from the Citizens Information's website at [citizensinformation.ie](http://citizensinformation.ie).

Section 50B of the Planning and Development Act, 2000 as amended applies inter alia to Judicial Review Proceedings. The matter of costs is addressed under Subsections (2), (2A), (3) & (4). Notwithstanding anything contained in Order 99 of the Rules of the Superior Courts (S.I. 15 of 1986) and subject to subsections (2A), (3) & (4), in proceedings to which this section applies, each party to the proceedings (including any notice party) shall bear its own costs. The full text of Section 50B is available at:

<https://www.irishstatutebook.ie/eli/2010/act/30/section/33/enacted/en/html#sec33>

Part 2 Environment (Miscellaneous Provisions) Act 2011, Costs of Certain Proceedings to be Borne by Each Party in Certain Circumstances

<https://www.irishstatutebook.ie/eli/2011/act/20/section/3/enacted/en/html#part2>

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND HERITAGE,  
10/12/2021.

[43]

SUMMARY OF RESOLUTIONS PASSED

THE COMPANIES ACT 2014

BESPOKE CYCLES LIMITED  
(Passed)

On 22nd October 2021, the following Resolutions were passed pursuant to section 193(1) (unanimous written resolution):

1. It has been proved to the satisfaction of the members that the company be and is hereby wound up voluntarily as a Members Voluntary Liquidation.
2. That Noel P. Geraghty of Noel P. Geraghty & Co. Limited, Association of Chartered Certified Accountants of Suite 18, Broomhall Business Park, Rathnew, Co. Wicklow is appointed Liquidator.
3. That the liquidator be authorised to discharge his fees and outlay as stated in his letter to the secretary, and is hereby authorised to distribute the whole or any part of the assets of the company among the members in specie or as he might think fit.
4. That the liquidator be and is hereby authorised in accordance with section 627 of the Companies Act 2014 to exercise all powers contained in said section of the act.

Dated this day 22nd October 2021.

PETER POPHAM.

[4]