

Our Reference: FPL/184/02424
Your Reference: M45064/RGM/KM

6 February 2018

By post and email

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Re: The former Old Mill site Julianstown, Co Meath (the Old Mill Site)
Our client: New Morning Intellectual Property Limited

Dear Sirs

We refer to your client's letter dated 18 December 2017 which was copied to your firm.

In that letter your client confirmed that it would move to enter the Old Mill on the Derelict Sites Register if the owners had not complied with the section 11 notice by the end of January 2018.

As your client is no doubt aware it seems that the owners have not complied with the notice and they now appear to be in breach of section 11(4) of the Derelict Sites Act 1990 (the **Act**). Such a breach is a serious criminal offences punishable by imprisonment and/or daily fines.

The simple fact is that despite every facilitation to the owners by your client, the Old Mill still remains derelict 10 years after being destroyed by fire. The elements continue to take their toll on this historic structure and we understand that the buildings have further deteriorated over the Winter due to the stormy weather.

Your client has now no other option but to register this site and exercise the ample powers it has under the Act. Our client calls on you to confirm that registration will be completed as a matter of urgency and that the register will be maintained and kept up to date with all of the information required under the Act.

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Our client further calls on your client to exercise its powers under section 11(5) of the Act and to enter the site and, subject to planning permission, carry out the works specified in the section 11 notice. Our client notes that the expenses incurred by your client in exercise of those powers is recoverable from the individuals to whom the section 11 notice is addressed.

Our client further calls on your client to exercise its powers under section 14 of the Act and to compulsorily purchase the site with a view to its development as a public amenity in consultation with the community and other stakeholders.

Our client wishes to remind your client that under section 10 of the Act it has a statutory duty to take all reasonable steps to ensure that the Old Mill does not continue to be a derelict site. With regard to that duty if your client refuses to exercise any of its powers then it must provide a reasoned justification for such a refusal.

Our client has been very patient since first writing to you on 17 May 2017 about this matter. It is now clear that the owners of the Old Mill are either unwilling or incapable of taking any steps to end the dereliction of the Old Mill and are even willing to risk being convicted of serious offences rather than comply with strict legal obligations under the Act.

If our client does not receive detailed confirmation that your client will now exercise its powers under sections 8, 11 and 14 of the Act then with great reluctance it will have no option other than to issue proceedings aimed at ending the dereliction of the Old Mill.

Unless we receive such confirmation within **14 days** of the date of this letter then our client will issue proceedings and will refer to this letter in any application to fix your client with the costs of those proceedings. You might confirm that you have instructions to accept service of those proceedings.

We look forward to hearing from you.

Yours faithfully



FP LOGUE