District Court - Schedule C - Forms in civil proceedings

No. 96.3

O.96,r.2 (2)

AIR POLLUTION ACT, 1987

Notice Of Application For An Order Under Section 28a(1)

District Court Area of District No.

...................Applicant

of ..................

..................Respondent

of ..................

WHEREAS the above-named applicant alleges that there is an emission from the premises at ................................ in court (area and) district aforesaid, other than an emission under and in compliance with a licence granted under the above-mentioned Act or an emission in compliance with an emission limit value specified under section 51 of that Act or an emission which is in accordance with directions specifying best practicable means issued by the Minister for the Environment under subsection (3) of section 5 of that Act,

AND WHEREAS the above-named respondent is the occupier of the said premises,

TAKE NOTICE that the applicant will apply at the sitting of the District Court to be held at ....................on the day of 20 at a.m./p.m. for an order under subsection (1) of section 28A (inserted by the third schedule to the Environmental Protection Agency Act, 1992) of that Act requiring you, the respondent, to do one or more of the following,

— to terminate the emission, or

— to mitigate or remedy any effects of the emission, or

— to pay to the applicant or such other person as may be specified in the order a specified amount to defray all or part of any costs incurred in investigating, mitigating or remedying the effects of the emission, and the applicant estimates that the costs of complying with such an order would not exceed £5,000.

Dated this day of 20 .

Signed ..........................

Applicant/Solicitor for Applicant

To

of

The above-named respondent.