

DUBLIN PORT CO

(4)

Dublin Port Company

Port Centre, Alexandra Road, Dublin 1

Telephone (353 1) 887 6000, 855 0888

Fax (353 1) 855 1241

Web www.dublinport.ie

Mr. Patrick McHale
Department of Communications Marine and Natural Resources
Adelaide Road
Dublin 2

07 April 2005

Dear Patrick


I refer to your email dated 01 April 2005 and our telephone conversation this afternoon regarding the role of Dublin Port Company in facilitating a consortium in the tendering process for the National Conference Centre under a Government sponsored competition.

I am surprised that the Department does not agree that this matter was discussed at our meeting on 23 February 2005.

My detailed note of the meeting confirms that the matter formed part of the discussion under item 2 of the agenda – ~~when the discussion was broadened out to deal with general port developments~~ including

I would expect that the Department and Dublin Port Company would always be able to agree what was discussed at our meeting and I would ask you therefore to review the matter with the other Department officials present at the meeting, Mr. Michael Guilfoyle and Mr. Fintan O'Brien.

Yours Sincerely


Michael Sheary
Company Secretary / Chief Financial Officer

Cc Mr. Michael Guilfoyle
Mr. Fintan O'Brien
Mr. Enda Connellan

Cumarsaíde,
Oifis Acmhainní Náúúrtha
Baile Átha Cliath 2.



Department of Communications,
Marine and Natural Resources
Dublin 2.

(11)

Mr. Michael Sheary
Company Secretary / Chief Financial Officer
Dublin Port Company
Port Centre
Alexandra Road
Dublin 1

18 April 2005

Dear Michael,

I refer to your letter of 7 April 2005 regarding the meeting between the Department and Dublin Port Company, which took place in the Department's offices on 23 February 2005.

You state that you are surprised that the Department does not agree that it discussed with Dublin Port Company the role of the company in facilitating a consortium in the tendering process for the National Conference Centre.

~~_____~~
~~_____~~
~~_____~~
There is no reference in the record to a discussion of the role of the company in facilitating a bid for the National Conference Centre.

In response to recent enquiries from the press the Department has stated that, in relation to the meeting on 23 February 2005, the Department officials are clear that there was no discussion of details of the involvement of the company in the bid for the National Conference Centre that would be relevant from a corporate governance or shareholder perspective.

Yours sincerely,


Michael Guilfoyle
Assistant Secretary

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(15)

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2005
Guilfoyle,
Assistant Secretary,
Department of Communications Marine
and Natural Resources,
31 Adelaide Road,
Dublin, 2

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re house.
4/5/05*


Dear Michael,

Thank you for your letter dated 18th April, 2005 received here on 25th April 2005.

You will, of course, also be aware that exchanges between the Company and Department officials were not confined to my letter of 7th April, 2005 and included:

- telephone conversations between 23rd March and 1st April;
- e-mail response 1st April from Dublin Port Company, Company Secretary;
- further response 1st April from Department;
- culminating in my written response of 7th April.

Yours sincerely,


Enda Connellan,
Chief Executive

25 APR 2005
COMMUNICATIONS MARINE
AND NATURAL RESOURCES



06 May 2005

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Mr. Enda Connellan,
Chief Executive Officer
Dublin Port Company,
Port Centre,
Alexandra Road,
Dublin 1.

Dear Enda,

Thank you for your letter of 28 April 2005 relating to the role of Dublin Port Company in facilitating a bid for the National Conference Centre.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Michael Guilfoyle', written over a horizontal line.

Michael Guilfoyle
Assistant Secretary

Patrick McHale

From: Patrick McHale
Sent: 01 July 2005 14:42
To: 'carol.woodley-byrne@taoiseach.gov.ie'

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Carol

Fintan O'Brien asked me to forward this note to you in response to your query.

Regards

Patrick McHale



Briefing Material for
Taoiseac...

Briefing Material for Taoiseach in relation to Dublin Port

Current issue in relation to Dublin Port Company facilitating the bid of a private consortium to develop a national conference centre.

On 22 March 2005, the Department received a press query by electronic mail regarding the use of land in the ownership of Dublin Port Company in connection with a proposal for the National Conference Centre. On 23 March, the Department requested Dublin Port Company to provide it with relevant information in relation to the proposal. On 1 April, Dublin Port Company replied to the Department stating that it is facilitating a consortium in a tendering process for the National Conference Centre. On 1 April, the Department requested the company to provide a note setting out the involvement of the company in, and implications for the company of, the consortium's proposal and a clear statement of what was meant by the company facilitating the consortium.

On 7 April, the company replied stating that it has been facilitating one of the consortia bidding for the National Conference Centre in so far as it has consented to the inclusion of a

site in the ownership of the company in the submission of the consortium to the Office of Public Works as being potentially a suitable site for the National Conference Centre. The company stated that it had not concluded any agreement for the disposal of company assets or to provide access to those assets in favour of any third party.

The principal issue at stake from the point of view of the Department is compliance by the company with the applicable legislation and the Code of Practice for the Governance of State Bodies. The primary responsibility for compliance rests with the company. In this regard, the company has confirmed to the Department that it is adhering to the Code of Practice. Based on the information provided to the Department, the Minister of State indicated in response to a parliamentary question on 17 May 2005 that he had no reason, at that time, to request further information from the company in relation to this matter.

On 18 May, the Department received a letter from Dublin Port Company requesting ministerial approval for its proposal to enter into an arrangement with a consortium as detailed in draft heads of terms attached to the letter. The company states that, in essence, the proposal provides that, in the event that the consortium is successful in its bid for the development of the National Conference Centre and appropriate planning and other consents issue in respect of the National Conference Centre, Dublin Port Company will make available a site in order to facilitate the development of the National Conference Centre together with further and complementary commercial development.

The company's letter is being considered by the Department at present.

Maritime Transport Division
DCMNR

20 May 2005