



Eugene and Frances O'Driscoll

Co. Cork

1 November 2006

Dear Mr and Mrs O'Driscoll,

I refer to the request you have made under the Freedom of Information Act for access to the e-mail correspondence between Mr John O'Keeffe, Divisional Engineer and Mr John King both of this Department.

A copy of the e-mail correspondence requested is enclosed.

I wish to advise you that, if for any reason you are not satisfied with the outcome of your request, you are entitled to seek a review of the case by appealing the decision to this Department's FOI Internal Review Board. To appeal, you need to write to FOI Unit, Department of Communications, Marine and Natural Resources, Elm House, Cavan.

You must make your appeal within 4 weeks of the date of this letter, but the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this Department.

Yours sincerely,

Clare O'Gorman
Higher Executive Officer
Foreshore Section
Coastal Zone Management Division

John King

From: John O Keeffe
Sent: 29 June 2006 13:12
To: John King
Subject: RE: Foreshore at Burgatia, Rosscarberry

John

The reality here is that Mr Eugene O Driscoll has maintained this plot of landlocked and infilled foreshore for a long number of years at his own expense and to the public benefit. He has kept the site in a neat and tidy fashion in keeping with the general scenic beauty of the area. Being close to a busy main road it is unsuitable to be developed as a future public playground or picnic area. In my opinion the maintenance carried out over the years by Mr O Driscoll is in keeping with the general wishes of the Co Council in regard to tidiness and amenity. The council sewers in the roadways adjoining the site should not be affected by any possible future alteration to the site by Mr O Driscoll as this will have to get Co Co approval. The Co Co have indicated no proposed sewer or water pipeline through the site itself and in any case they possess the powers to route sewers if necessary through the site. In the circumstances I do not see any reason not to transfer this landlocked foreshore to Mr O Driscoll.

Regards

John O Keeffe
Divisional Engineer

-----Original Message-----

From: John King
Sent: 27 June 2006 12:38
To: John O Keeffe
Cc: John Quinlan; Sharon Sexton
Subject: Foreshore at Burgatia, Rosscarberry

John

You recall we spoke about this a while ago. I've now read the file through and I note that back in 1996 you had stated that you could not see any public use for this area and that the sale should go through (as you know CSSO subsequently wrote offering it for sale).

When we spoke I quoted the County Council's letter as below. In your view this is not accurate and does not represent the situation and in effect there is no reason on the basis quoted by them why we should NOT go ahead with the sale. Could you confirm this for me please?

Many thanks.

Quote from Council's letter of 8/12/05: "We are of the opinion that we would prefer to see the land/reclaimed foreshore remain in public or community ownership. In recent years the community has spent considerable money and effort in improving portions of the land around the causeway and road on the approaches to Rosscarberry under the Urban and Village Renewal Schemes and other Tidy Towns initiatives. This portion could be a candidate for work in the near future. Also very close to the triangle section of lands on the roads surrounding this we have the public sewers and the water supply pipework for Rosscarberry" Billy Horgan E.E. Roads, Coastal & Islands (Western Division).

John King
Coastal Zone Management Division
Department of Communications,
Marine & Natural Resources
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Dublin 2
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fax (+353) (01) 6782159
✉: john.king@dcmnr.gov.ie

13th October, 2006

Mr. Eugene O'Driscoll,

Co. Cork.

Dear Mr. O'Driscoll,

I refer to the Freedom of Information request received in this office on 9th October, 2006 along with associated fee requesting correspondence in relation to purchase of foreshore at Warren Cross, Rossacarbery, Co Cork.

The officer handling your request will be Ms. Clare O'Gorman, Coastal Zone Management Division, Department of Communication, Marine and Natural Resources, Clonakilty, Co Cork. She can be contacted at 01 6783312.

A final decision on your request will normally be sent to you within 4 weeks of receipt of your request. This means that you can expect to receive your decision by the 7th November, 2006.

If you have not heard from us when the time allocated has expired, you are automatically entitled to appeal to the Department for a review of the matter. This review proceeds on the legal basis that the initial request is considered to be refused once the specified time for responding to it has expired.

You should also be aware that you are entitled to a review of the decision if your request is refused, or if you are for any reason dissatisfied with the outcome of your request. The review is a full and new examination of the matter carried out by a more senior member of staff of this Department. In the event that you need to make an appeal, you can do so by writing to Mr. Frank O'Brien, FOI Unit, Department of Communications, Marine and Natural Resources, Elm House, Earlsvale Rd., Cavan. Please note that there is a charge for all appeals of FOI requests. This charge is currently €75.00. A reduced fee of €25.00 applies if you are the holder of a Medical Card.

Please note that the Department of Communications, Marine and Natural Resources has a policy of posting a summary of your request, your name and address and the subsequent reply on the Department's website for reference purposes.

Yours sincerely,



Mary Rabbitte
FOI Unit

RECEIVED
9/10/06 MR.

Co. Cork

6/10/06

DEAR MARY,

We would be grateful to you if you
could forward E-MAIL correspondence between
Engineer JOHN O'KEEFE AND JOHN KING
in regards to -

PURCHASE OF FORESHORE AT WILKIN CROSS,
ROSCARBERY CO. CORK.

Yours sincerely,

Eugene O' DRISCOLL

REF. NO: MS 51/S/1010 - EUGENE O' DRISCOLL

TEL NO.

04/10/2006

Eugene & Frances O'Driscoll
Burgatia
Rosscarbery
Co.Cork

Dear Mr & Mrs O'Driscoll,

I refer to your request under Section 7 of the Freedom of Information Act concerning. This request was received in the FOI Unit on the 02/10/2006.

I am to advise you that an application fee must accompany all FOI requests for non-personal records, and your request cannot be processed until the fee has been submitted. The application fee is currently €15.00 and a reduced fee of €10.00 applies if you are covered by a Medical Card.

If claiming a reduced application fee, the request must also be accompanied by

- The Medical Card registration number
- The name of the issuing Health Board
- Your consent to the verification of these details with that Health Board.

Payment should be made by way of bank draft, money postal order, or personal cheque made payable to "The Department of Communications, Marine & Natural Resources".

On receipt of the fee, an acknowledgement letter will be sent to you outlining details of when you can expect a decision on your request, and the contact details of the person handling the application.

Please note that the Department of Communications, Marine & Natural Resources has a policy of posting a summary of your request, your name and address and the subsequent reply on the Department's website for reference purposes.

Yours sincerely,

Seana McGearty
FOI Unit

Recd
2/10/06

C. Cork.

27.9.06

Dear Sir / Madam.

Under THE FREEDOM OF INFORMATION ACT,
Eugene & Frances O'Driscoll request all
CORRESPONDENCE, letters, e-mails etc.

Ref. No. MSS1/8/1010.

Yours Sincerely.

Frances O'Driscoll

Eugene O'Driscoll

Telephone: