

MICHAEL C. AHERN SOLICITOR

Michael C. Ahern B.C.L. LL.B.

Solicitor

Geraldine R. Kearney B.A., Dip. Prop. Tax.

Solicitor

IVERAGH ROAD,
KILLORGLIN,
CO. KERRY
DX 79 004 Killorglin

Tel. 066-9761295

Fax. 066-9761795

Email: info@ahern-solicitors.ie

V.A.T. No. 4404134 I

FOI UNIT
CAVAN

13 JUL 2009

DEPARTMENT OF COMMUNICATIONS,
ENERGY & NATURAL RESOURCES
ROINN CUMARSAIDE, FUINNIMH
AGUS ACMHAINNÍ NADURTHA

OUR REF: G/C452/2.mh

9th July 2009

The Department of Communication,
Energy & Natural Resources,
FOI Unit,
29-31 Adelaide Road,
Dublin 2.

RE: APPLICATION TO SOUTH KERRY DEVELOPMENT PARTNERHIP LIMITED FOR FUNDING UNDER
THE SALMON HARDSHIP COMMUNITY SUPPORT SCHEME
PROJECT REFERENCE NUMBER 24-34-SHF CSS-13

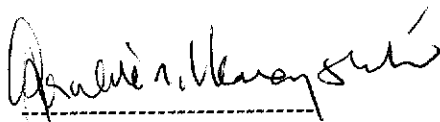
Dear Sir/Madam,

I act for Mary Clifford the Chairperson of Callinafercy Pier Rowing Club who applied for funding to the South Kerry Development Partnership Limited under the Salmon Hardship Community Support Scheme.

My client requires a copy of the entire file under Project Reference number 24-34/SHF CSS-13 and so applies for a copy of the entire file under Provisions of the Freedom of Information Act, 1997 as amended.

I await hearing from you with same.

Yours faithfully,



Michael C. Ahern

MICHAEL C. AHERN SOLICITOR

Michael C. Ahern B.C.L. LL.B.

Solicitor

Geraldine R. Kearney B.A., Dip. Prop. Tax.

Solicitor

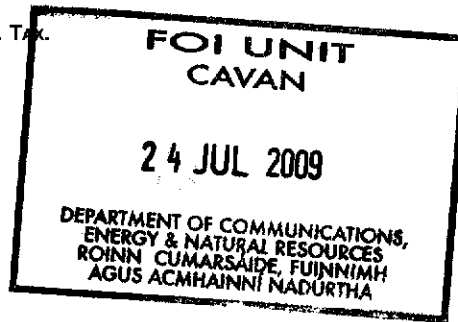
IVERAGH ROAD,
KILLORGLIN,
CO. KERRY
DX 79 004 Killorglin

Tel. 066-9761295

Fax. 066-9761795

Email: info@ahern-solicitors.ie

V.A.T. No. 4404134 I



OUR REF: G/C452/2/M.

20th July, 2009.

The Department of Communication,
Energy and National Recourses,
Freedom of Information Unit,
Elm House,
Cavan.

F.A.O. MS. KATHLEEN REGAN.

**RE: APPLICATION TO SOUTH KERRY DEVELOPMENT PARTNERHIP LIMITED FOR FUNDING UNDER THE SALMON HARDSHIP COMMUNITY SUPPORT SCHEME.
PROJECT REFERENCE NUMBER 24-34-SHF CSS-13.**

Dear Kathleen,

I refer to my request to you dated the 9th of July, 2009 and your subsequent telephone call to me on the 20th of July, 2009. As requested, I now enclose herewith cheque in the sum of €15.00 and I await receipt of the File which you hold in respect of the above mentioned matter.

Yours sincerely,

Michael C. Ahern.

29/07/2009

Mr Michael Ahern
Michael C. Ahern Solicitors
Iveragh Road,
Killorglin,
Co Kerry

FOI Request Reference: FOI/2009/26

Dear Mr Ahern,

I refer to your FOI request under Section 7 of the Freedom of Information Acts, 1997 and 2003, received in this office on 24/07/2009 in relation to Requesting entire file under Project Reference 24-34/SHF CSS-13 regarding application for funding to the South Kerry Development Partnership Ltd. The application was received along with the associated fee.

The officer handling your request will be Mr Tom McGrath, Inland Fisheries Division, Department of Communications, Energy and Natural Resources, 29-31 Adelaide Road, Dublin 2. Tom can be contacted on 01 6782384.

You can expect to receive your decision by the 24/08/2009.

If you have not received a decision by that time, 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. A request for a review should be addressed to the undersigned at the address shown.

Please note the Department of Communications, Energy and Natural Resources has a policy of posting a summary of non-personal requests and decisions on the Departments website for reference purposes.

Yours sincerely,

Carmel Cosgrove

FOI Unit
Department of Communications, Energy and Natural Resources
Elm House,
Earlsvale Rd
Cavan

Phone: 01 6782902

07 August 2009

Mr Michael Ahern
Michael C Ahern Solicitors
Iveragh Road
Killorglin
Co Kerry

FOI Request: FOI/2009/26

Dear Mr Ahern

I refer further to your request under the Freedom of Information Acts for access to entire file under project reference number 24-34/SHF CSS13 – Application to South Kerry Development Partnership Limited for funding under the Salmon Hardship Community Support Scheme.

I have made a final decision on your request and I attach relevant information held by this Department relating to the application, with this letter which consists of an extract from a report of a meeting of South Kerry Development Partnership Ltd held on 19 March 2009 under the heading of “Evaluation of SHF CSS Projects”. If you have any queries regarding this correspondence you can contact me by telephone at the number below.

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 Mr Frank O’Brien, FOI Unit, Department of Communications, Marine and Natural Resources, Elm House, Earlsvale Road, 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.

Please note that an application fee for an appeal is currently €75.00 and a reduced fee of €25.00 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 and 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 appeal, and the contact details of the person handling the appeal.

Yours sincerely,

Tom McGrath
Inland Fisheries Division
T: + 353 1 6782384
E: tom.mcgrath@dcenr.gov.ie

3.5

~~Slane Calmarerey Pier Rowing Club & Co~~

Code: 24-34-SHF CSS-13

Project Description: The promoter seeks capital support for a building extension and fit out at the existing clubhouse facility. The extension and fit-out is to incorporate new ladies facilities, changing rooms, showers, toilets, gents toilets, sauna, steam room and hot-tub, gym equipment, access for disabled and security cameras.

PROJECT REJECTED: Support for this private sports club was rejected on the basis of displacement; no evidence of match funds in place; the high reliance on borrowings; the projected income in the context of both the current and estimated usage levels of the facility with specific reference to the cash flow projections provided.

Project Cost (Exc. VAT): €165,507.89 (Inc VAT = €192,683.28)

Project Costs/Rates of Aid: Private @ 50%

Total Amount Funding Recommended: Nil

Decision Unanimous

*no letter of offer issued.
never approved for
fund ing.*

Note: Notwithstanding the agreed reasons for rejection of the proposal, the eligibility of private sports clubs for SHF CSS funding was also queried and Clare Thoma will raise this at Department level.