



**Comhshaol, Oidhreacht agus Rialtas Áitiúil**  
Environment, Heritage and Local Government

Request reference Number AIE/2010/015

2 December 2010

Mr Pat Swords  
10 Hillcourt Road  
Glenageary  
Co. Dublin

Dear Mr. Swords,

I refer to your request for a review of the decision made by this Department on 26 July 2010 which advised that the records that you requested access to under the European Communities (Access to Information on the Environment) Regulations 2007 (AIE Regulations), were exempt under Article 3(2) of those Regulations and were accordingly refused for release.

**Result of the internal review of this decision**

I apologise firstly for the delay in responding to your request for an internal review, which I understand was as a result of an administrative misunderstanding. While the time line for making a decision on your request for an internal review has expired, the Office of the Information Commissioner has requested that the Department would complete the review and issue a decision to you. That office has advised that the Commissioner's review will then proceed on the basis of that decision. I am the internal reviewer dealing with your request and I have made a decision on your review request on 2 December 2010.

I must inform you that I have not found any grounds to reverse the decision made by the initial decision-maker and, accordingly, I affirm her decision to refuse access to the records requested under the AIE Regulations. In respect specifically to your second question, the Foreshore Act 1933 does not specify time limits within which license applications must be processed and accordingly there are no records available which address this issue.

A summary of my decision is set out in the attached statement of reasons.

**General Information in respect of Foreshore Applications**

The operation of the foreshore consent process is governed primarily by the Foreshore Act, 1933 which has been the subject of only limited updating since its enactment. I understand that work has commenced in this Department to develop a modernised foreshore consent regime and to integrate it within the wider planning system. General information, including frequently asked questions, about the Foreshore licensing system is available on the Department's website at <http://www.environ.ie/en/Foreshore/>

**Rights of appeal**

As you are aware, under Article 12 of the AIE Regulations decisions on internal reviews may be appealed by writing to the Commissioner for Environmental Information at the address given below:

Office of the Commissioner for Environmental Information  
18 Lower Leeson Street  
Dublin 2

Appeals should be made within **6 months** of this notification. A standard fee of €150 - €50 if you are covered by a medical card – must accompany your appeal.

As you have already invoked this appeals process, the above is provided for information only. This Department will provide a copy of my decision to the Office of the Commissioner for Environmental Information, who will be in direct contact with you in due course.

I can be contacted by telephone at (053) 9117340 to answer any questions you may have, and to assist you generally in this matter.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Fiona Quinn', written in black ink.

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**Fiona Quinn**  
Principal Officer  
Environment Policy & Awareness