

Stáisiún Uí Chonghaile, Baile Átha Cliath 1, D01 V6V6

Connolly Station, Dublin 1, D01 V6V6

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08th April 2021

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Mobile: [REDACTED]

E-Mail: [REDACTED]

Re: FOI request, advice of internal review original decision varied or annulled

[IE_FOI_433, IE_FOI_445, IE_FOI_449]

Dear [REDACTED]

I refer to the appeals which you made under the Freedom of Information Act 2014, dated 10th December 2020 and 29th January 2021 seeking a review of the earlier decisions of this body as referenced above.

I apologise for the delay in responding to your appeals.

I am a more senior member of staff in Iarnród Éireann, than the original decision maker in this case. I have decided today 7th April, to vary/annul the original decision in the case of 433 and 449 made in relation to your request and uphold 445. This review of your request is an entirely new and separate decision and is explained as such below.

The responses provided in the case of 433 and 449 did not in my view adequately address the queries raised.

I am satisfied that the response to 445 did adequately address the query raised.

In arriving at this decision, I have had regard to the original request the records which were located as part of that request and the appeal letter which you submitted in this regard.

2. Access Arrangements

You have not specified means of accessing records. However, I consider this correspondence an appropriate form of access in this case. Accordingly, the records described as granted or part granted are now enclosed.

3. Findings

Before addressing the individual instances, I would ask you to note – as detailed in the response to 445 - that Iarnród Éireann has an ongoing continuous requirement to carry out maintenance work on the railway network, typically at night. Night work is essential as the works, by their nature, cannot progress whilst trains are running.

I would also advise that I do not believe the FOI Act is the optimum means for you to seek information on such works, and that you may get the necessary information in a more timely manner by contacting our Community Liaison Officer at

communityliaison@irishrail.ie – however it is of course your prerogative how you wish to address such queries.

FOI_433 – details sought:

Fencing works at just south of Rogerstown Viaduct on the Dublin-bound side started on the night of 7th December and completed on the night of 15th December. Minimal activity around Donabate station other than accessing and egressing track at the beginning and end of shifts.

Ballasting and tamping on around Donabate station platforms from the night of 9th to 12th of December – linear activity.

FOI_449 - details sought

Linear track activity (Ballasting and tamping) over approximately 2 miles in the Donabate area.

4. Rights of appeal

You may make an 'application for review' of this decision to the Information Commissioner no later than 6 months from the date of this notification. There is a fee of €50. Payment should be made by way of bank draft, money order, postal order or personal cheque: crossed and made payable to the 'Office of the Information Commissioner'. Alternatively you can make payment on-line which can be located at: <https://www.oic.gov.ie/en/Apply-for-Review/Fees-Payable/> .

Should you wish to make an 'application for review' in writing, please use the details below:

The Office of the Information Commissioner,
6 Earlsfort Terrace,
Dublin, 2.
DO2 W773

Alternatively you may appeal using the Office of the Information Commissioner on-line application form which can be located at:

<https://www.oic.gov.ie/en/apply-for-review/apply-for-review-online/>

If an appeal is made by you and accepted, the Information Commissioner will fully investigate and consider the matter and issue a fresh decision.

5. Publication

All non-personal FOI requests will be recorded on an FOI disclosure log which will be published on Iarnród Éireann website in due course.

Should you wish to discuss the above, please contact the Freedom of Information Officer at 01-7034293 or foi@irishrail.ie

Yours sincerely,

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Corporate Communications Manager