



26<sup>th</sup> June 2017



Re: FOI Request Acknowledgement [IE\_FOI\_082 internal review]

Dear 

I refer to your request dated 29<sup>th</sup> January 2017 and received by this office on the 31<sup>st</sup> January 2017, and subsequent request for an internal appeal received on 6<sup>th</sup> June 2017, which you have made under the Freedom of Information Act 2014 for records held by this FOI body. Your request sought:

**Request –**

- All emails, memos, minutes of meetings, together with correspondence & communications (including replies thereto) between Iarnród Éireann and parties enquiring into the nature of Seapoint Dart Station

The internal reviewer handling your request is Mr. Barry Kenny. A final decision has now been made in relation to this. Extensive searches have been conducted in relation to this request. Please find all communications attached.

Should you wish to discuss the above, please contact me by telephone at 01-7034293.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Barry Kenny', written over a rectangular box.

Mr. Barry Kenny

FOI Internal Reviewer

Corporate Communications Manager

Freedom of Information Request:  
 Schedule of Records for IE\_FOI\_082 : Summary for Decision Making

Record No.	Date of Record	Brief Description	No. of Pages	Decision: Grant/Part Grant/Refuse	Section of Act if applicable	Record Edited/Identify Deletions
1	17.05.16	Email - Re: FW: Proposed closure of the access from the Seapoint dart station South bound platform to Brighton Vale CRM:0022092	3			
2	22.08.16	Email - Re: Marion Finnegan - DTTAS - Willie Pepper - Access to Seapoint Dart Station	2			
3	07.03.17	Email - Re: IE_FOI_082	1			

Signed

IE Decision Maker

1

[Redacted]

**From:** [Redacted]  
**Sent:** 15 May 2017 16:20  
**To:** [Redacted]  
**Subject:** FW: Proposed closure of the access from the Seapoint dart station South bound platform to Brighton Vale CRM:0022092  
**Attachments:** Irish Rail notice.pdf

**Tracking:**                      **Recipient**                      **Read**  
   [Redacted]                      Read: 15/05/2017 16:26

Hi [Redacted]

See request below which you were involved with. We have a FOI request in relation to this, have you any other correspondence linked to it please?

Thanks  
[Redacted]

**From:** [Redacted]  
**Sent:** 15 May 2017 15:45  
**To:** [Redacted]  
**Subject:** FW: Proposed closure of the access from the Seapoint dart station South bound platform to Brighton Vale CRM:0022092

[Redacted]



**From:** [Redacted]  
**Sent:** 17 May 2016 13:20  
**To:** [Redacted]  
**Subject:** FW: Proposed closure of the access from the Seapoint dart station South bound platform to Brighton Vale CRM:0022092

Good Afternoon All,  
  
Can you please respond back to this customer regarding his query.  
  
Thanking you for your time on this matter.  
  
Regards  
[Redacted]

# NOTICE

All access to the Seapoint Dart Station  
1 and 2 will be via the main entrance  
Seapoint Avenue.

If you have any queries, please contact our Customer  
Department.

Telephone@1850 366 222

Email: [customercare@irishrail.ie](mailto:customercare@irishrail.ie)

Customer Care

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

**From:** [REDACTED]

**Received:**

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** Proposed closure of the access from the Seapoint dart station South bound platform to Brighton Vale

Good Evening,

I see that a notice has been posted (see attached) on the gate at the end of the Seapoint dart station South bound platform to Brighton Vale – which Irish Rail propose to close access to the south bound platform from Brighton Vale.

I hold an annual train commuter ticket and use this access everyday to take a train to work. Indeed, my family have used the key provided by Irish rail to open the gate to access the station since it was first installed when the DART was introduced in 1984 to commute in and out of Dublin.

I would be grateful if you could please outline the reasons behind this proposal.

Kind Regards

[REDACTED]

2

[Redacted]

**From:** [Redacted]  
**Sent:** 08 February 2017 10:04  
**To:** [Redacted]  
**Subject:** FW: [Redacted] - DTTAS - Willie Pepper - Access to the Seapoint Dart Station

**From:** [Redacted]  
**Sent:** 22 August 2016 18:08  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** RE: [Redacted] - DTTAS - Willie Pepper - Access to the Seapoint Dart Station

Dear [Redacted]

I have been advised that access through this gate was permitted circa 1982 to those with special access needs to the south bound platform at Seapoint Station by the provision of a key. The traditional footbridge in situ at the time proved difficult for those with mobility problems. Full public disability access facilities to include ramps, footbridge and lifts are now available at the Station and the use of the gate to facilitate this access is no longer necessary.

Córas Iompair Éireann has already received and replied to various representations from the residents of Brighton Vale claiming private and public rights of way from over a laneway which is not in the ownership of Córas Iompair Éireann.

We have also received solicitors letters threatening legal proceedings.

Kind regards,

[Redacted]

[Redacted]  
[Redacted] Chief Executive, Iarnród Éireann, Connolly Station, Dublin 1, D01 V6V6.

**From:** [Redacted]  
**Sent:** 09 August 2016 09:58  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** [Redacted] - Access to the Seapoint Dart Station

[Redacted]

The Minister has received a representation from [Redacted] (see below) on behalf of the [Redacted] Brighton Vale regarding closure of a right of way in Brighton Vale.

Minster, good evening.

A contact in Abbeyfield now Rosepark Sheltered housing in Monkstown suggested you might be able to assist [Redacted] as you have provided valuable assistance to Rosepark over the years.

We are lucky to live on Brighton Vale by the sea in Monkstown.

Up until the 26<sup>th</sup> of May 2016, the residents of Brighton had access to the Seapoint Dart station via the South bound platform directly from Brighton Vale. Approximately 2 weeks earlier Irish rail posted a notice (see attached) that they were going to change the lock – preventing access despite the fact that a right of way has existed from Brighton Vale to the station (see attached archive from the Irish times from 1878 which outlines that there has been a right of way from Brighton Vale to the Station which dates from the 18<sup>th</sup> of July 1848.)

The gate dates from the introduction of the DART in 1984. CIE at the time proposed closing off the access to the station from Brighton Vale. Opposition from the Brighton Vale residents resulted in a compromise - where the present gate was installed but all the residents were issued with a key to the gate. Prior to the DART – there were 2 gates, a metal one a present location of the gate and a wooden gate closer to the station neither of which were never closed.

██████████ lived in Brighton Vale for over 50 years and have availed of this right way to commute to Dublin for work and pleasure. I, myself, as a holder of an annual train commuter ticket use the gate on a daily basis. It goes without saying that the right of way which provides access to the station is a great convenience. However, for those residents of Brighton Vale who have difficulty climbing the footbridge and can use the lift to cross to the north bound railway line, access is a necessity rather than a convenience.

I am at a loss to understand why Irish Rail would attempt to extinguish this right of way – given that Irish rail/CIE by providing the residents with a key to the gate back in 1984 has acknowledged that a right of way exists.

██████████ wrote to Irish Rail highlighting our concerns and pointing out that a right of way to the station exists. ██████████ received a response (see attached screen shot) stating that gate was a disability access only and ignoring the right of way issue. This actually ignores the fact that one of the residents ██████████ – and the gate provided him with access to the station where he could use the lift to cross the tracks to catch a train into Trinity ██████████ rather than having to climb the footbridge to cross the railway to access the Station from Seapoint Avenue.

What disappoints me most is the fact that Irish rail have proceeded without consulting ██████████ the residents, particularly those with disabilities and have not engaged in the public consultation process with is necessary to extinguish a public right of way.

We would be most grateful for any assistance you might be able to provide.

Should you require any further information, please contact me on ██████████

P.S – many thanks for all your support for Abbeyfield / Rosepark over the years – ██████████ spent a very happy period there.

Kind Regards

██████████

Can you let us know what the position is in relation to this matter so that the Minister can respond to ██████████

Kind regards

██████████

██████████  
Public Transport Investment Division  
Department of Transport, Tourism & Sport  
Leeson Lane, Dublin 2, Ireland, D02TR60