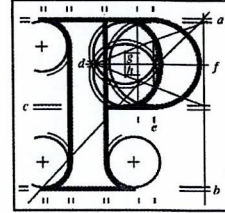


Our Case Number: ABP-310286-21



**An
Bord
Pleanála**

James O'Brien
Trustees of the Diocese of Cloyne
Ballyhea
Charleville
Co. Cork

Date: 27th July 2021

Re: Railway works and all works necessary to eliminate and, where necessary, upgrade seven numbered level crossings and carry out all associated and ancillary works along a 24-kilometre section of the Dublin to Cork Railway Line.
Fantstown, Thomastown, Ballyhay, Newtown, Ballycoskery (Ballyhea Village), Shinanagh and Buttevant, Co. Cork and Co. Limerick.

Dear Sir,

An Bord Pleanála has received your recent letter in relation to the above mentioned case. The contents of your letter have been noted.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: www.pleanala.ie.

If you have any queries in relation to the matter, please contact the undersigned officer of the Board.

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,


Kieran Somers
Executive Officer
Direct Line: 01-873 7250

RA03

Tel	Tel	(01) 858 8100
Glaio Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde Baile Átha Cliath 1 D01 V902	64 Marlborough Street Dublin 1 D01 V902
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LDG-04/805-21.

Ballyhea,
Charleville,
Co. Cork.

Your reference NA04.310286

AN BORD PLEANÁLA	
LDG-	_____
ABP-	_____
30 JUN 2021	
Fee: €	Type: _____
Time: _____	By: <u>post</u>

28th. June 2021

Dear Sir/Madam,

The Trustees of the Diocese of Cloyne, holding land in trust for the parish of Ballyhea which is administered on their behalf by The Right Reverend Monsignor O'Brien, have received notice of an application to acquire by compulsory purchase lands contained in County Cork Folio no. CK28756 for the purposes of railway works under section 37 of the Transport (Railway Infrastructure) Act 2001 as amended by section 49 of the Planning and Development (Strategic Infrastructure) Act 2006.

Having taken counsel in the matter, the Trustees are to signal to An Bord Pleanála that a grant of a railway order for the purposes mentioned above would be *ultra vires*, invalid and unlawful. In consequence of which the Trustees would be obliged to refer the matter to the Courts of Justice and to seek recovery of all costs, expenditure, outlay etc.

In the public interest an oral hearing is requested.

While awaiting your acknowledgement of receipt of this letter,

I remain,

Yours sincerely,

James O'Brien

pp. The Trustees of the Diocese of Cloyne

By Registered post.

Phone: (063) 81470