

## Muirín Gowen

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**From:** Brian Ebbs <Brian.Ebbs@fingal.ie>  
**Sent:** Wednesday 5 August 2026 10:15  
**To:** Muirín Gowen  
**Cc:** AislingS Doyle; Natalie Dineen  
**Subject:** Section 45 Additional Information for PA331 Linn Ban Rush- Your Ref. ACP-324463-26  
**Attachments:** PA331 ACP additional documents.pdf; Reg Post Book.pdf; Signed PA331 Linn Ban.pdf  
**Categories:** Application Docs

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Good Morning Muirín,

I refer to your correspondence dated 30/7/2026, where you requested the following additional documents:-

1. Please provide a copy of written correspondence issued under Section 45(1)(c) to demonstrate that the planning authority has served on the owner of the land a written request that, within a period specified in the request (being a period of not less than 8 weeks commencing on the date of the request), he or she will provide, level or otherwise adapt or maintain the land in a manner so specified, being a manner which in its opinion would make it suitable for the purpose for which the open space was to be provided.

Please find attached a copy of the letter sent to the owner of the land and proof of posting.

Please contact me should you have any queries,

Regards,

Brian

**Brian Ebbs**

Senior Staff Officer | Property Services | Economic, Community & Cultural Development Department  
Fingal County Council | County Hall | Main Street | Swords | Co Dublin | K67 X8Y2  
Email: [brian.ebbs@fingal.ie](mailto:brian.ebbs@fingal.ie)  
Phone: 087 457 2076

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**Comhairle Contae  
Fhine Gall**  
Fingal County  
Council



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# an post

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Customer's name and address

ECCO, PROPERTY SERVICES  
COUNTY HALL, MAIN ST.  
SLINGSBY, CO DUBLIN K67X8Y2

Date

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Customer account number

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| 3           | FRANK WILSON & FINIAN POWER<br>LEINSTON HOUSE, 50-52<br>MAIN ST DUBLIN, CO DUBLIN                                                             | €              | €                          |                           | €           |
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| 5           | PROPERTY MANAGEMENT SERVICES<br>THE OPW, SONATHAN SUITE<br>ST. THOMAS, CO. WICK                                                               | €              | €                          |                           | €           |
| 6           | GANNON HOMES LTD<br>TOP FLOOR KILLOONAN HOUSE<br>41-43 STURROCK RD, KILLOONAN<br>DUBLIN D06 A250                                              | €              | €                          |                           | €           |
| 7           | Castle Horn Const. Unlimited Co.<br>OVERLAND HOUSE, DUNDON TOWN<br>SHANAHAN RD, DUNDON<br>D16 D16 A 4W 6                                      | €              | €                          |                           | €           |
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An Post copy

Acceptance  
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J.Rock Property Developments Limited  
Rathlee, Mount Venus Road,  
Rathfarnham Dublin 16,  
D16 FX58

Date:30/07/2026

Location: Open Space lands at Linn Ban, Rush, Dublin.

Dear Sir/ Madam,

Fingal County Council have begun the process of registering land previously dedicated to us through a Deed of Dedication, where the conveyance process was not fully completed in accordance with Section 45 of the Planning and Development Act 2000 (as amended). Accordingly, title of these lands has not yet been registered in the name of Fingal County Council and remains vested in the current registered owner.

From our file, we see the lands above were dedicated to Fingal County Council by J.Rock Property Developments Limited on date 7th December 2010.

As part of the process, we have been advised by An Coimisiún Pleanála that we must comply with part (C) of Section 45 of the Planning and Development Act 2000 (as amended). Part (C) states,

*(c) the planning authority has served on the owner of the land a written request that, within a period specified in the request (being a period of not less than 8 weeks commencing on the date of the request), he or she will provide, level, plant or otherwise adapt or maintain the land in a manner so specified, being a manner which in its opinion would make it suitable for the purpose for which the open space was to be provided, and*

Fingal County Council wishes to notify you that it is now proceeding with the registration of these lands pursuant to Section 45 of the Planning and Development Act 2000 (as amended). In accordance with the statutory requirements, the Council is hereby giving eight weeks' notice of its intention to register the lands in the name of Fingal County Council.

Should you have any queries on this matter, you may contact us at 01-8905000 or [Property.Mgt@fingal.ie](mailto:Property.Mgt@fingal.ie),



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Brian Ebbs  
Senior Staff Officer  
Property Management Section