

# Request for access to records under the Freedom of Information Act 2014

Please use BLOCK capitals

## Details of applicant

First name:\* JAMES Surname:\* MOORE

Postal address:\* [REDACTED]

Email address: 1moore.james@gmail.com

## Telephone numbers

Home: [REDACTED] Business: [REDACTED] Mobile: [REDACTED]

\*Mandatory

Note that the FOI Officer in Irish Water may wish to communicate with you in regard to your request. This can take place more efficiently by telephone or email.

## Please state preferred form of access to records requested

Post  Email

## Type of records requested

Personal records  Non-personal records

There is no upfront handling fees for FOI request under the 2014 Act. Note there may be search, retrieval and copying fees depending on how long it takes to find the records requested. An applicant will be provided with an estimate of these fees before any additional costs are incurred. Fees can be paid by cheque, bank draft or postal order and made payable to Irish Water.

## Personal information

Applicants will not be provided with access to personal information of another person unless written consent has been obtained. This consent will be verified by Irish Water before such a request is filled.

## Description of records sought

In accordance with **Section 12 of the Freedom of Information Act 2014**, I request access to the following:

(Please give as much information as possible of the records you are seeking)

I have checked with the Food standards authority who have listed four companies in Ireland as having access and rights to draw water from our natural Springs. My Question is on these four companies.

Could you inform me how much total cost per year in Euros, each of these Companies pay Irish Water / the State for the drawing of this water.

- Ballygowan, Ballygowan Spring Castle Demense, Newcastle West Co. Limerick
- Glenpatrick, Glenpatrick Spring Cashel Road, Clonmel, County Tipperary
- Kerry Spring, Kerry Spring Ballyferriter, County Kerry
- Tipperary, Tipperary Spring Pallas Street, Borrisoleigh, County Tipperary

Please sign here: James Moore Date: 26/4/15

Please return this form via post to the FOI Officer, FOI Unit, Irish Water, Colvill House, 24-26 Talbot Street, Dublin 1, Ireland. If you wish to discuss your request with the FOI Officer in Irish Water feel free to phone +353 1 892 5000 Mon – Fri, 9am – 5pm or email [foi@water.ie](mailto:foi@water.ie).



Comhshaol, Pobal agus Rialtas Áitiúil  
Environment, Community and Local Government



**Request Reference Number: AIE-2015-012**

21 May 2015

Mr James Moore

Dear Mr. Moore,

I refer to the request which you have made under the European Communities (Access to Information on the Environment) Regulations 2007 to 2014 (S.I. No. 133 of 2007, S.I. No. 662 of 2011 and S.I. No. 615 of 2014) (hereafter referred to as the AIE Regulations) for information relating to records in relation to four companies held by this Department.

**Summary of Decision**

I have made a decision on your request of 7 May 2015. I regret that no relevant records exist in this Department.

As discussed by phone, the sinking of a well for commercial purposes would be subject to planning permission under the Planning and Development Acts. It is possible that the relevant local authority may have some of the information you requested.

**Right of appeal**

Under Article 11 of the AIE Regulations you have a right to request an internal review of this decision. An internal review involves a complete reconsideration of the matter by a member of the staff of this Department, of the same or higher rank than the original decision-maker, who may affirm, vary or annul the original decision.

In the event that you wish to make such an appeal, you can do so by writing to the Information Officer, Organisation Unit, Department of the Environment, Community and Local Government, Custom House, Dublin 1, referring to this decision, quoting your AIE reference number. You must make your appeal within one month of the date of this notification, (the making of a late appeal may be permitted in certain circumstances). The decision of a review will be communicated to you within one month.

Please contact me at 053-9117493 or [niamh.o'flaherty@environ.ie](mailto:niamh.o'flaherty@environ.ie) if you consider I can assist you in any matter relating to your request.

Yours sincerely,

Niamh Ní Fhlaitheartaigh  
Assistant Principal





Comhshaol, Pobal agus Rialtas Áitiúil  
Environment, Community and Local Government



22 May 2015

Mr. James Moore

**Re: FOI request FOI-2015-129**

Dear Mr. Moore,

I refer to the request which you have made under the Freedom of Information Act 2014 for records held by this body.

I, Niamh Ní Fhlaitheartaigh have now made a final decision on your request on 7 May 2015. As outlined in our telephone conversation of 15 May 2015, I confirm that the records you are seeking do not exist in this Department. I may be contacted by telephone on 053 91177493 in order to answer any questions you may have, and to assist you generally in this matter.

**Rights of Review**

In the event that you are not happy with this decision you can make an appeal in relation to this matter, you can do so by writing to the Freedom of Information Unit, Department of the Environment, Community and Local Government, Newtown Road, Wexford or alternatively by sending an e-mail to [foi@enviorn.ie](mailto:foi@enviorn.ie).

Your correspondence should include a fee of €30 for processing the appeal. This fee can be paid by cheque, bank draft or order payable to the Department of the Environment, Community & Local Government, if you wish to make payment by electronic means please contact the FOI Unit of the Department by email to [foi@enviorn.ie](mailto:foi@enviorn.ie). You should make your appeal within 4 weeks (20 working days) from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays, however, the making of a late appeal may be permitted in appropriate circumstances.

The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this body and the decision will be communicated to you within 3 weeks.

Notwithstanding the fact that we do not hold records in relation to the Companies you raise questions about in your Freedom of Information application, I thought it might be helpful to summarise the information I outlined to you in our telephone conversation on 15 May.

As discussed with you by phone, there is currently no license/permit system in place in Ireland for abstractions such as those conducted by the companies listed in your questions and therefore the issue of payment to the State does not arise. That said, Ireland is committed, in accordance with Article 11(3) of the Water Framework Directive to introduce a control system for the abstraction of fresh ground and surface waters. This Department is currently considering how such a control regime might best be designed for Ireland.

As I explained to you by phone, currently water abstractions in Ireland are controlled through a range of different legislative mechanisms, including the Planning and Development Acts. While the



Comhairle Contae Thiobraid Árann  
Tipperary County Council

Comhairle Contae  
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Cluain Meala,  
Co. Thiobraid Árann  
Tipperary County Council,  
Civic Offices, Clonmel,  
Co. Tipperary

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Oifigi Cathartha,  
An tAonach,  
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Tipperary County Council,  
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t 0761 06 5000  
e customerservice  
@tipperarycoco.ie  
tipperarycoco.ie

Mr. James Moore

Email: [REDACTED]

Our Ref: FOI Request 2015-6  
29<sup>th</sup> May, 2015

Dear Mr. Moore,

I refer to the request which you made under the Freedom of Information Acts 1997 and 2003 for records held by Tipperary County Council:

- Information relating to the companies Glenpatrick Spring, Clonmel and Tipperary Spring, Borrisoleigh, Co. Tipperary, drawing of water from natural springs, payment to the State, and how many litres of water per year is taken from the natural springs.

A final decision was made to grant your request.

You have sought access to the records by means of email and I consider this an appropriate form of access in this case. Accordingly, a copy of the record is now attached.

The following is an extract from the Register of Abstractions relating to abstractions at Glenpatrick Spring Water.

Scheme Name	Abstracted from	Abstraction Location	Max Volume m <sup>3</sup> /day	Average Volume m <sup>3</sup> /day
Glenpatrick Spring Water Ltd.	Groundwater	Well No.2	180	144
Glenpatrick Spring Water Ltd.	Groundwater	Well No.4	1440	960
Glenpatrick Spring Water Ltd.	Groundwater	Well No.1	480	384
Glenpatrick Spring Water Ltd.	Groundwater	Well No.3	288	230

There is no fee or charge for water extraction.

We are currently investigating records in the northern part of the County with regard to the required information relating to Tipperary Spring, Pallas Street, Borrisoleigh, Co. Tipperary, and we are seeking an extension of time from you of one month from today's date, so that the collated data may be assembled.

If you have any queries regarding this correspondence, you can contact me by telephone at 0761-065-000.

#### RIGHT OF APPEAL

You may appeal this decision. In the event that you need to make such an appeal, you can do so by writing to the Freedom of Information Section, Tipperary County Council, Civic Offices, Clonmel, Co. Tipperary. Your correspondence should include a fee of €30 or €10 in the case of a Medical Card Holder.

You should make your appeal within 4 weeks from the date of this notification, however, the making of a late appeal may be permitted in appropriate circumstances. A week is defined in the Act to mean 5 consecutive weekdays,

Mr. James Moore.  
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28th May, 2015

Our Ref: FOI/45/15

Dear Mr. Moore,

I refer to the request which you have made to this Authority under the Freedom of Information Act 2014.

Please be advised that I am refusing your request in accordance with Section 15 of the Freedom of Information Act 2014. The following is the response received from the Administrative Officer, Water Services in relation to same.

"Limerick City & County Council do not receive income for the abstraction of water by Ballygowan at Castle Demesne, Newcastlewest and do not monitor how many litres of water per year is abstracted. The Company may be subject to a planning condition from the original permission which puts a maximum limit on the amount of water which can be abstracted."

#### **Rights of Appeal**

You may appeal this decision.

In the event that you wish to make such an appeal, you can do so by writing to Mr. Christy O'Connor, Freedom of Information Unit, Corporate Services Department, Limerick City & County Council, Merchants Quay, Limerick. A fee of €30 applies or €10 if the applicant is the holder of a medical card.(copy required) Payment should be made by way of bank draft, money order, postal order or personal cheque, made payable to Limerick City & County Council or by ringing the Cash Office with Laser/Credit Card details on (061)407235.

You should make your appeal within 4 weeks (20 working days) from the date of this notification. A week is defined in the Act to mean 5 consecutive weekdays, excluding Saturdays and public holidays (Sundays are also excluded, as they are not weekdays). However, the making of a late appeal may be permitted in appropriate circumstances.

Yours sincerely,



A. Harrison,  
Freedom of Information Officer,  
Limerick City & County Council  
[adrienne.harrison@limerick.ie](mailto:adrienne.harrison@limerick.ie)