



**An Roinn Iompair
Turasóireachta agus Spóirt**

**Department of Transport,
Tourism and Sport**



Uíg an Aire
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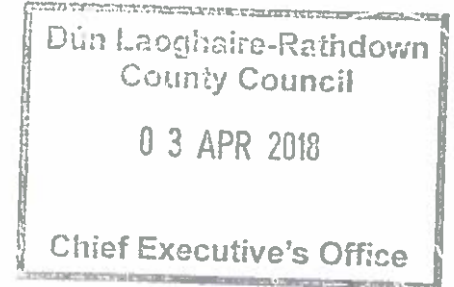
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29 March 2018

Ms. Philomena Poole
Chief Executive
Dun Laoghaire Rathdown County Council
County Hall,
Dun Laoghaire
Co Dublin



**Re: National Ports Policy and the transfer of Dun Laoghaire Harbour Company
to Dun Laoghaire Rathdown County Council**

Dear Philomena,

As you are aware Dun Laoghaire Harbour Company (DLHC) as a Port of Regional Significance is designated under National Ports Policy 2013 to transfer to Dun Laoghaire Rathdown County Council (DLRCoCo). The Harbours Act 2015 provides the necessary legal framework for transfer.

There are two possible models of transfer;

- (a) Retention of the existing company structure and transfer of the shareholding in the company to the Local authority, or,
- (b) Dissolution of the company structure and the transfer of all assets, liabilities and employees to the local authority

At a special meeting of Dun Laoghaire Rathdown County Council on 6th March 2018, you concluded as CE, after carrying out due diligence and a risk assessment on the port, that the most appropriate model of transfer is model (b) outlined above. The Council supported you in this regard. I am aware that the Board of the Port Company has indicated a preference for model (a), the transfer of shareholding from the port company to Dun Laoghaire Rathdown County Council.

My officials have advised in the past that if a difference of opinion arose between the port and the local authority, the final decision will be taken by me on this matter.

I have now examined the matter in detail taking into account a number of factors including, the future of the port as outlined in National Ports Policy, that the responsibility for the future of the port lies with DLR County Council, and, that its expressed preference is for the port to operate as part of the local authority structure. In addition, the business associated with the port has now fallen well below a level that would justify the continuance of a separate legal entity.

I wish to inform you that my preferred model of transfer is that of dissolution of the company and the transfer of all assets, liabilities and employees to the County Council on the date of transfer.

You have forwarded a number of Council Motions from the Council Meeting held on 6 March 2018, the contents of which have been noted. As you are aware, National Ports Policy clearly states there is no Exchequer funding for any port.

The transfer process has been on-going for a number of years and the port has already undergone a due diligence and risk assessment. The matter should now be brought to a conclusion.

I understand that my Department has asked that you set up a meeting with my Department and the Department of Housing, Planning and Local Government to discuss the final matter outstanding, the Engineers report which accompanied the Risk Assessors report.

I hope that the transfer will take effect as soon as possible after that meeting.

Yours sincerely



Minister Shane Ross
Minister for Transport Tourism and Sport.

cc: Ms Eithne Scott Lennon Chair Dun Laoghaire Port Company.
Mr Paul Lemass, ASec, Department of Housing Planning and Local Government.