

**National Monuments Service,
Department of the Environment, Heritage and Local Government,
Dún Scéine,
Harcourt Lane,
Dublin 2.**

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**David O'Connor
County Manager,
Fingal County Council,
County Hall,
Swords,
Co.Dublin**

**Cc PJ Howell, Director of Services-Environment
Cc Christine Baker, Field Monument Advisor
Cc Helena Bergin, Conservation Officer**

10th May 2010

Re: National Monument DU 015-007 (01-05) Ecclesiastical Remains

Dear Mr O'Connor,

We would like to draw your attention to the above named national monument. It appears that this monument is in the Ownership of Fingal county council listed in the Irish Church Temporalities Commission Report for the period of 1869-80 under Balrothery Union as Burrow and in the parish of Portmarnock. This monument consists of a number of sites, DU015-00701 Church, DU015-00702 Holy well Site, DU015-00703 Ogham Stone site, DU015-00704 Graveyard, DU015-00705 Memorial slab which are listed in the Records of Monuments and Places for Co.Dublin and protected under the National Monument(Amendments) Acts 1930-2004.

Section 12 (3) of the 1994 Act provides where the owner or occupier of a monument or place included in the Record, or any person, proposes to carry out, or to cause or permit the carrying out of any work at or in relation to such monument or place, he or she shall give notice in writing of his or her proposal to carry out the work to the Minister for the Environment, Heritage and Local Government and shall not, except in the case of urgent necessity and with the Consent of the Minister, commence the work for a period of two months after having given the notice. Section 13 of this Act provides that failure to comply with the foregoing is an offence which may be tried summarily or on indictment.

DU015-007 (01-05) Ecclesiastical Remains is considered by the National Monuments Section of the Department of Environment, Heritage and Local Government to be of archaeological and historic importance under the definition of 'national monument' in the 1930 Act. It is therefore protected also under section 14 of the 1930 Act. Section 14 (as amended by section 5 of the National Monuments (Amendment) Act, 2004) provides that, where a national monument is in the ownership of a local authority, it shall not be lawful to

- a)* to demolish or remove it wholly or in part or to disfigure, deface, alter, or in any manner injure or interfere with it, or
- (b)* to excavate, dig, plough or otherwise disturb the ground within, around, or in proximity to it, or
- (c)* to renovate or restore it, or
- (d)* to sell it or any part of it for exportation or to export it or any part of it,

unless done in accordance with a consent granted by the Minister. Breach of section 14 of the 1930 Act is an offence (section 14(5) of the 1930 Act refers) which may be tried summarily or on indictment. Significant penalties may apply on conviction.

Please do not hesitate to contact us should you have any queries regarding the above. We will be forwarding correspondence in regard to recent works that have been carried out at this site in due course.

Yours sincerely,

Auriel Robinson
Archaeologist,
National Monuments Section,
DEHLG