

Iarnród Éireann Acceptance in Principle Letter — Carcur Overbridge — 17 November 2022

Date:	17 November 2022 (IE Ref: 3rd/S/173)	From:	Daniel Lenggenhager, Third Party Co-ordinator, Irish Rail Infrastructure
To:	Sinéad Casey, Senior Engineer, Roads & Transportation, Wexford County Council	Status:	SUMMARY ONLY — sent to Wexford County Council (public body); obtainable via FOI from WCC; original retained internally

REPORT PARAGRAPH

On the 17th November 2022 Iarnród Éireann issued an approval in principle letter.

EVIDENTIAL SIGNIFICANCE

1. This letter formally confirms that Iarnród Éireann granted Acceptance in Principle to Wexford County Council for the proposed overbridge at Carcur, subject to 21 conditions — establishing that WCC, not the developer, was the responsible party for the bridge design and construction under IE's Third Party Works process.
2. Condition 5 of the letter requires Wexford County Council to enter into a formal Bridge Agreement with Córas Iompair Éireann (CIÉ) and Iarnród Éireann before any construction takes place — directly relevant to whether the required legal agreements were fully executed before construction commenced in January 2025.
3. Condition 11 states that **no construction works at the bridge locations are permitted to commence** until, among other requirements, the Bridge Agreements between the Council and CIÉ/IE have been fully executed. This condition is directly relevant to the sequence of events described in this report.
4. Condition 21 states: "Iarnród Éireann's conditions are valid for two years from the date of this Acceptance in Principle." The letter is dated 17 November 2022, meaning the conditions **expired on 17 November 2024** — approximately six weeks before construction commenced in January 2025.
5. The letter was addressed directly to Wexford County Council and was copied to multiple senior IE and CIÉ personnel, confirming that the bridge was processed as a WCC infrastructure project under IE's formal Third Party Works procedure.
6. This document was sent to Wexford County Council, a public body subject to the Freedom of Information Acts 1997–2014. It is obtainable by FOI request to WCC and is not subject to commercial privilege or exemption.

KEY PASSAGES FROM OFFICIAL RECORD

"No construction works at the bridge locations are permitted to commence until... The Bridge Agreements between the Council and CIÉ/IE has been executed."

— Condition 11, IE Acceptance in Principle Letter (Ref: 3rd/S/173), 17 November 2022

"Iarnród Éireann's conditions are valid for two years from the date of this Acceptance in Principle."

— Condition 21, IE Acceptance in Principle Letter (Ref: 3rd/S/173), 17 November 2022

RELEVANCE TO THIS REPORT

This source is the formal IE acceptance document for the Carcur bridge and contains the conditions that governed the design, construction, and legal agreements required. It is directly relevant to this report because: (1) it confirms WCC — not the developer — was the responsible party; (2) it establishes that a Bridge Agreement was required before construction could lawfully commence; and (3) its expiry on 17 November 2024 raises the question of whether a valid Acceptance in Principle was in place when construction began in January 2025. As a document sent to WCC, it is obtainable via FOI.

This summary is prepared for public reference and contextual reporting purposes only.

The original letter was sent to Wexford County Council and may be obtained via FOI request to WCC.

This document is not a legal finding. It identifies the source, summarises the relevant evidential points, and records its relevance to the Park Carcur Report.