

16th March 2021

Re: Freedom of Information request 202105- Request Refused.

Dear,

I refer to your request, dated and received on 16th February 2021, which you have made under the Freedom of Information Act 2014 (FOI Act) for records held by the Land Development Agency (LDA).

A record of all correspondence between Land Development Agency chair John Moran and Transport Minister Eamon Ryan (including the minister's office) regarding the Coonagh-Knockalisheen road project in Limerick, dated between September 1, 2020 and the date of this letter. This correspondence should include, but is not limited to: letters, emails, memos, briefing documents, draft briefing documents, phone calls, text messages, WhatsApp messages, voice mails, and voicenotes.

I wish to inform you that I have decided to refuse your request on the 16th of March 2021.

The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decisions to deny access.

Details of your request were provided to the Chairperson of the LDA Board to identify records held which were within the scope of your request.

The sections of the FOI Act which deny access to information are known as its exemptions.

In this regard, I am refusing your request in accordance with Section 15(1)(a) of the Freedom of Information Act 2014, which states:

Refusal on administrative grounds to grant FOI requests

*15(1) A head to whom an FOI request is made may refuse to grant the request where
(a) The record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken,*

The Chairperson stated that he had three phone calls with the Minister (one took place on the night before the Minister met with the representatives of Moyross) but there are no notes to track the dates of the first or the third phone call. No notes were taken during any of the calls and there were no other records like voice mails, voice notes etc. related to those.

There are no other records in existence within the scope of your request.

2. Right of Appeal

In the event that you are unhappy with this decision you may appeal this it. If you need to make such an appeal, you can do so by writing to the Freedom of Information Unit, Land Development Agency, 2nd Floor, Ashford House, Tara Street, Dublin 2 or by e-mail to foi@lda.ie.

Please note that a fee applies. This fee has been set at €30 (€10 for a Medical Card holder). Payment should be made by way of bank draft, money order, postal order or personal cheque, and made payable to Head of Finance, Land Development Agency, 2nd Floor, Ashford House, Tara Street, Dublin 2.

Payment can be made by electronic means, using the following details:

NON PAY GRANT

IE59AIBK93101257645196

BIC: AIBKIE2D

You must ensure that your FOI reference number (FOI 202105) is included in the payment details.

You should make your appeal within 4 weeks 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.

Please be advised that the Land Development Agency replies under Freedom of Information may be released into the public domain via our website at lda.ie.

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

Should you have any questions or concerns regarding the above, please contact me by telephone on (01) 9103400.

Yours sincerely,



Monika Szyszko,
Compliance Officer