

28th September 2023

,

Re: Freedom of Information Request 202329 - Request Refused.

Dear ,

I refer to your request dated the 04th of August 2023 and extended by us on the 31st of August 2023, which you have made under the Freedom of Information Act 2014 (FOI Act) for records held by the Land Development Agency (LDA).

- *Copies of all correspondence between LDA officials of level principal officer and higher (or the LDA equivalent) and officials within the ESB regarding a 7.6 hectare land parcel Marina Generating Station in Cork city, dated between July 1 2022 and December 31 2022*
- *Any internal memoranda or correspondence between management officials within the LDA regarding the same site between January 1 2023 and February 28 2023*

I wish to inform you that I have decided to refuse your request on the 28th of September 2023.

The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decisions.

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

For clarity and for your convenience I am dividing your request into **Part A** and **Part B**.

Part A - Refuse

Under part A of your request, you sought “Copies of all correspondence between LDA officials of level principal officer and higher (or the LDA equivalent) and officials within the ESB regarding a 7.6 hectare land parcel Marina Generating Station in Cork city, dated between July 1 2022 and December 31 2022”.

In this regard, I am to advise you that no records have been identified as sought by you.

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,

Land Development Agency
2nd Floor, Ashford House
Tara Street, Dublin 2
D02 VX67



There are no records within the scope of your request held by the LDA.

Part B - Refuse

Under part B of your request, you sought “Any internal memoranda or correspondence between management officials within the LDA regarding the same site between January 1 2023 and February 28 2023”.

In this regard, I am to advise you that no records have been identified as sought by you.

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,

There are no records within the scope of your request held by the LDA.

2. Right of Appeal

In the event that you are unhappy with this decision you may appeal against 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:

The Land Development Agency DAC

IE61AIBK93101264101092

BIC: AIBKIE2D

You must ensure that your FOI reference number (**FOI 202329**) 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,
Senior Compliance Manager

