

25/02/2026

**Re: Freedom of Information request 202602 – Request part granted**

I refer to your dated and received on the 27<sup>th</sup> of January 2026 which you have made under the Freedom of Information Act 2014 for records held by this FOI body. Your request sought:

*“Records of consultation between Land Development Agency and the Department of Children in relation to acquiring buildings in County Cork for the provision of state led childcare, between 01 January 2025 and 31 December 2025.”*

I wish to inform you that I have decided to part-grant your request on the 25th of February 2026.

The purpose of this letter is to explain that decision.

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

On receipt details of your request was forwarded to the relevant sections within the LDA to identify records held which were within the scope of your request.

The records requested are attached to this decision letter for your information.

A number of redactions have also been applied to the attached records under Sections 30 and 32 of the Act. These redactions are detailed in the Schedule of Records in **Appendix 1**.

Section 30 states:

**Functions and negotiations of FOI bodies**

*30(1) A head may refuse to grant an FOI request if access to the record concerned could, in the opinion of the head, reasonably be expected to—*

*(c) disclose positions taken, or to be taken, or plans, procedures, criteria or instructions used or followed, or to be used or followed, for the purpose of any negotiations carried on or being, or to be, carried on by or on behalf of the Government or an FOI body.*

I have decided that certain sections of the records requested might reveal intended positions that would disadvantage the LDA should they be disclosed. They would also prejudice decisions that have not yet been confirmed by the Agency.

Section 30(2) of the Act directs a public interest test.

I have considered the public interest issues which arise in this case and have taken account of the following factors in favour of release:

- Ensuring openness and transparency of organisational functions to the greatest possible extent.
- The public interest in members of the public exercising their rights under the FOI Act.
- Ensuring fairness of procedures and that decisions are fair and equitable and evenly applied.

In considering the public interest factors which favour withholding the records I have taken account of the following:

- Release of locations currently being considered for the inclusion of childcare facilities prematurely may compromise the success of these and other projects.

A public interest test was carried out when considering the release of the records but, having balanced the factors both for and against the release I have, on balance, decided that the public interest in preserving the integrity of the negotiation process would be better served by withholding the relevant parts of these records.

While examining these records I have noted they contain the email addresses and mobile phone numbers of Agency employees. These are redacted under section 32 of the FOI Act to protect the IT security of the Agency. As we do not know the security arrangements of other public bodies, we extend these redactions to them as well.

Section 32(1)(c) states that:

## **Law Enforcement and Public Safety**

*32. (1) A head may refuse to grant an FOI request if access to the record concerned could, in the opinion of the head, reasonably be expected to— (c) facilitate the commission of an offence.*

## **Public Interest Test**

There is a Public Interest Test associated with section 32 of the FOI Act whereby my decision must be made having fully considered the harm and public interest relevant to this request.

I have considered the public interest issues which arise in this case and have taken account of the following factors in favour of release:

- Ensuring openness and transparency of organisational functions to the greatest possible extent, in particular in regards the expenditure of public money.
- The public interest in members of the public exercising their rights under the FOI Act.
- Ensuring fairness of procedures and that decisions are fair and equitable and evenly applied.

In reaching my decision I must balance this public interest against those factors favouring the non-release of this information. I considered the following:

- The public interest in protecting public bodies from the commission of crime.
- That the release of an LDA official's email address would compromise the Information Security infrastructure of the Agency.
- That there have been a number of attempted cyberattacks on the LDA to date.
- That the disclosure of the names of LDA personnel is sufficient for the purposes of transparency and accountability.

A public interest test was carried out when considering the release of the records but, having balanced the factors both for and against the release I have, on balance, decided that the public interest in preserving the integrity of the information would be better served by withholding the relevant parts of these records.

## 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, 4<sup>th</sup> Floor, Ashford House, Tara Street, Dublin 2 or by e-mail to [foi@lda.ie](mailto: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, 4<sup>th</sup> 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 202602**) is included in the payment details.

You should make your appeal within 4 weeks of 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](http://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

## Appendix 1: Schedule of Records

Request Re:202602					
Page number	Description of document	Deletions	Relevant section of FOI Act	Reasons for deletion	Decision Maker's decision
1-4	Record 1 email thread	Details of sites outside of Cork with proposed child care facilities  Email addresses and phone numbers of officials	30  32	Functions and negotiations of state bodies Out of scope  Law enforcement and public safety	Part-grant
5 -182	Record 2 Attachment to record 1 Early Years inspectorate Quality and Regulatory Framework	N/A	N/A	N/A	Grant
183	Record 3 Details of sites with proposed child care facilities	Details of sites outside of Cork with proposed child care facilities	30	Functions and negotiations of state bodies  Out of scope	Part-grant
		<b>Total number of pages</b>			183
		<b>Total number of pages for full release</b>			179
		<b>Total number of pages for partial release</b>			4
		<b>Total number of pages being withheld</b>			0