

03/03/2026

Re: Freedom of Information request 202603 – Request Part-Granted

I refer to your request dated the 1st of February 2026 and received on the 3rd of February 2026 which you have made under the Freedom of Information Act 2014 for records held by this FOI body. Your request sought:

- a) - a record of the purchase price paid by LDA for HRI lands at Leopardstown.*
- b) - a copy of any valuations associated with the purchase.*
- c) - a copy of the business case, cost benefit analysis, or other such approval/sanction documents associated with the purchase/transfer.*

I wish to inform you that I have decided to part-grant your request on the 03rd of March 2026.

The purpose of this letter is to explain that decision.

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

Details of all parts of your request were provided 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.

Part A - Refuse

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

The purchase price is contained in records addressed in depth in part C of your request.

I am refusing access to these records under Section 40 of the Act. The reasons for this refusal are detailed in the Schedule of Records in **Appendix 1**.

Section 40(1)(b) states:

Financial and economic interests of the State

40. (1) A head may refuse to grant an FOI request in relation to a record (and, in particular, but without prejudice to the generality otherwise of this subsection, to a record to which subsection (2) applies) if, in the opinion of the head—

(b) premature disclosure of information contained in the record could reasonably be expected to result in undue disturbance of the ordinary course of business generally, or any particular class of business, in the State and access to the record would involve disclosure of the information that would, in all the circumstances, be premature,

For this exemption to apply the record must relate to subsection (2)-

(2) This subsection applies to a record relating to—

(i) property or other assets held by or on behalf of the State or a public body and transactions or proposed or contemplated transactions involving such property, or other assets,

I have considered the public interest issues which arise in your request, 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.
- That there is more than just a transitory interest by the public in this information being released.
- The right to commercial confidentiality is outweighed by the needs of the public.

In considering the public interest factors which favour withholding the records as detailed in your request, I have taken account of the following:

- Allowing a public body to hold commercial information without undue access by members of the public.
- That the LDA is not prevented or impeded from the effective pursuit of its legitimate business.

- That the LDA can conduct its commercial operations without fear of premature disclosure.

As the purchase of the property is not currently under a signed contract, I have decided it would be premature to release this information to you at this time.

Part B – Refuse

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

While a record was returned to this office, I am refusing it under sections 36 and 40 of the Act. These refusals are detailed in the Schedule of Records in **Appendix 1**.

Section 36 states that:

Commercially Sensitive Information

36 1) Subject to subsection (2), a head shall refuse to grant an FOI request if the record concerned contains:

(a) trade secrets of a person other than the requester concerned,

b) financial, commercial, scientific or technical or other information whose disclosure could reasonably be expected to result in a material financial loss or gain to the person to whom the information relates or could prejudice the competitive position of that person in the conduct of his or her profession or business or otherwise in his or her occupation.

Therefore, I am refusing the release of parts of the record under the provisions of sections 36(1)(a) and 36(1)(b) as they contain commercially sensitive information. The content of the report is the intellectual property of a third-party contractor.

Public Interest Test

There is a Public Interest Test associated with section 36 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, especially with regards to 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 considering the public interest factors which favour withholding the records I have taken account of the following:

- The public interest is not best served by releasing this record.
- That these records contain references to ongoing commercial processes.
- The information within is the intellectual property of a third party.

The record contains commercially sensitive information within the meaning of section 36(1)(a)(b) of the Freedom of Information Act 2014. It discloses detailed valuation methodologies, financial modelling, assumptions, risk assessments and decision-making criteria used by the LDA in the performance of its statutory functions, including site selection and acquisition strategy.

Although the site has been acquired, release could reasonably be expected to prejudice the LDA's competitive position in future land transactions by revealing negotiation parameters, pricing tolerances and strategic considerations. This would weaken the LDA's bargaining position, potentially inflate land values in future negotiations and result in material financial loss or gain to other market participants. The record may also contain commercially sensitive information relating to third parties.

Having considered the public interest under section 36(1), I am satisfied that, on balance, the public interest in protecting the LDA's ability to effectively perform its statutory functions and secure best value for public funds outweighs the public interest in release of this information.

Section 40(1)(d) states:

Financial and economic interests of the State

40. (1) A head may refuse to grant an FOI request in relation to a record (and, in particular, but without prejudice to the generality otherwise of this subsection, to a record to which subsection (2) applies) if, in the opinion of the head—

(d) access to the record could reasonably be expected to result in an unwarranted benefit or loss to a person or class of persons.

For this exemption to apply the record must relate to subsection (2)-

(2) This subsection applies to a record relating to—

(i) property or other assets held by or on behalf of the State or a public body and transactions or proposed or contemplated transactions involving such property, or other assets,

(m) trade secrets or financial, commercial, industrial, scientific or technical information belonging to the State or a public body, that are of substantial value or reasonably likely to be of substantial value,

(n) information the disclosure of which could reasonably be expected to affect adversely the competitive position of a public body in relation to activities carried on by it on a commercial basis,

(p) investment or provision of financial support by or on behalf of the State or a public body,

I have considered the public interest issues which arise in your request, 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.
- That there is more than just a transitory interest by the public in this information being released.
- The right to commercial confidentiality is outweighed by the needs of the public.

In considering the public interest factors which favour withholding the records as detailed in your request, I have taken account of the following:

- Allowing a public body to hold commercial information without undue access by members of the public.
- That the LDA is not prevented or impeded from the effective pursuit of its legitimate business.
- That the LDA can conduct its commercial operations without fear of premature disclosure.

Release of detailed valuation methodology, financial assumptions and site assessment criteria would distort market behaviour in circumstances where LDA interest is anticipated. Such disclosure could inflate land values, undermine negotiations and expose the State to increased acquisition costs. The harm identified is not speculative but commercially realistic in the context of an active land market.

Part C- Part Grant

On receipt 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 32, 37 and 40 of the Act. These redactions are detailed in the Schedule of Records in **Appendix 1**.

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 a person's signature could be used for impersonation, whaling and phishing activities.

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.

Section 37-Personal Information

Under the FOI Act, records are released without any restriction as to how they may be used and thus, release under the FOI Act, is in effect, and regarded as being released to the world at large. As a result, I am conscious of my obligations to retain personal information in a confidential and secure manner and prevent personal information from being released into the public domain unnecessarily.

I have identified a number of third parties employed outside of the LDA or any other public bodies named within these records.

Section 2 of the FOI Act defines personal information as follows:

2. (1) In this Act- "personal information" means information about an identifiable individual that, either-

(a) would, in the ordinary course of events, be known only to the individual or members of the family, or friends, of the individual, or

(b) is held by an FOI body on the understanding that it would be treated by that body as confidential, and, without prejudice to the generality of the foregoing, includes-

(iii) information relating to the employment or employment history of the individual,

Section 37(1) provides that a public body shall refuse to grant a request if access to the records concerned would involve the disclosure of personal information. I am satisfied that parts of certain records relate to third parties employed outside of the LDA and I am satisfied that the records consist of personal information.

As section 37 requires a public interest test be carried out, 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.
- That there is more than just a transitory interest by the public in this information.
- The right to privacy is outweighed by the needs of the public.

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

- The public interest is not best served by releasing these records.
- That the Organisation can conduct its business in a confidential manner.
- That the Agency can engage the services of private sector services without the personal information of the employees of these services being made public.
- That there is no overriding public interest that outweighs the individual's right to privacy.
- Allowing a public body to hold personal information without undue access by members of the public.

Section 40(1)(b) states:

Financial and economic interests of the State

40. (1) A head may refuse to grant an FOI request in relation to a record (and, in particular, but without prejudice to the generality otherwise of this subsection, to a record to which subsection (2) applies) if, in the opinion of the head—

(b) premature disclosure of information contained in the record could reasonably be expected to result in undue disturbance of the ordinary course of business generally, or any particular class of business, in the State and access to the record would involve disclosure of the information that would, in all the circumstances, be premature,

For this exemption to apply the record must relate to subsection (2)-

(2) This subsection applies to a record relating to—

(i) property or other assets held by or on behalf of the State or a public body and transactions or proposed or contemplated transactions involving such property, or other assets,

(m) trade secrets or financial, commercial, industrial, scientific or technical information belonging to the State or a public body, that are of substantial value or reasonably likely to be of substantial value,

(n) information the disclosure of which could reasonably be expected to affect adversely the competitive position of a public body in relation to activities carried on by it on a commercial basis,

(p) investment or provision of financial support by or on behalf of the State or a public body,

I have considered the public interest issues which arise in your request, 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.
- That there is more than just a transitory interest by the public in this information being released.
- The right to commercial confidentiality is outweighed by the needs of the public.

In considering the public interest factors which favour withholding the records as detailed in your request, I have taken account of the following:

- Allowing a public body to hold commercial information without undue access by members of the public.
- That the LDA is not prevented or impeded from the effective pursuit of its legitimate business.
- That the LDA can conduct its commercial operations without fear of premature disclosure.

The redacted material comprises details of contractual provisions, interim financial information, and additional fees and costs associated with the transaction beyond the agreed purchase price, including arrangements that do not take effect until one year after completion.

I am satisfied that disclosure of this information could reasonably be expected to have a serious adverse effect on the financial interests of the State. Release would reveal elements of the LDA's commercial structuring and negotiation approach in land acquisitions, including fee arrangements and deferred mechanisms. This could weaken the LDA's bargaining position in future transactions, inflate costs in comparable acquisitions, and expose the State to increased expenditure.

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, 4th Floor, Ashford House, Tara Street, Dublin 2 or by e-mail to foi@lda.ie.

Please note that the 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, 4th 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 202603**) 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 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

Appendix 1: Schedule of Records

Request Re:202603					
Page number	Description of document	Deletions	Relevant section of FOI Act	Reasons for deletion	Decision Maker's decision
Part A					
N/A would be extracted from records	Purchase Price	Purchase Price	Section 40	Financial and economic interests of the state – release would be premature	Refuse
Part B					
1-68	230525 Final Report - HRI Lands at Leopardstown South, Carrickmines, Dublin 18	Entire Record	36 40	Commercially sensitive information Financial and economic interests of the state	Refuse
Part C					
1-6	29052025_LDA Board Paper_HRI_Final1	Financial and Economic interests of the state	40	Financial and Economic interests of the state	Part-grant
7	29052025_LDA Board Paper_HRI_Final1	Signatures of LDA Officials	32	Law enforcement and public safety	Part-grant
8	Extract of minutes of 29.06.2023 Board Meeting re Feasibility & Masterplan Work	Financial and economic interests of the state	40	Financial and economic interests of the state	Part-grant
9	Extract of minutes of 29.06.2023 Board	Names of outsourced secretarial personnel	37	Personal Information	Part-grant



An Ghníomhaireacht um Fiontairíocht
The Land Development Agency

Meeting re Feasability
& Masterplan Work

10	HRI Decision Log	Financial and economic interests of the state	40	Financial and economic interests of the state	Part grant
1-11	LDA-HRI-Leopardstown Draft HOTS-V8 LDA 22 05	Entire Record	40	Financial and economic interests of the state	Refuse
		Total number of pages			89
		Total number of pages for full release			2
		Total number of pages for partial release			8
		Total number of pages being withheld			79