

10/04/2026

Re: Freedom of Information Request 202608 – Request Part-Granted

Dear

I refer to your request dated and received on the 10th of March which you have made under the Freedom of Information Act 2014 for records held by this FOI body. Your request sought:

“records held by the Land Development Agency showing Section 53 notices submitted by Wicklow County Council under the Land Development Agency Act 2021 between 1 January 2021 and the present.

This request includes any record, list, register or similar document identifying the lands / property notified to the LDA by Wicklow County Council under Section 53 during that period.

I am not seeking detailed internal deliberations, assessments or commercially sensitive information, only records sufficient to identify the lands or properties which were the subject of such notifications.

For completeness, this includes records relating to the property known as 10/10A Mill Road, Greystones, but is not limited to that property.”

I wish

to inform you that I have decided to part-grant your request on the 10th of April.

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 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**. Please be advised that no further records relating to 10/10A Mill Road were identified outside those previously released to you under FOI 202604.

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, especially regarding 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 email address could be used for 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 individuals named within these records, as well as their addresses, these do not appear to be public sector employees and regardless their home addresses would constitute personal information.

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 the records consist of personal information.

37. (1) Subject to this section, a head shall refuse to grant an FOI request if, in the opinion of the head, access to the record concerned would involve the disclosure of personal information (including personal information relating to a deceased individual).

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 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.

Having balanced the public interest factors both for and against the release, I decided that the public interest in preserving the information and the reasonable expectation that information can be maintained in a confidential manner by the LDA outweighs the public interest which would be served were the details released to you.

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—

(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,

Public Interest Test

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.

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 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, 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 202608**) 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.

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

Requester name:		Request Re:202608			
Page number	Description of document	Deletions	Relevant section of FOI Act	Reasons for deletion	Decision Maker's decision
1-12	Record 1 assessment of lands by LDA	Risk assessment, criteria	40	Financial and economic interests of the state	Part grant
13-24	Record 2 duplicate copy of record 1	Risk assessment, criteria	40	Financial and economic interests of the state	Part grant
25-26	Record 3 Email thread	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
27	Record 4 Minute of meeting	Commercial negotiations	40	Financial and economic interests of the state	Part grant
28	Record 5 transfer map ESB Cois Droichid, Greystones	NA	NA	NA	Grant
29	Record 6 2023.05.29 PRA Compliant Map Greystones Site A	NA	NA	NA	Grant
30	Record 7 LDA RESPONSE	Email address, hand written signature	32	Law enforcement and public safety	Part grant

31	LDA RESPONSE	Email address, hand written signature	32	Law enforcement and public safety	Part grant
32	LDA RESPONSE	Email address, hand written signature	32	Law enforcement and public safety	Part grant
33	23034 WCC_LDA RESPONSE	Email address, hand written signature	32	Law enforcement and public safety	Part grant
34-35	Email thread - LDA Response for land disposals	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
36	LDA RESPONSE	Email address, hand written signature	32	Law enforcement and public safety	Part grant
37	LDA RESPONSE	Email address, hand written signature	32	Law enforcement and public safety	Part grant
38	LDA RESPONSE	Email address, hand written signature	32	Law enforcement and public safety	Part grant
39	LDA RESPONSE	Email address, hand written signature	32	Law enforcement and public safety	Part grant
40	Acquisition Map	NA	NA	NA	Grant
41	Email thread Automatic reply_ 13 O'Byrne Road_ Bray_ Co_ Wicklow & 31 Glenview road Wicklow Town	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
42-43	Bray Courthouse_ Boghall Road_ Bray_ Co_ Wicklow	Personal information of private sector representative	37	Personal information	Part grant
44-47	Copy of LDA assessment	NA	NA	NA	Grant
48-51	Copy of LDA assessment	NA	NA	NA	Grant
52-55	Copy of LDA assessment	NA	NA	NA	Grant
56-58	Copy of LDA assessment	Personal information of private citizen	37	Personal information	Part grant
59-65	Copy of LDA assessment	Risk assessment, criteria	40	Financial and economic interests of the state	Part grant
66-69	Copy of LDA assessment	NA	NA	NA	Grant
70	File Plan of Folio WW10213F	NA	NA	NA	Grant
71-74	Folio WW39998F	NA	NA	NA	Grant

75-82	Email thread FW land in Wicklow	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
83-84	Email thread FW_ Disposal of 2 sites in Bray County Wicklow (2)	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
85-86	Email thread FW_ Disposal of 2 sites in Bray County Wicklow	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
87-88	Email thread FW_ Draft Section 53 of the Land Development Agency Act	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
89-90	FW_ Land Swap Wicklow Town	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
91-92	FW_ re_ Land Swap Wicklow Town	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
93	Land Exchange Map	NA	NA	NA	Grant
94-97	Land Offer Pro Forma LDA Coast Guard Greystones	NA	NA	NA	Grant
98-101	Land Offer Pro Forma LDA Three Trouts Greystones	NA	NA	NA	Grant
102 - 103	Land Referral per Section 53 Lan	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
104-107	LDA - Land Offer Pro Forma 32 34 glenv	Details of ownership of adjoining private property	37	Personal Information	Part grant
108	LDA - Report on Relevant Public Lands 2025	Email addresses	32	Law enforcement and public safety	Part grant
109-110	LDA Report on Relevant Public Land II	Handwritten signature	32	Law enforcement and public safety	Part grant
111-112	LDA response letter-Bray Courthouse	Address and name of non public sector employee	37	Personal information	Part grant
113	Lease_Map_Rowing_Club_WCC	NA	NA	NA	Grant
114	Location	NA	NA	NA	Grant
115	Map of Folio WW4484	NA	NA	NA	Grant
116	Map of Folio WW26650F	NA	NA	NA	Grant
117	Map of Folio WW33883F	NA	NA	NA	Grant
118	OSI Map of Unregistered portion	NA	NA	NA	Grant

119-120	RE Draft Section 53	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
121-125	RE FAO Dearbhla Lawson - Referral of Lands	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
126-129	RE Land Development Agency Act 2021 - Part 7 Disposal	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
130-139	RE The Land Development Agency Report on RRP	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
104-143	RE_ 13 O'Byrne Road_ Bray_ Co_ Wicklow & 31 Glenview road Wicklow Town (1).msg	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
144-147	RE_ 13 O'Byrne Road_ Bray_ Co_ Wicklow & 31 Glenview road Wicklow Town.msg	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
148-151	RE_ Bray Courthouse_ Boghall Road	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
152	Re_ Land Disposal to Tuath AHB	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
153	S53 26027 RESPONSE	Email addresses, hand written signature	32	Law enforcement and public safety	Part grant
154	S53 Land Offer Pro Forma - WCC	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
155	three trouts folio map	NA	NA	NA	Grant
156	Transfer Map	NA	NA	NA	Grant
157-159	Wicklow County Council LDA RRPL	Email addresses, phone numbers	32	Law enforcement and public safety	Part grant
160-170	Wicklow County Council Presentation_ Phase 2 Sites	NA	NA	NA	Grant
171-172	Wicklow County Council Report on Relevant Public Land letter 15042025	Email addresses	32	Law enforcement and public safety	Part grant
		Total number of pages			172
		Total number of pages for full release			92
		Total number of pages for partial release			80



An Ghníomhaireacht um Fhorbairt Talún
The Land Development Agency

Total number of pages being withheld

0