

14/04/2026

**Re: Freedom of Information Request 202609 – Request Part-Granted**

Dear

I refer to your request dated and received on the 12th of March which you have made under the Freedom of Information Act 2014 for records held by this FOI body. Your request sought:

1. *All correspondence between the LVA and the HSE related to the HSE's vacant property stock from January 1<sup>st</sup> 2025 to today.*
2. *All correspondence between the LVA and the Department of Defence related to the Department of Defence's vacant property stock?*

I wish to inform you that I have decided to part-grant your request on the 14<sup>th</sup> of April.

The purpose of this letter is to explain that decision.

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

Details of both 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.

**Part 1**

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:

*“All correspondence between the LVA and the HSE related to the HSE's vacant property stock from January 1<sup>st</sup> 2025 to today.”*

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 and 37 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, 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.
- That the disclosure of a person's handwritten signature could be used to impersonate them.

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 an individual named within these records, as well as their address, who from the details is clearly identifiable as a private sector professional. This information has been redacted from the record under section 37 of the Act. 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.

## **Part 2**

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:

*“All correspondence between the LVA and the Department of Defence related to the Department of Defence’s vacant property stock?”*

In this regard, I am to advise you that no such records have been identified as sought by you. Therefore, I must refuse your request as the record sought does not exist pursuant to Section 15(1)(a) of the Act. Section 15(1)(a) states that:

### **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,*

## **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 202609**) 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.



An Ghníomhaireacht um Fhorbairt Talún  
The Land Development Agency

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,

A handwritten signature in blue ink that reads 'M. Szyszko'.

Monika Szyszko,  
Senior Compliance Manager

## Appendix 1: Schedule of Records

Requester name:			Request Re: 202609		
Page number	Description of document	Deletions	Relevant section of FOI Act	Reasons for deletion	Decision Maker's decision
1-2	Record 1 Email with attachments S53 Notice Fomer Baggot Street Hospital	Email addresses, phone numbers and url	32	Law enforcement and public safety	Part-grant
1	Record 2 Attachment to record 1 S53 Notice	NA	NA	NA	Grant
1-4	Record 3 Attachment to record 1 Map BAG-PH01-ZZ-Z-L00_DR-VDA-A-00002	NA	NA	NA	Grant
1	Record 4 S53 Former Baggot Street Hospital (25077)	Email addresses and phone numbers	32	Law enforcement and public safety	Part-grant
1-3	Record 5 RE_ Former Baggot Street Hospital - S53 Notice to LDA	Email addresses and phone numbers	32	Law enforcement and public safety	Part-grant
1-2	Record 6 Former Baggot Street Hospital - S53 Notice to LDA	Email addresses and phone numbers	32	Law enforcement and public safety	Part-grant
1	Record 7 25077 HSE LDA RESPONSE	Email addresses and signature	32	Law enforcement and public safety	Part-grant
1-3	Record 8 FW_ Strategic Acquisition	Email addresses and phone numbers	32	Law enforcement and public safety	Part-grant
1	Record 9 Treeview Site	Name and address of private sector 3 <sup>rd</sup> party	37	Personal Information	Part-grant
1	Record 10 210714 Ventfort Site Plan	NA	NA	NA	Grant
1-2	Record 11 181001 chapel site plan	signature	32	Law enforcement and public safety	Part-grant
1	Record 12 New message from lda (1)	Email addresses	32	Law enforcement and public safety	Part-grant
1	Record 13 Attachment to Record 12 Medical Residence - Site Area to be sold	NA	NA	NA	Grant

1-2	Record 14 Attachment to Record 12 Disused Medical Residence	NA	NA	NA	Grant
1-2	Record 15 attachment to Record 12 Property Availability Notice to State Entities -LDA	Email addresses and phone numbers	32	Law enforcement and public safety	Part-grant
1	Record 16 New message from lda (2)	Email addresses	32	Law enforcement and public safety	Part-grant
1	Record 17 Attachment to Record 16 St Finans - Map 1 Area for Disposal	NA	NA	NA	Grant
1	Record 18 New message from lda (3)	Email addresses	32	Law enforcement and public safety	Part-grant
1	Record 19 New message from lda (4)	Email addresses	32	Law enforcement and public safety	Part-grant
1	Record 20 attachment to Record 19 250625EF-CURAMHOUSE PRA COMPLIANT MAP REV 3	NA	NA	NA	Grant
1	Record 21 New message from lda	Email addresses	32	Law enforcement and public safety	Part-grant
1-3	Record 22 FW_ Surplus to Requirements	Email addresses and phone numbers	32	Law enforcement and public safety	Part-grant
1	Record 23 State Stakeholder Letter - To LDA - 18.02.2026	Email addresses and signature	32	Law enforcement and public safety	Part-grant
1-3	Record 24 FW_ Cobh Health Centre	Email addresses and phone numbers	32	Law enforcement and public safety	Part-grant
<b>Total number of pages</b>					40
<b>Total number of pages for full release</b>					16
<b>Total number of pages for partial release</b>					24
<b>Total number of pages being withheld</b>					0