



Internal Review Decision Letter – Annul Previous Decision

17/02/2022

Mr. Tony Lowes,
Friends of the Irish Environment

Re: AIE request 2-2022

Dear Mr. Lowes,

I refer to your request received 17/01/2022, which you made under the European Communities (Access to Information on the Environment) Regulations 2007 to 2018 (S.I. No. 133 of 2007, S.I. No. 662 of 2011, S.I. 615 of 2014 and S.I. No. 309 of 2018) (hereafter referred to as the AIE Regulations) for an internal review regarding the decision to refuse access to records requested by you relating to:

'The Natural Water Retention Measures (NWRM) Working Group was established to advise the National Technical Implementation Group of the Water Framework Directive on the use of NWRM through Nature Based Catchment Management Solution [NbCMS]. The working group met three times in 2019 and once in 2020. The working group produced two reports, 'Overview and Recommendations for Use in Ireland' and 'Evidence and Opportunities for use in Ireland'. These reports were both finalised in 2020 and presented to the National Technical Implementation Group for their consideration.

Please provide the Minutes of the Committee and any documents circulated.

Please provide copies of 'Overview and Recommendations for Use in Ireland' and 'Evidence and Opportunities for use in Ireland'.

Result of the internal review of this decision

As you will be aware from the acknowledgement of your request for an internal review, I was assigned to review your request. I made a decision on your review request on 17/02/2022.

Your initial request for records dated 12/01/2022 was responded to by the AIE Section in which a suggestion was made that you send your request to the Environmental Protection Agency (EPA) as they were the managers of the NWRM Working Group project. You deemed that letter as a refusal to release documents that you considered were held by the Office of Public Works (OPW) and requested an internal review of this decision.

Having reviewed this request, I have identified that the OPW holds documents relevant to your request, which would have been provided to the OPW by the EPA, and I annul the original deemed refusal decision accordingly.

In respect of the documents 'Overview and Recommendations for Use in Ireland' and 'Evidence and Opportunities for use in Ireland', these are available for public access, along with a 'Terms of Reference' document, on <https://www.catchments.ie/download/wfd-natural-water-retention-measures/>.

The NWRM Working Group met on three occasions in 2019 and once in 2020. The first two occasions, 12/03/2019 and 25/09/2019, comprised formal meetings of the Working Group for which minutes were prepared and circulated. The third occasion on 2/12/2019 was for a workshop and the fourth occasion on 8/09/2020 was for a Discussion Forum. I have identified eight records that are the minutes and documents that are held by the OPW. The documents are the versions held by the OPW and may not represent the final versions. In addition, I am providing access to one further document, being a presentation delivered by the OPW but not circulated. I am granting access in full to eight of these. I am granting access to one document with some information redacted in accordance with Article 8(a) (i) – personal email address.

I have enclosed a schedule with this letter that lists the documents being issued with this response and gives a brief description of the nine documents.

Right of Appeal

In accordance with Article 12(3) of the AIE Regulations you may appeal this decision to the Commissioner for Environmental Information. If you wish to appeal, you must do so, within one month of this notification, to:

The Office of the Commissioner for Environmental Information,
6 Earlsfort Terrace, Dublin 2, D02 W773.

Phone: +353-1-639 5689

Email: info@ocei.ie

It is also possible to appeal online, see the website of the Commissioner for further details
<https://www.ocei.ie/>.

The fee for such an appeal is €50 or €15 if you are the holder of a medical card or the dependent of the holder of a medical card.

Please contact me at patrick.gaines@opw.ie if I can assist you in any matter relating to your request.

Yours sincerely,

Patrick Gaines

Engineering Services