



29 January 2024

Right to Know CLG  
[requests@righttoknow.ie](mailto:requests@righttoknow.ie)

**Re: AIE request AIE-0001-2024**

Dear Sirs,

I refer to the request 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 access to information held by the Department of Housing, Local Government and Heritage relating to:

*“Under the AIE Regs to request actual minutes and actual agendas for the WPAC meetings for 2022 and 2023, plus any written reports made to the group*

*In particular*

- *An Fóram Uisce (AFU) presentations to the WPAC*
- *DHLGH presentations to the WPAC*
- *LAWPRO presentations to the WPAC*
- *IFI presentations to the WPAC*
- *DAFM and/or DAFM Forestry Service presentations to the WPAC*
- *OPW presentations to the WPAC*

*Please note this list is not exhaustive, as the minutes are not public, so it is not possible to list all public bodies that reported to WPAC in 2022/23.*

*Plus please provide the detailed comments regarding measures from members of the committee, that were to be returned within two weeks of the meeting/s referenced in the Water Policy Advisory Committee (WPAC) Bulletin dated September 2022.”*

**Summary of Decision**

I made a decision on your request on 26 January 2023. I have identified 38 records relevant to your request. I am granting in full access to 34 records with a further 4 records being refused. I have decided that these records should be refused having regard to the provisions of Article 9 (2) (c) of the AIE Regulations, which states;



“9. (2) A public authority may refuse to make environmental information available where the request—

(c) concerns material in the course of completion, or unfinished documents or data,”

I refer you to the accompanying Schedule of Records which indicates which records this exemption has been applied to. I have set out below my considerations of the public interest factors in this case.

### **Public Interest Test**

Furthermore, in accordance with Article 10(3) and 10(4) I have weighed the public interest served by disclosure against the interest served by refusal of your request. I have determined that the public interest would not be served by disclosing the information you request. In reaching my decision I have taken the following into consideration:

- the need to preserve confidentiality having regard to the subject matter and the circumstances of the communications,
- premature release could contaminate the decision-making process,
- premature release of records would impair the integrity and viability of the decision-making process to a significant or substantial degree without countervailing benefit to the public,
- protecting documents in the course of completion.

In relation to records 33, 34, and 35, the records refused concern a working draft version of the final River Basin Management Plan document and Programme of Measures, and as such are subject to further editing and updating, and have not yet undergone formal internal or Government approval for publication. The release of these documents would not serve the public interest, and as such may be misleading if they were to be released in an unfinalised version. It is estimated that completed versions of these documents will be available in May 2024.

In relation to Record 38, this is draft minutes of a WPAC meeting on 29 November 2023 and as such the record refused concerns material in the course of completion, or unfinished documents or data. Record 38 will be completed at the next meeting of the Water Policy Advisory Committee, which is estimated to take place in May 2024.

### **Schedule of records**

I have attached a schedule of records with this letter. This lists the records that I consider relevant to your request. It provides a brief description of each record and the decision I have made on each record.

### **Charges**

Due to the minimum time involved the fees for this request have been waived.

**Right of review**

Under Article 11 of the AIE Regulations you have a right to request an internal review of this decision. An internal review involves a complete reconsideration of the matter by a member of the staff of this Department, unconnected with the original decision, of the same or higher rank than the original decision-maker, who may affirm, vary or annul the original decision.

If you wish to request an internal review, you can do so by writing [aie@housing.gov.ie](mailto:aie@housing.gov.ie) referring to this decision, quoting the AIE reference number. This request must be made within one month of the date of receipt of this decision. The decision of an internal review will be communicated to you within one month of receipt of your request for an internal review.

Please contact me at [Roland.Gowran@housing.gov.ie](mailto:Roland.Gowran@housing.gov.ie) if I can assist you any matter relating to your request.

Yours sincerely,

*Roland Gowran*

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Roland Gowran  
Assistant Principal  
Water Advisory Unit