



12 March 2024

Mr Niall Sargent,
Currency Media Ltd

Re: FOI request No: FOI-0102-2024

Dear Mr Sargent,

I refer to your request dated 21/02/2024 made under the Freedom of Information Act 2014 for records held by this FOI Body:

I wish to receive copies of the following records under the Freedom of Information Act from November 2023-present:

- *Minutes of meetings of the Water Policy Advisory Committee (WPAC)*
- *Presentations delivered at meetings of the Water Policy Advisory Committee (WPAC)*
- *Any briefings, assessments or reports prepared by members of the Water Policy Advisory Committee (WPAC)*
- *Minutes of any sub-groups of the Water Policy Advisory Committee (WPAC)*

I, *Roland Gowran, Assistant Principal Officer* have now made a final decision to part grant your request on 12 March 2024.

The purpose of this letter is to explain that decision. This explanation has the following parts:

1. a schedule of all of the records covered by your request;
2. an explanation of the relevant findings concerning the records to which access is denied, and
3. a statement of how you can appeal this decision should you wish to do so.

This letter addresses each of these three parts in turn.

1. Schedule of records

A schedule is enclosed with this letter; it shows the documents that this body considers relevant to your request. It describes each document and refers to the sections of the FOI Act which apply to prevent release. It also gives you a summary and overview of the decision as a whole.

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

The sections of the Act which can apply to deny access to documents are known as its exemption provisions.



In relation to your request for:

I wish to receive copies of the following records under the Freedom of Information Act from November 2023-present:

- *Minutes of any sub-groups of the Water Policy Advisory Committee (WPAC)*

There are no sub-groups of the Water Policy Advisory Committee and as such no records exist, I must therefore refuse this part of your request.

This decision is made under section 15(1)(a) of the Act, which states that an FOI request may be refused if:

‘the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken’.

In relation to your request for:

I wish to receive copies of the following records under the Freedom of Information Act from November 2023-present:

- *Minutes of meetings of the Water Policy Advisory Committee (WPAC)*

I have decided to refuse this part of your request. This decision is made under section 29 (1) of the Act, which states that:

29. (1) A head may refuse to grant an FOI request—

a) if the record concerned contains matter relating to the deliberative processes of an FOI body (including opinions, advice, recommendations, and the results of consultations, considered by the body, the head of the body, or a member of the body or of the staff of the body for the purpose of those processes), and

(b) the granting of the request would, in the opinion of the head, be contrary to the public interest,

and, without prejudice to the generality of paragraph (b), the head shall, in determining whether to grant or refuse to grant the request, consider whether the grant thereof would be contrary to the public interest by reason of the fact that the requester concerned would thereby become aware of a significant decision that the body proposes to make.

Therefore, in accordance with the requirements of Section 29(1)(a) and 29(1)(b) of the Freedom of Information Act 2014 I am refusing **Records 1 & 2** as scheduled.

The records exempted under this section relate to the deliberative processes of the Water Policy Advisory Committee in the context of discussing a draft version of The River Basin Management Plan, and contain opinions and recommendations in relation to the Plan. The



Department is in the process of considering final content with regard to the River Basin Management Plan and have not yet made a final determination in the matter.

Section 29(1)(b) requires that the release must be contrary to the public interest and I have set out below my considerations of the public interest factors in this case:-

- * release of records would impair a future decision,
- * premature release could contaminate the decision-making process

I have considered that a deliberative process may be described as a thinking process which informs decision-making in an FOI body. It involves the gathering of information from a variety of sources, and weighing or considering carefully all of the information and facts obtained with a view to making a decision or reflecting upon the reasons for or against a particular choice. The release of these documents would not serve the public interest as they contain opinions and recommendations relating to the forthcoming River Basin Management Plan, which has not yet undergone formal internal or Government approval for publication. I have also taken into consideration that the draft minutes of the meeting of WPAC on 29 November 2023 have not yet been formally approved by its members, and may be subject to clarification or amendment, and as such may be misleading if released in an unfinalised version.

3. Rights of appeal

In the event that you are unhappy with this decision you may appeal it. In the event that you need to make such an appeal, you can do so by writing to the Freedom of Information Unit, Department of Housing, Local Government and Heritage, Newtown Road, Wexford, Y35 AP90 or by sending an e-mail to FOI@housing.gov.ie. Your correspondence should include a fee of €30 (€10 if a medical card holder) for processing the appeal. Payment can be made by way of personal cheque, made payable to the Department of the Housing, Local Government and Heritage, quoting FOI-0102-2024 or alternatively by depositing the relevant amount to the Department of the Housing, Local Government and Heritage's account using the details provided in the table below.

Please ensure you quote the FOI request number (FOI-0102-2024) when making any such EFT payment. You should forward a copy of your transfer receipt to the FOI Unit at FOI@housing.gov.ie quoting the above reference number also.

Bank	Danske Bank
Address	Irish State Building, 3rd Floor International House, 3 Harbourmaster Place, IFSC, Dublin 1
Account number	80001341
Sort code	951599



BIC	DABAIE2D
IBAN	IE30DABA95159980001341

You should make your appeal within 4 weeks from 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 note the Department of Housing, Local Government and Heritage has a policy of posting a summary of all non-personal FOI requests to our website.

Should you have any questions or concerns regarding the above, please contact me by email at roland.gowran@housing.gov.ie .

Yours sincerely,

Roland Gowran

Roland Gowran
Assistant Principal Officer