



12<sup>th</sup> September 2024  
Ms Ann Walshe  
[ann@annwalshe.co.uk](mailto:ann@annwalshe.co.uk)

**Re: AIE request 24 504**

Total number of AIE requests submitted by you in 2024 to date: 268

Dear Ms Walshe,

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 this the Department of Agriculture, Food, and the Marine (DAFM).

**Your AIE Request**

*I refer to Item 10 from the Informal Introductory Meeting with Coillte held on 9 January 2024 - copy notes attached i.e.*

*'Project Prime is priority for early 2024, NewEa are expected to finalise report very soon after which consent from Minister is required.'*

*Please provide, by email, a copy of all information both (1) received by DAFM and (2) submitted by DAFM to any third parties, relating to /connected with (either in whole or in part) Coillte's project entitled Project Prime .*

**Summary of Decision**

I have decided on your AIE request on 12<sup>th</sup> September 2024.

My decision is to part grant your request.

The basis for my decision is I have identified eight (8) records I believe are relevant to your request. I am granting full access to three (3) of these records, part granting access to four (4) and I am refusing access to one (1) further record.

**Where information has been refused or partially refused, the following article(s) of SI 133/2007 apply:**



**Article 8 (a)(i)** – personal information relating to a third party whereby a public authority shall not make available environmental information in accordance with article 7 where disclosure of the information -

(a) would adversely affect:

- (i) the confidentiality of personal information relating to a natural person who has not consented to the disclosure of the information, and where that confidentiality is otherwise protected by law.

**Article 9(1)(c)** - A public authority may refuse to make available environmental information where disclosure of the information requested would adversely affect commercial or industrial confidentiality, where such confidentiality is provided for in national or Community law to protect a legitimate economic interest.

For the refused record the above **Article 9(1)(c)** applies as it contains commercially sensitive information.

I consider that the release of personal information and commercial information held in these records would breach the confidentiality of their personal information under the above articles and the confidentiality of commercially sensitive information. I have therefore decided to withhold this information. In arriving at a decision on your request, I confirm that I have had regard to the provisions of Article 10 of the Regulations, as a decision to refuse to disclose information under Articles 8 and/or 9 must not be taken in isolation from the relevant provisions in Article 10.

### **Schedule of Records**

Please see schedule of records for information on records released. 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. Where I have decided to partially refuse or refuse access to a record, it specifies the article of the AIE Regulations under which this refusal has been made.

### **Search Conducted**

Following the assignment of this AIE request to me, I undertook the following searches:

- Direct contact with Subject Matter Experts who may have access to the information that was requested in AIE request, in this case, Sonja Maurus, Assistant Principal and Marie O'Neil, Higher Executive Officer, Forest Service who carried out searches of their personal email in boxes and returned records relating to your request.

### **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. The factors in favour of release of this information are the making available to the



public, where practical and allowed under the law, in a transparent manner, information affecting the environment.

The factors in favour of withholding this information are, the fact that the disclosure of personal information to a third party adversely affects the confidentiality of that information. I have decided that a breach of the applicant's privacy rights is not in the public's interests in this case and therefore the public interest is best served by refusal to disclose the information.

The need to protect the confidentiality of commercially sensitive information. I have decided that, on balance, the public interest in this case is best served by withholding this information as I do not believe that the public interest served by disclosure of these documents outweighs the legitimate economic interest of the parties concerned that is protected by law.

### **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 emailing FOI Unit at [freedomofinformation@agriculture.gov.ie](mailto:freedomofinformation@agriculture.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.

Yours sincerely,

Marie Cleary

AIE Unit,

Forestry Division,

Department of Agriculture, Food & the Marine,

Johnstown Castle Estate,

Co. Wexford.