



13 March 2025
Right to Know CLG
requests@righttoknow.ie

Re: AIE request AIE-012-2025

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:

“- List of members, copies of agendas/minutes of meetings, and any presentations/reports made to the Working Group, or mentioned in agendas/minutes” (period 2023-2025)

Summary of decision

I have made a decision on your request made on 20 February 2025. I have identified 19 records which relate to your request. I have decided that you should be granted access in full to 15 records and I attach numbered copies 1-15. In the case of the remaining four records I have decided that these should be refused under the AIE Regulations pursuant to Article 9(2)(c), 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,”

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. Where I have decided to refuse or partially refuse access to a record, it specifies the Article of the AIE Regulations under which this refusal has been made. For these records, it also records that I have applied the public interest test pursuant to Article 10(3) and 10(4).

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:

Record 16: *Draft minutes – meeting 1, 10 July 2024*

and

Record 17: *Draft minutes – meeting 2, 23 September 2024*



- Argument to disclose: increase transparency for an Expert Group working in the interest of the environment, specifically pressures on the physical condition of water bodies.
- Argument to refuse: the minutes have not yet been adopted by the Expert Group, therefore any potential inaccuracies may lead to misrepresentation of member contributions. The third meeting of the Expert Group is currently being planned for Q2 of 2025 and minutes will be formally adopted at that meeting. Once adopted, the minutes can be made available to any interested party.

In weighing the arguments both for and against disclosure of the draft minutes, and in consideration of whether their disclosure would be in the public interest, I have concluded that they should not be disclosed until they are formally adopted by the Expert Group.

Record 18: *Physical modifications of Ireland's water resources and implications for meeting Water Framework Directive objectives* – Report in draft, by the Sustainable Water Network (SWAN).

and,

Record 19: *Physical modifications of Ireland's water resources and implications for meeting Water Framework Directive objectives* – SWAN presentation on draft report.

- Argument to disclose: pressures on the physical condition of water bodies is a complex and technical subject matter and information in the public domain would facilitate further understanding of the associated issues and increase transparency.
- Argument to refuse: the report is currently in the course of completion. Due to the complex and technical nature of the subject matter, any inaccuracies/unfinished elements that may be present in the draft report could further complicate the public understanding of these issues.

In weighing the arguments both for and against disclosure of the draft report and associated presentation, and in consideration of whether their disclosure would be in the public interest, I have concluded that the draft documents should not be disclosed. SWAN have indicated their intent to publish the final document in Q2 of 2025 and that they may be contacted directly for prompt provision of the final report to any interested parties.

Charges

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 to aie@housing.gov.ie, AIE Officer, 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 lisa.egan@housing.gov.ie if I can assist you in any matter relating to your request.

Yours sincerely,

Lisa Egan
Water Policy Adviser
Water Advisory Unit