



An Roinn Iompair
Turasóireachta agus Spóirt

Department of Transport,
Tourism and Sport

Priomh Oifig
Lána Chill Mochargán, Baile Átha Cliath 2, Éire
Head Office
Leeson Lane, Dublin 2, Ireland

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19 May 2020

Cian Ginty
Cian.ginty@gmail.com

Re: FOI request FOI20200105

Dear Mr Ginty

I refer to your request dated 28 March 2020 made under the Freedom of Information Act 2014 for

“the records listed in the attached file ‘Schedule_ cycling law changes.docx’

As indicated to you by email on the 28 April, processing of this request was unavoidably delayed due to some of the administrative difficulties posed by remote working and I would like to apologise once again for this delay. I have today, 19 May 2020, made a final decision of partial grant of your request.

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 showing the documents that the Department of Transport, Tourism and Sport considers relevant to your request. It describes each document and refers, where relevant, to the sections of the FOI Act which

apply to prevent full release. This schedule is based on the 2018 schedule of refused records which you enclosed with your request.

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

I have identified a total of 45 records relevant to your request. I have decided on these records as follows:

- Full access to be granted to 44 records
- Access refused to 1 record

The sections of the Act which can apply to deny access to documents are known as its exemption provisions. The attached schedule indicates the section in the Act that have led me to withhold access to one particular record. The relevant section here is Section 15 (1) (a) which permits the refusal of access to a particular record where “the record concerned does not exist or cannot be found after all reasonable steps have been taken to ascertain its whereabouts.”

3. Rights of appeal

If 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 Transport, Tourism and Sport, Leeson Lane, Dublin 2, or by e-mail to foi@dtas.ie. 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 Department.

Your correspondence should include a fee of €30 for processing the appeal. Payment should be made by way of bank draft, money order, postal order or personal cheque made payable to the Department of Transport, Tourism and Sport. If you wish to make payment by electronic means please contact this Department's FOI unit for details.

In the event that you are not satisfied with the result of the internal review, you may seek a further review by the Information Commissioner whose details are as follows:

The Office of the Information Commissioner,
18 Lower Leeson Street,
Dublin, 2.
DO2 HE9

The Office of the Information Commissioner may also be contacted at info@oic.ie or by phone at 01 6395689.

Should you write to the Information Commissioner making an appeal, please either refer to this letter or enclose a copy.

4. Publication

All non-personal FOI requests will be recorded on an FOI disclosure log which will be published on the Department's website in due course.

Should you wish to discuss the above, please contact me at norabutler@dtas.gov.ie

Yours sincerely,

NÓRA BUTLER

Nóra Butler
Administrative Officer