



An Roinn Gnóthaí Eachtracha agus Trádála  
Department of Foreign Affairs and Trade

Ken Foxe

Our Ref: FoI/Req/16/182

30th November 2016

Dear Mr. Foxe,

I refer to the request which you have made under the Freedom of Information Act 2014 for access to records held by this Department, as follows:

- **"A copy and/or details of the lease agreement for the residence and chancery buildings rented by DFA in Armagh;**
- **The address and if possible, a detailed description of each of the above properties.**
- **Copies of any emails, reports, memo's, recommendations and so on discussing value for money in relation to the above properties to cover period 1 January 2014 until the current date. "**

As responding officer, I have identified three records which fall within the scope of your request and have decided to grant access to one record.

The North South Ministerial (NSMC) was established under strand two of the Belfast/Good Friday Agreement (1998). The Council was set up to develop co-operation between both parts of Ireland. It is supported by a standing Joint Secretariat is based in Armagh which supports and facilitates the Council in developing consultation, co-operation and action within the island of Ireland on matters of mutual interest within the competence of both administrations. Staff costs associated with the Secretariat are met separately by each Administrations and all other associated costs are divided equally between the two on an agreed basis. Given its unique status the NSMC would not fall within the standard template for value for money reviews. Further information about the NSMC is available at [www.northsouthministerialcouncil.org](http://www.northsouthministerialcouncil.org)

The property in Armagh which houses the Joint Secretariat is leased from Armagh City and District by the Northern Ireland Department of Finance and Personnel. **This information has been released**

**previously under an FOI request and therefore** with agreement from the Northern Ireland Department of Finance and Personnel, the address and a copy of the lease is being released again.

The Southern Joint Secretary to the North South Ministerial Council is provided with official accommodation by this Department. This accommodation has been provided since 2012. The address and a copy of the lease agreement is not being granted under section 32 (1) (b), section 30 (1) (c) and 36 (1) (c) of the act.

I have refused to release a copy and/or details of the lease agreement, address and a detailed description for the residence building rented by DFAT in Armagh **under Section 30 –Functions and Negotiations of FOI Bodies** as release of the information would disclose positions taken by the Department. I have considered the right of the public to have access to information and the need for an open and accountable civil service. I am satisfied that the balance favours refusal rather than release at this time. I have also refused to release these records under **Section 32 (1) (b)**. I have considered the possibility and likelihood that the release of records could result in negative consequences and their likely severity and I consider that making the record publicly available could endanger the personal safety of an officer of the Department.

For records which have been exempted under **Section 36 of the Act**, Commercially sensitive information I am obliged to refuse access to a record if it contains: information whose disclosure could prejudice the conduct or outcome of contractual or other negotiations of the person to whom the information relates. I am required to apply public interest arguments in favour of releasing or withholding the information. The factors I have considered include the need to enhance the transparency around the workings of the Department and to enable proper scrutiny of the processes of decision. However, I feel that releasing the information at this time would have adverse business consequences for the organisations concerned, jeopardise the confidentiality of the Department's deliberative processes and impair the decision-making of the Department. On balance, I am satisfied that the public interest is best served by not releasing the records.

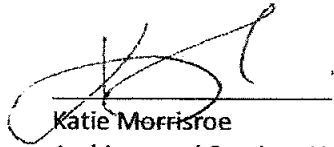
Since 1 January 2014, there are no e-mails, reports, memos, recommendations and so on discussing value for money for these properties. Therefore, under section 15 (1) of the Act, this information does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken.

#### **Right of Appeal**

Should you wish to appeal this decision, you may do so in writing to the Freedom of Information Unit, Department of Foreign Affairs and Trade, 76-78 Harcourt Street, Dublin 2 or by email to [foi@dfat.ie](mailto:foi@dfat.ie). A fee applies for an appeal for access to non-personal information; the level of this fee has been set at €30. For methods of payment, please contact FOI Unit at [foi@dfat.ie](mailto:foi@dfat.ie), or 01-4082857.

You should make your appeal within 4 weeks (20 working days) from the date of this notification. 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.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Katie Morrisroe', is written over a horizontal line. The signature is stylized and cursive.

Katie Morrisroe  
Architectural Services Unit  
Department of Foreign Affairs and Trade