

EIR Request (received 08 July 2022) - Reference: DFI/2022-0222

Could you please provide me with the following information?

Comber Greenway lightening scheme.

- 1 A full copy of the environmental impact assessment?
- 2 How many badger sets were identified along the Greenway and what measures have been put in place as not to disturb the badgers?
- 3 How many badger sets have been disturb at present?
- 4 What type of bulbs are being used to minimise the impact on the wildlife and flora fauna?
- 5 How many complaints have the department received in relation to this scheme and has the department been reported to the NI Environment agency for potential wildlife breaches?

Response (issued 12 August 2022)

Thank you for your email dated 8 July 2022, requesting under the Freedom of Information Act (FOI), the following information held by the Department in relation to the Comber Greenway lighting scheme:

- 1 *A full copy of the environmental impact assessment?*
- 2 *How many badger setts were identified along the Greenway and what measures have been put in place as not to disturb the badgers?*
- 3 *How many badger setts have been disturb at present?*
- 4 *What type of bulbs are being used to minimise the impact on the wildlife and flora fauna?*
- 5 *How many complaints have the department received in relation to this scheme and has the department been reported to the NI Environment agency for potential wildlife breaches?*

In considering your request on behalf of the Department I have determined the information requested falls under the aegis of the Environmental Information Regulations 2004, as opposed to the FOI Act 2000. Section 39 of the Freedom of Information Act specifically excludes from consideration under that Act requests for what is deemed to be environmental

information. EIR gives rights of public access environmental information held by public authorities.

A guide explaining the Environmental Information Regulations can be found at:

<https://ico.org.uk/for-organisations/guide-to-the-environmental-information-regulations/what-are-the-eir/>.

In response to your request, I can confirm that the Department does hold information relating to your request and, being suitable for disclosure, I attach the following information held by DfI.

- 1 I can advise that the Department has considered the information detailed within the Bat Survey and Ecology Assessment attached and after further discussions with NIEA, they were satisfied that the work proposed would have no impact on the active badger sites in the area.
- 2 A copy of the Badger records indicating numbers.
- 3 The Department is not aware of any disturbance to badger setts.
- 4 A red spectrum LED lantern which provides a very low contrast with the natural night time light level minimising the effect on the nature of the path.
- 5 The Department is not aware of any complaints made to the Northern Ireland Environment Agency associated with the Comber Greenway

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