

EIR Request (received 03 August 2022) - Reference: DFI/2022-0241

I wish to make a FOI enquiry on DFI response to new Larne cemetery including correspondence between DFI and Mid and East Antrim Council, DFI Planning response to objections to MEA Council planning application, emails between DFI and MEA Council or individual councillors and minutes of meetings where the new cemetery has been discussed.

Response (issued 01 September 2022)

Thank you for your email, received 3 August 2022, regarding correspondence relating to LA02/2021/0770/F - Construction of new Municipal Cemetery at Old Glenarm Road, Larne.

You have requested the following information: Correspondence between DfI and Mid and East Antrim Borough Council (MEABC); DfI Planning response to objections to MEABC's planning application; e-mails between DfI and MEABC or individual councillors; and minutes of meetings where the new cemetery has been discussed.

I have taken your request to relate to information held by DfI Planning. If this is not the case, however, can you please inform the Department as soon as possible.

In considering your request on behalf of the Department, I have determined that the information requested falls under the aegis of the Environmental Information Regulations 2004 (EIR), as opposed to Freedom of Information Act 2000. Your request is for information that relates to activities, policies or plans that affect the environment. Section 39 of the Freedom of Information Act specifically excludes from consideration under that Act requests for what is deemed to be environmental information.

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/>.

Following consideration of the public interest in this case, I attach all information held relating to your request. The information requested and what is being released is outlined as follows:-

1. Request from MEABC for update - 01 August 2022;
2. Submission of documents to DfI Planning from MEABC as requested under DfI Notification Direction - 18 May 2022; and

3. Direction requiring MEABC to notify DfI in relation to planning application ref. LA02/2021/0770/F - 13 May 2022.

In respect of the other information you requested, i.e. DfI Planning's response to objections to the proposal and minutes of meetings where the new cemetery has been discussed, I can advise that the Department does not hold this information.

Please note there have been redactions made in the information released. These redactions relate to third party personal data within the meaning of the Data Protection Act 2018 (DPA), in this case an individual's signature. A public authority may only release third party personal data if to do so would be fair, lawful and would meet the conditions in Schedule 2, 3 or 4 of the DPA. The Department may not disclose personal information to the public in contravention of any of the data protection principles (Article 5(1) UK General Data Protection Regulation or sections 34(1) and 85(1) (DPA) and must consider all consequences of disclosure in each case.

Part of the requested information has, therefore, been redacted under the exception provided under EIR by Regulations 12(3) & 13: personal information. I am satisfied that the public interest is best served by these redactions.

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