

EIR Request (received 04 August 2022) - Reference: DFI/2022-0245

I am writing to request, under the Freedom of Information Act, all communications, letters, emails and memo's between the Minister for Infrastructure, Department Officials, Permanent Secretary, Utility Regulator and Republic of Ireland Government Officials, SONI, EirGrid and NIE in connection with the North South Interconnector planning application.

Response (issued 02 September 2022)

Thank you for letter of 04 August 2002 requesting, under the Freedom of Information (FOI) Act, copies of all communications, letters, emails and memo's between the Minister for Infrastructure, Department Officials, Permanent Secretary, Utility Regulator and Republic of Ireland Government officials, SONI, EirGrid & NIE in relation to the North South Interconnector planning application.

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/>.

You may be aware that the DFI Planning Group has for a considerable period of time made planning applications available to be viewed online. The system, the Planning Portal, may be accessed at <http://epicpublic.planningni.gov.uk/publicaccess> and the applications can be viewed by enter planning reference O/2009/0792/F or O/2013/0214/F (there are 2 applications for the above proposal).

In response to your request, I can confirm that the Department for Infrastructure does hold information related to your request. As EIR relates to public rights of access to information, I must consider whether information is suitable for release to the world at large, and not solely to the applicant. I have examined the information you requested and carried out a public interest test to determine whether this information is suitable for release to the public.

Following consideration of the public interest in this case, I attach all information held that is suitable for disclosure to the public which is not available on the Planning Portal. However, I have determined that some of the requested information is not suitable for release and the attached records have been redacted for the following reason.

The redacted information constitutes third party personal data within the meaning of the Data Protection Act 2018 (DPA). 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.

The information provided has therefore been redacted under the exception provided under EIR by Regulation 12(3) & 13: personal information. I am satisfied that the public interest is best served by withholding this information.

However, you should also note that other information, relevant to your request, is already in the public domain following earlier EIR requests. Such information can be accessed via the following webpage links:

- [DFI/2018-0375: EIR Request for records held by the Department in connection with the SONI plans for the North South electricity interconnector project.](#)
- [DFI/2020-0250: EIR Request for a copy of the DfI Minister's full written reasons for approving planning applications for the North-South electricity interconnector project.](#)
- [DFI/2020-0305: EIR Request for details of all: 1\) meetings attended in the 5 years; & 2\) gifts & hospitality received by DfI representatives, involving SONI/NIE/EIRGRID, relating to the North-South Electricity Interconnector.](#)
- [DFI/2020-0244: EIR Request for copies of the: 1\) Professional Planning Report; & 2\) any other reports/memoranda underpinning decisions made to approve Planning Application References O/2009/0792/F & O/2013/0214/F, North-South Electricity Interconnector.](#)
- [DFI/2020-0294: EIR Request for a copy of the DfI Minister's Notice of Opinion to approve planning applications O/2009/0792/F & O/2013/0214/F \(North-South Interconnector\), together with a copy of the Case Officer's Report & related correspondence, etc.](#)

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