

EIR Request (received 08 August 2022) - Reference: DFI/2022-0249

Pursuant to 2003/4 EC, and any and all of the Complex UK Environment legislation re 2003/4 EC, & Aarhus Convention/

Please forward to me all correspondence, meeting minutes, pieces of paper and environmental information know to you which pertains in all ways to either application L/2013/0524/F and L/2013/0525/F from 01 February 2017 to 26 April 2017 inclusive.

Please accompany this information with an overriding list detailing the information found with at a minimum identifying date, sender, receiver, meaningful description and indication of whether the document is withheld, partly withheld, or fully disclosed and the reason for any exceptions engaged.

Response (issued 05 September 2022)

I refer to your letter of 08 August 2002 requesting all correspondence, meeting minutes, pieces of paper and environmental information which pertains in all ways to either application L/2013/0524/F and L/2013/0525/F from 01 February 2017 to 26 April 2017 inclusive.

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 entering planning reference L/2013/0524/F or L/2013/0525/F.

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 your earlier EIR request of 26 May 2017. I therefore have not duplicated the information already in your possession under reference DFI/2017-0176 (your ref TW-QUARRY-PP).

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