

EIR Request (received 20 June 2025) - Reference: DFI/2025-0276

I am writing to request information under the Freedom of Information Act 2000. I am interested in all documents related to individuals who sustained injuries from trip-falls while walking along the pavements on Rugby Road and subsequently claimed compensation. The timeframe for this information is from January 1, 2005, to May 31, 2025.

Response (issued 03 July 2025)

Thank you for your email of 20 June 2025 requesting all documents related to individuals who sustained injuries from trip-falls while walking along the pavements on Rugby Road and subsequently claimed compensation. You have requested this information to cover the period 01 January 2005 to 31 May 2025.

Your correspondence was forwarded to me for response in accordance with our internal procedures.

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, 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: [Guide to the Environmental Information Regulations](#).

The Environmental Information Regulations established general public rights of access to environmental information held by public authorities, similar to the general rights established under FOI. There is no provision for privileged access to information, it may either be released to the World at large, or it must be withheld. Any information provided in response to an information request (either FOI or EIR) is considered to have been placed in the public domain.

We do hold information related to your request but because EIR relates to public rights of access to information, one must consider whether information is suitable for release to the world at large, and not solely to the applicant.

The information you requested has been examined and a public interest test has confirmed some of the information requested is suitable for release to the public.

A public authority may only release third party personal data if doing 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 documents and information relating to individuals who sustained injuries, therefore, will not be released under the exception provided by EIR Regulations 12(3) & 13: personal information. I am satisfied that the public interest is best served by withholding this information.

I can, however, confirm that according to the Department's Claims Management System, there have been five personal injury claims relating to the footways on Rugby Road since 2009.

However, please be aware that in accordance with the [DfI Retention & Disposal Schedule](#), claim data is only held for seven years following a claim's conclusion. This aligns with the UK GDPR principle - [Principle \(e\): Storage limitation](#) of not holding personal data for longer than necessary. Therefore, it is possible there may have been claims received for Rugby Road that relate to cases which have since been deleted from DfI's Claims Management System in line with GDPR requirements and the [DfI Retention & Disposal Schedule](#).

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