

EIR Request (received 26 March 2021, clarified 11 May 2021) - Reference: DFI/2021-0116

I am requesting under the Freedom of Information act 2000 any and all correspondence between DFI and Dalradian Gold and any other parties on the subject of the Road abandonment of the Crockanboy Road in Tyrone beside the village of Greencastle as recently detailed in your departments notice in local media advertising your intention to abandon. [After clarification, the request was refined to: any correspondence with the department and Dalradian Gold or any agents working on their behalf or lobbying for their interests.]

In addition to correspondence I would also like to request any minutes from meetings or logs of phone calls in reference to the above abandonment between your department and other parties. [After clarification, refined to a request for any: support material, other than letters of objection, accompanying correspondence from residents as a result of the consultation for the Abandonment Order.]

Response (issued 17 June 2021)

Thank you for your email dated 26 March 2021, and subsequent clarification, requesting, under the Freedom of Information Act 2000 (FOI), information held by this office. You requested the following:

- 1. any and all correspondence between DFI and Dalradian Gold and any other parties on the subject of the Road abandonment of the Crockanboy Road in Tyrone beside the village of Greencastle as recently detailed in your departments notice in local media advertising your intention to abandon.*
- 2. In addition to correspondence I would also like to request any minutes from meetings or logs of phone calls in reference to the above abandonment between your department and other parties*

This was subsequently refined on 11 May 2021 to:

- 1. any correspondence with the department and Dalradian Gold or any agents working on their behalf or lobbying for their interests...*
- 2. support material... accompanying correspondence from residents*

In considering your request on behalf of the Department I have determined that the information requested falls under the Environment Information Regulations 2004 (EIR), as opposed to FoI. 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.

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. 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 reasons:

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) 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.

1. Please find attached suitably redacted copies of correspondence between the Department for Infrastructure, Dalradian Gold and its agents in relation the proposed Abandonment Order for the Crockanboy Road, Greencastle, co. Tyrone.
2. There was no accompanying material supporting correspondence from residents

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