

EIR Request (received 12 April 2021) - Reference: DFI/2021-0134

I am writing to you in grave concern that your department is being asked to consult on a application that is a European protected site. The site in question is Loughdoo ASSI. You are being asked to consult on a breach of the ASSI citation which will damage the site. The Heritage document has stronger criteria in relation to the protection of the ASSI and yet you continue to consult. Under the Freedom of information act (FOI) I would ask that you provide me with the criteria you are using that allows you to ignore a protected site. i am a sensitive receptor to this application and allowed under law to scrutinise the application. The ASSI is already part of a revocation process which the MUDC must make a decision on.

Response (issued 14 May 2021)

Thank you for your e-mail dated 12 April 2021 requesting information held by this office, under the Freedom of Information Act 2000 (FOI). You requested the following:

I ask ordinarily that you supply the correspondence with MUDC planning.

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. Section 39 of the Freedom of Information Act specifically excludes from consideration under that Act requests for what is deemed to be environmental information held by public authorities.

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/>.

In response to your request, all correspondence with Mid Ulster Council Planning in relation to LA09/2020/0763/F is available on the public on the Northern Ireland Planning Portal:

<https://epicpublic.planningni.gov.uk>.

DfI Roads have no role in addressing issues around ASSI and, therefore holds no information relating to these issues.