

EIR Request (received 28 June 2021) - Reference: DFI/2021-0237

Further to our correspondence last week, I understand that the Department has issued a holding direction to Fermanagh and Omagh District Council with regard to the Planning Application, reference LA10/2019/1392/F, for the former Unipork site, Enniskillen.

I would be very grateful if you could provide a copy of that Direction. Presumably you will consider this request under the Freedom of Information Act/Environmental Information Regulations but I would be grateful if you could expedite any response, if at all possible.

Response (issued 02 July 2021)

Thank you for your email dated 28 June 2021 requesting information held by this office regarding the above matter. You requested the following:

A copy of a holding direction issued to Fermanagh and Omagh District Council.

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 to environmental information held by public authorities.

The Department has therefore considered your request within the provisions of these Regulations. 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/>.

I can confirm that the Department does hold information relating to your request. Please therefore find attached a copy of the direction issued by DfI.

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