

## **EIR Request (received 21 October 2021) - Reference: DFI/2021-0390**

Under the Freedom of Information Act I am requesting the following information.

Could you please provide any responses or submissions received by the Department for Infrastructure during the consultation process on a proposed weight restriction in Clady, Co Tyrone. Can this information be provided from 2019 to present please.

## **Response (issued 16 November 2021)**

Thank you for your email dated 21 October 2021 requesting, under the Freedom of Information Act, any responses or submissions received by the Department for Infrastructure during the consultation process on a proposed weight restriction in Clady Co Tyrone from 2019 to the present.

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/>.

In response to your request, please find attached copies of the responses or submission received by the Department to both the 2019 and 2021 consultations. You will note that the attached information has, following consideration of the public interest in this case, been redacted as I have determined that the redacted information is not suitable for release.

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 Regulations 12(3) & 13: personal information. I am satisfied that the public interest is best served by withholding this information.

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