**EIR Request (received 10 December 2021) - Reference: DFI/2021-0437**

I am acting as the Agent for the purchaser(s) of a site adjacent to 23 Pier Rampart, Derrytagh North, Derryadd BT66 6QH, proposing to commence construction of the dwelling and detached garage.  I have been advised that a Schedule 6 Consent to Culvert under Ref IN1-19-2349 has been approved for this site.

Can you please advise how I could obtain a copy of this approval?

**Response (issued 21 December 2021)**

Thank you for your email of 10 December 2021 requesting a copy of the approval of a Schedule 6 consent to culvert application (Ref: IN1-19-2349) for a site adjacent to 23 Pier Rampart, Derrytagh North, Derryadd BT66 6QH.

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.

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, I can confirm that the Department for Infrastructure holds information related to your request.  As the EIR relate 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 a public interest test has been carried out 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.

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/withheld 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.