

EIR Request (received 25 January 2022) - Reference: DFI/2022-0076

I am requesting information under the Freedom of Information Act 2000 from the Department for Infrastructure Roads Service. The information I seek relates to my own case pertaining to escape of water and subsequent damage to a property at Linvara, Tandragee which occurred in February 2020.

If it is not possible to provide the information requested due to the information exceeding the cost of compliance limits identified in Section 12, please provide advice and assistance, under the Section 16 obligations of the Act, as to how I can refine my request. However, I believe the information should be cost effectively retrieved and sent to me in hard copy at the above address or via e-mail by simply copying or scanning the documents held about my case.

Response (issued 30 March 2022)

Thank you for your email dated 25 January 2022 requesting, under the Freedom of Information Act, any information held by this office to include the above information.

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, as opposed to the FOI Act 2000.

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 does hold some information regarding the property at Linvara, Tandragee.

I would explain that DfI Roads were asked by DfI Rivers to assist where possible with the issues associated with flooding at Linvara. As a result the lead organisation in this instance has been DfI Rivers. I understand they will also be responding to a similar information request and as such there may be an element of duplication in the information provided.

You should also be aware that the Department currently holds information which is available to the public from other sources such as land ownership details. Since this information belongs to others, such as Land Registry, and it is reasonably accessible by other means, under Reg. 6 of EIR it cannot be released by this Department.

Some of the requested information constitutes third party personal data within the meaning of the Data Protection Act 1998 (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 of the DPA. The Department may not disclose personal information to the public in contravention of any of the data protection principles, and must consider all consequences of disclosure in each case.

Sections of the requested information is therefore 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 therefore personal data such as names and phone numbers have been redacted from the information provided.

Please find enclosed copies of the information held by DFI Roads, bearing in mind the exceptions above.

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