

EIR Request (received 18 July 2022) - Reference: DFI/2022-0228

We respectfully request copies of all emails, letters, notes of telephone calls, minutes of meetings (virtual or otherwise), officer's site visit notes and any other relevant documentation re: planning applications in the vicinity of Donaghaguy Rath, Upper Dromore Road, Warrenpoint.

The relevant documentation will relate to, but should not be limited to, the following planning applications: LA07/2019/0091/F, LA07/2019/1682/F and LA07/2022/0007/F.

Please include all communications between the Department and i) Newry Mourne and Down District Council and ii) Historic Environment Division, Department for Communities re. the above applications. Please note: We do not require copies of consultation responses already available via the public planning portal.

Response (issued 16 August 2022)

Thank you for your email dated 18 July 2022 requesting under the Freedom of Information Act, any information held by this office to include the following information:

A request for copies of all emails, letters, notes of telephone calls, minutes of meetings (virtual or otherwise), officer's site visit notes and any other relevant documentation re: Planning Applications in the vicinity of Donaghaguy Rath, Upper Dromore Road, Warrenpoint.

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.

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 Environmental Information Regulations 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 for the following reason.

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.

I can also advise that as a statutory consultee to the planning process, the Department for Infrastructure reviews each application within the remits of its statutory responsibility which is limited to Roads and Rivers.

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