

Date: 8 March 2016.

Your ref: DO2-16-56

Departmental Information Manager  
Room 6.20  
Department of the Environment  
Clarence Court  
10-18 Adelaide Street  
Town Parks  
Belfast  
BT2 8GB

Dear Sir / Madam

#### **ENVIRONMENTAL INFORMATION REGULATIONS 2004**

In accordance with the above regulations I wish to appeal the above failure to provide the information requested by me in my e-mail dated 10 February 2016. Specifically, I did not request the information the Department states it does not hold. I find it difficult to believe that as the competent authority for conducting Environmental Impact Assessment (EIA), the Department does not understand the difference between EIA and an **EIA determination**.

The Department's response of 8 March 2016 confirms that it "...does not hold this information as in this case an Environmental Impact Assessment was not deemed necessary..." Please note, I did not request a copy of the Environmental Impact Assessment. Rather, I requested a copy of the **Environmental Impact Assessment determination**, which is the formal screening process required to determine if EIA is deemed necessary (or not). This EIA screening must be carried out before a development consent is granted.

As the Department is able to confirm that EIA was not deemed necessary, clearly it must have conducted an **EIA determination** in order to reach the conclusion that the likely effects of this infilling of "inert waste" would not be significant. This was a requirement of the then Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 1999, Schedule 2.11(b)(iii).

Please can I be provided with a copy of the **EIA determination** which informed the Department's decision that EIA was not deemed necessary.

Yours sincerely

Dean Blackwood BSc(Hons) LLM MRTPI  
Director  
River Faughan Anglers