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Information Management Unit

IT Suite

Westland House

40 Old Westland Road

Belfast

BT14 6TE

Tel: 9035 4813 ext 20242

Email: john.collins@niwater.com

Your reference:

Our reference: NIW 1617039

Date: 9 June 2016

Dear Mr Hughes,

Environmental Information Regulations 2004

Thank you for your correspondence of 11 May 2016, in which you requested how much Infrastrata paid to lease the ground in Woodburn Forest, and if Infrastrata or any other companies have other areas of land leased with exploratory drilling intentions?

As your queries fall under the definition of environmental requests, NI Water is replying under the disclosure provisions of the Environmental Information Regulations 2004.

Answering each of your queries in turn NI Water replies as follows:

1. How much Infrastrata paid to lease the ground in Woodburn Forest?

Regulation 12(5)(e) of the Regulations provides that a public authority may refuse to disclose information to the extent (but only to that extent) that its disclosure would adversely affect the confidentiality of commercial or industrial

information where such confidentiality is provided by law to protect a legitimate economic interest. It is our view that such harm would result from the release of this information.

Under the Environmental Information Regulations (EIR) 2004 all exceptions are subject to a Public Interest Test. This test weighs up whether or not it is in the public interest to disclose or withhold information. Both the factors in favour of disclosure and the factors in favour of refusal must be determined and evaluated.

There is a public interest in the information requested being released because this would demonstrate that NI Water had met its legislative requirements under the disclosure provisions of the Environmental Information Regulations 2004. However disclosure of the price Infrastrata paid to lease the land at Woodburn Forest, as advised above, would threaten NIW's ability to negotiate effectively, achieve a best price and deliver value for money in any future sale, lease or license.

For this reason, I have decided that the public interest favours the withholding of the requested information requested at this time, although NI Water is minded of the fact that commercial and market sensitivity may decrease over time and this information may be suitably released in the future.

2. Do Infrastrata or any other companies have other areas of land leased with exploratory drilling intentions?

Following confirmation from NI Water's Estate Management Officer, I can confirm that there are no other areas within the NI Water Estate leased for the purpose of exploratory drilling.


You have the right to request that NI Water formally review this response within forty working days of the date of this letter. If you wish to do so, please write to NI Water

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Belfast, BT14 6TE.

If, after such an internal review, you are still unhappy with the response, you have the right to appeal to the Information Commissioner at Wycliffe House, Water Lane, Wilmslow, CHESHIRE, SK9 5AF, who will undertake an independent review.

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'John Collins', with a stylized flourish at the end.

John Collins
Head of Corporate Information
Northern Ireland Water