Annex K

PUBLIC INTEREST TEST				
Request Ref:	FOI DOF/2025-0502			
Request Summary:		Pending completion of the review, please provide copies of all correspondence and documents passing between your office, LPS Belfast Valuation, LPS Utilities (Harbour Commission Valuation) and LPS OSNI (Mapping} and any third parties in respect of the rating review referred to in this correspondence.		
Information details:		Exception applied	Disclosure	Non-disclosure
• Elements of the Guidance Note – Valuation of Dock Authorities		**Section 43(2): Commercial interest**	There is a public interest in individuals being able to exercise their rights under the FOIs, in order to enhance their understanding of the reasons for decisions taken by senior members of a public body. Showing compliance with the spirit of the FOI Act 2000 by disclosing information held by the Department. Promoting accountability and transparency by public authorities.	• Providing valuation considerations and calculations could allow organisation to manufacture better outcomes to their valuations, causing loss to the public purse. • While the 2023 revaluation has been completed, the next valuation will follow for Reval 2026 and so the details could still be used in any future valuation. • Docks are valued with a consideration of EBITDA and so requires free transfer of information from the authorities which may not be the case if they were to hold all of the guidance details.
PUBLIC INTEREST DECISION: In balancing where the public interest lies, my view is that the public interest considerations against disclosure are predominant and the public interest would be better served by non-disclosure of the elements of the information concerned allowing proper legal conveyance processes and conditions relating to the financial agreement to be completed and ensure best use of public land/money. Signed: Angela McGrath Date: 24/09/2025				

LAWFULNESS, FAIRNESS AND TRANSPARENCY TEST

Application of FOI exemption Section 40(2)

DOF/2025-0502 ANNEX J

A Lawfulness, Fairness and Transparency Test must be carried out by the Department of Finance when considering disclosure of third-party personal data which falls within the scope of an FOI or EIR request.

FOI / EIR request

copies of all correspondence and documents passing between your office, LPS Belfast Valuation, LPS Utilities (Harbour Commission Valuation) and LPS OSNI (Mapping) and any third parties in respect of the rating review and Rating of Properties within Belfast Harbour Estate

Consideration of the personal data falling within the scope of the request

Guidance from the Information Commissioner's office states that personal data only includes information relating to natural persons who:

- can be identified or who are identifiable, directly from the information in question; or
- who can be indirectly identified from that information in combination with other information.

Description of personal data/issue(s) under consideration:

LPS Staff & Third-Party names/details.

Lawfulness

Do either of the two lawful basis below, which allow for the disclosure of personal data, apply? **No**

☐ **Consent:** This applies when the data subject(s) clear consent exists, allowing the department to disclose personal data falling within the scope of this request.

☐ **Legitimate interests:** This applies when disclosure is necessary for the department's legitimate interests or the legitimate interests of a third party that overrides the data subject(s) rights and freedoms, particularly their right to privacy.

Conclusion

Having considered all the information contained within the Lawfulness, Fairness and Transparency Test, the department has established that, on balance, there is no lawful basis for the disclosure of third-party personal data falling within the scope of the request (of which the requester is not the data subject).