

EIR Request (received 19 July 2022) - Reference: DFI/2022-0229

I am writing to you under the Freedom of Information Act to request the following information.

This information is only in relation to: Site adjacent to 2 Killycurragh Road, Cookstown, BT80 9LB and Planning application LA09/2017/0793/F.

- 1) Has the site been visited by your staff within the past 1 year? (yes/no)
- 2) How many occasions has the site been visited by your staff within the past 1 year?
- 3) How many occasions has the site been visited by your staff within the past 1 year with regards to visibility splays?
- 4) Name and Job Title of person responsible for visibility splays in that location.
- 5) Is the department aware of works on site developing outside of the departments set conditions on planning? (yes/no)
- 6) Has any communications taken place between your department and Mid Ulster District Council with regards to that site within past 12 months? (yes/no)

Response (issued 16 August 2022)

Thank you for your email dated 19 July 2022 requesting, under the Freedom of Information Act (FOI), the following information held by the Department:

- 1) *Has the site been visited by your staff within the past 1 year. (yes/no)*
- 2) *How many occasions has the site been visited by your staff within the past 1 year.*
- 3) *How many occasions has the site been visited by your staff within the past 1 year with regards to visibility splays.*
- 4) *Name and Job Title of person responsible for visibility splays in that location.*
- 5) *Is the department aware of works on site developing outside of the departments set conditions on planning. (yes/no)*
- 6) *Has any communications taken place between your department and Mid Ulster District Council with regards to that site within past 12 months. (yes/no)*

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. 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 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 does hold information relating to your request and I can advise as follows in relation to the questions asked.

- 1) Yes, DfI Roads carriageway inspection staff have visited Killycurragh Road in the past year to review general maintenance issues. DfI Roads officials also had a meeting to discuss a road side drainage issue in the vicinity in late 2021;
- 2) Inspections are scheduled every 6 months, so twice per year;
- 3) No site visits have been conducted specifically in regards to visibility splays;
- 4) The provision of visibility splays conditioned under planning application LA09/2017/0793/F is the responsibility of the developer of the site;
- 5) Conditions of planning approval are the responsibility of Mid Ulster District Council. DfI Roads are a statutory consultee to the planning process; and
- 6) There have been no communications in relation to the planning application LA09/2017/0793/F.

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