



Derry City & Strabane  
District Council

Comhairle  
Chathair Dhoire &  
Cheantar an tSratha Báin

Derry Cittie & Stràbane  
Deistrick Cooncil

Ref: EIR / 2218

05 February 2019

Ms  
thedetail.tv

Email: @thedetail.tv

Dear

### **Environmental Information Regulations Request Redundant council-owned land**

I refer to your email of 4<sup>th</sup> January 2019 seeking a review of the response to your EIR request reference 20181220-EIR. I was asked to undertake the review of this matter and would reply as follows to your email of 4<sup>th</sup> January 2019, using your numbering:-

1. Your request was logged correctly as a request for information under the Environmental Information Regulation. As such exemptions which exist under the Freedom of Information Act should not have been relied upon in responding to your correspondence.
2. This is accepted.
3. Having considered your request you had sought a list of redundant Council owned land, a list of areas of Council owned land that was zoned for housing (in the Microsoft excel format) and maps showing the above information.

By your reference to redundant Council owned land I am assuming that you are referring to waste land, i.e., land that is not currently in active use for Council nor used as recreational or open space. If I am incorrect in this assumption and you wish to provide further clarity I will be happy to reconsider my response. I can confirm that the Council does not hold a list of Council owned redundant land, nor does it hold a list of Council owned land which has been zoned for housing. As such there are no maps relevant to the above lists. This means that you should not have been advised that this information was publicly available and should not have been directed to the Land Registry website in this regard. I apologise for this error. I do not believe that this was intended to be unhelpful. The Council does hold records of the various properties that it owns. These are, however, held only in paper format. As you can imagine, this material is extremely voluminous and, whilst I would be more than happy to make it available for you to inspect at the Council's Offices, although I am not sure it would directly assist with the enquiry that you have raised. Details of the property owned by the Council/...

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Council is available from the Land Registry, and full details of how the information could be obtained from the Land Registry is available on its website, but I fully accept that this would not assist you in ascertaining what land is "redundant" or "zoned for housing".

In terms of land which is zoned for housing, the Derry Area Plan can be downloaded from the Planning Portal at [www.planningni.gov.uk/index/policy/dev\\_plans/devplans\\_az/derry\\_2011.htm](http://www.planningni.gov.uk/index/policy/dev_plans/devplans_az/derry_2011.htm). Again, however, this does not specifically identify Council owned land; although it may be possible to cross-reference this with the information that the Council holds in paper format.

I can advise that Council is not currently actively marketing for sale any lands.

4. As the Council does not hold the information that you have sought it is unable to provide it to you in the format requested.
5. For the reasons stated above, Council should not have advised you that the information was available from the Land Registry.
6. Please see my response at paragraph 1. above. To provide further clarification, Council does intend to provide a digitised schedule of its land assets which would be available to the public. This work is at an extremely early stage. It would therefore potentially be exempt from disclosure under Regulation 12(4)(d) of the Environmental Information Regulations. Given, however, that this specific information which you have sought is not available this exception does not fall to be considered.

If you are not satisfied with this response you can appeal directly to:

Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
CHESHIRE SK9 5AF  
Tel: 0303 123 1113 (local rate) or email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

Yours sincerely  
On behalf of  
Chief Executive

Lead Legal Services Officer