

Ref: EIR / 1941

22 August 2018

Email @me.com



Derry City & Strabane
District Council
Comhairle
Chathair Dhoire &
Cheantar an tSratha Báin
Derry Cittie & Strabane
Destrick Council

Dear Mr

Environmental Information Regulations 2004 Request Bin Collection Windsor Terrace

I refer to your email of 12 July regarding the above and apologise for the delay in replying as this was due to the relevant officers being off on annual leave. . As advised in our acknowledgment some of your queries are outside the realms of the legislation and will be dealt with as normal council business. Questions:

Please see our response below:

1. What appropriate actions does the council take to intervene when dumping on laneways poses a risk to public health?

Response: Where the dumping poses a risk to human health the Council will clear the lane and make contact will all residents making them aware of their responsibilities with regards waste disposal and the penalties for illegal dumping

2. Have any fixed penalty notices been issued to residents of Windsor Terrace and Creggan Road for illegally dumping in other's people's bins and/or on the laneway, or to any other offenders?

Response: Yes Fixed Penalties have been issued for dumping of bags in this lane. Fixed Penalties cannot be issued for waste being put in other people's bins as this is not an offence under current legislation.

3. Is there a record of visits to the laneway to enforce the policy of fining by searching through the waste for evidence which links the waste to particular residents?

Response: No records exist. Visits are carried out as and when complaints are received.

4. What were the circumstances under which external funding has been secured for projects relating to lanes, including surfacing and the installation of gates to control access?

Response: Council act as an agent for a gating scheme operated by the then Department for Social Development (now Department for Communities). Under this

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scheme gates were erected at mews lanes throughout the City. Further details on this programme may be obtained by contacting the Department for Communities at foi@communities-ni.gov.uk.

Council can make a 'gating order' under the Clean Neighbourhoods and Environment Act (NI) 2011, if the area in question meets certain criteria. Funding for the installation of gates is not provided by Council but in the past has been provided by a number of various agencies/organisations e.g. PSNI, NIHE, local businesses, Strabane BID, Housing Associations etc. I have attached the gating order process for your information.

5. Why was there a shift from Creggan Road residents' bins being collected on Creggan Road to being collected on Windsor Terrace? This seems to be the point where the issue escalated.

Response: The collection point at Windsor Terrace was agreed with the residents a number of years previous.

6. How was the annual funding which the old Derry City Council received to improve such issues spent? Which mews and laneways have benefited from this, and how exactly have they benefited?

Response: Funding previously received by Council under different programmes enabled a) removal of waste materials from laneways on an 'as needs basis' and b) as above with regards to gates i.e Council acted as an agent in terms of resurfacing and alley gating schemes. A list of lanes & mews benefiting from these schemes is attached.

With reference to abandoned bins, I can advise that these bins have been removed and are stored in Skeoge Depot awaiting owners to inquire or claim at which point Council can discuss contamination / servicing issues etc.

If you are dissatisfied with our response you have rights of review and appeal; these rights consist of two review processes. Firstly our internal review procedure is available by contacting:

John Kelpie
Chief Executive
Derry City and Strabane District Council
98 Strand Road
Derry BT48 7NN Tel 028 71253253 or email john.kelpie@derrystrabane.com

Secondly, you can appeal directly by contacting the Information Commissioner at:

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

Yours sincerely

Head of Environment