



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

Ref: EIR / 1347

07 August 2017

Ms
Email: @gmail.com

Dear Ms

Environmental Information Regulations 2004 Request Food Services Enquiry

I refer to your EIR request as above and respond as follows:

1. The number of menu description(based on trading standards rules, there are regulations about when labelling something 'home-made,' 'fresh,' or 'vegetarian' etc., as well as rules on labelling foods as genetically modified) breaches / non compliance recorded at establishments such as restaurants and takeaways inspected in 2016/17 (to date), 2015/16, 2014/15 and 2013/14.

Response: We believe that under Regulation 4(b) of the Environmental Information Regulations 2004 Council can refuse this request on the grounds that it is "manifestly unreasonable" as dealing with this request would create unreasonable costs or an unreasonable diversion of resources. This is due to the fact that the information requested is not held in an accessible format and will require Council to manually examine each inspection file. Council estimates that it undertakes approximately 340 food standards inspections per annum and 700 food hygiene inspections per annum. This would require a minimum of 30 minutes to inspect each correspondence pertaining to each inspection, this includes the retrieval of the file, trawling through the file to obtain the information on the previous year's inspections. Over the 4 year period requested, this amounts to approximately 4160 premises files which would require examination, this would be take approximately 30 mins per premises file. Council estimates this would take in excess of 2,080 hours to complete this work. The cost of conducting this work would be approximately in the region of £52,000, which we believe is manifestly unreasonable and would certainly be classed as an unreasonable diversion of resources.

Please note we consider this exception to be concerned with the nature of the request and the impact of dealing with it and not any adverse effect that might arise from disclosure of the content of the information requested. The public interest in maintaining this exception lies in protecting us from exposure to disproportionate burden and disruption in handling this information request, which to comply with, would thereby place a strain on resources and prevent the Council from delivering mainstream services.

Derry

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2. Details of the aforementioned establishments including their name and details of the breach / problems found.

Response: See no 1 above.

3. the number of establishments that failed to accurately declare food allergens on their menus (including risks of cross-contamination) in 2016/17 (to date), 2015/16, 2014/15 and 2013/14.

Response: See no 1 above.

4. Details of the aforementioned establishments including their name and details of the breach / problems found.

Response: See no 1 above.

5. The total number of establishments under your remit.

Response: Number of Establishments registered for as food business operators with DCSDC to date = 1304

Regulation 9(1) states "A public authority shall provide advice and assistance, so far as it would be reasonable to expect the authority to do so, to applicants and prospective applicants." You may wish to submit a refined request regarding a time span for example for the first quarter of 2016/17? Submission of a refined request would be treated as a new request, and considered in accordance with the Environmental Information Regulations.

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 Health & Community Wellbeing