



Derry City & Strabane
District Council
Comhairle
**Chathair Dhoire &
Cheantar an tSraitha B ain**
Derry Cittie & Strabane
Destrack Cooncil

Ref: EIR / 1781

27 April 2018

Mr
Email: @gmail.com

Dear

**Environmental Information Regulations 2004 Request Asbestos Query Old
Schoolhouse at Fir Tree Road**

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

As you indicate, demolition of a building is governed by The Construction (Design and Management) Regulations however Council are not the enforcement authority for these regulations on construction sites. Council does not hold the information requested, ie a copy of the risk assessment for the site.

This is a refusal under Environmental Information Regulations Section 12(4)(a):

(4) For the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that—

(a) it does not hold that information when an applicant's request is received;

Under Regulation 9(1) Council are obliged to provide advice and assistance, so far as it would be reasonable to expect the authority to do so and so have passed your concerns and queries onto the Health and Safety Executive Northern Ireland (HSENI).

The Environmental Health Service has continued to liaise with HSENI regarding your query and understand their investigations are ongoing. A visit was made to the site by an officer from the Environmental Health Service on 29th March 2018.

If you are dissatisfied with our response you have rights of review and appeal; these rights consist of two review processes.

Derry

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98 Strand Road
Derry
BT48 7NN

Strabane

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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

Principal Environmental Health Officer
Environment & Neighbourhoods Team