



Derry City & Strabane
District Council
Comhairle
Chathair Dhoire &
Cheantar an tSraitha Bain
Derry Cittie & Strabane
Destrict Coouncil

Ref: EIR / 1962

23 July 2018

Mr
Email: @jpress.co.uk

Dear Mr

Environmental Information Regulations 2004 Request Crematorium site

Derry City and Strabane District Council acknowledges your request as above. Council, in reviewing the above, consider it appropriate that your request is dealt with under The Environmental Information Regulations 2004. These regulations deal with right of access to environmental information held by UK public authorities.

Request:

The Cogent consultancy, in setting their draft site selection criteria for a crematorium in the west, state: "Please note that the Research Team is aware that Derry City and Strabane District Council and Fermanagh & Omagh District Council have identified a potential preferred site in each of their respective Council areas where a crematorium could be located.

"On the basis that an assessment of these sites will already have been taken against (inter alia) the aforementioned core criteria, this stage of the assessment process would only be undertaken for new sites identified during the research process."

Can I have details of the location of the potential preferred site in Derry/Strabane?

Can I have a copy of the assessment of the site in Derry/Strabane?

Response:

I can advise the following extract from the conclusion of the Feasibility Study:

"3.3 Location of Crematorium

3.3.1 The ICT commenced their study with a scoping exercise to identify the optimum location for a crematorium facility within the Derry City and Strabane District Council area. Key criteria for selecting a suitable site included:

- o Proximity to population density

Derry

C/o Council Offices
98 Strand Road
Derry
BT48 7NN

Strabane

C/o Council Offices
47 Derry Road
Strabane
BT82 8DY

+44 (0) 2871 253 253
info@derrystrabane.com
www.derrystrabane.com

f Derry City & Strabane District Council
@dcsdcouncil

- o Setting/aesthetics/neighbouring nuisance
- o Accessibility/car parking/public transport
- o User experience
- o Technical constraints
- o Infrastructural development costs
- o Planning

3.3.2 The outcome of the ICT's scoping exercise was that the existing Council cemetery at Ballyoan, Crescent Link, Derry was the site deemed to best satisfy the criteria set out above.

3.3.3 The choice of this site was then subject of a Pre-Application Discussion (PAD) with Planning Service. Responses were received from the statutory consultees NIEA and Transport NI. Neither Planning Service, nor the consultees, raised any issues which would appear to significantly impair the potential of developing of a crematorium at this site, based on the site information currently available"

As detailed above this is a live process and Council consider that the release of the entire report at this time, given some of the additional detail contained therein, is not appropriate and is exempt from disclosure under exemption at Regulation 12(4)(d) - Material in the course of completion, unfinished documents and incomplete data.

Although the information falls within the scope of this exception, the information must still be disclosed if the public interest in disclosing the information outweighs the public interest in maintaining the exception. There is a general public interest in the disclosure of environmental information because, as the ICO guidance states, "it supports the right of everyone to live in an adequate environment and ultimately contributes to a better environment". The disclosure of environmental information promotes the transparency and accountability of public bodies and their decision-making. However there is a strong public interest in Council being able to develop policy, considering all available options fully and carefully, away from the public eye.

As explained above, the report is still evolving and subject to internal Council discussion and scrutiny. All aspects of this project are a topic of considerable public interest and the disclosure of the report at this stage is likely to generate enquiries and correspondence to Council, diverting attention away from the development of the policy before it has been completed. A 'safe space' allows Council officials to consider all the relevant matters fully and carefully away from public scrutiny.

Having considered the factors on both sides the Council considers that, in all the circumstances of the case, the public interest in maintaining the exception outweighs the public interest in disclosure and the information is therefore withheld under regulation 12(4)(d).

Under regulation 14(4), if the exception in regulation 12(4)(d) is specified in a refusal, Council must specify, if known, the estimated time in which the information will be finished or completed. It is difficult to be precise given competing priorities, but we anticipate that the final decision will be published within 6-12 months.

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



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