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

Ref: EIR / 6561

28th August 2026

Environmental Information Regulations Request - LA11/2025/0039/CA
Coolkeeragh Power Station

I refer to your EIR request and respond as follows:

Request

Thank you for your letter of 15 April 2026 regarding the above site in reply to our previous correspondence raising concerns over what appeared to be unauthorised development at the power station premises. Your response states that in the opinion of the Council, no breaches of planning control had been identified. In particular, your letter states "*No evidence of Commercial Oil Supply on site*".

In our correspondence of 26 March 2025, we noted that operational development was also taking place alongside a potential change in use. This development included a loading skid, new road and shed at the entrance to the new road – all of which are evident in the image below (taken from Google Earth) in the area to the left of the storage tanks and adjoining the existing internal road. I would be grateful if you could clarify whether the Council considered this operational development in its assessment of the site.

On the basis that the enforcement investigation is now closed, please provide a copy of the Council's site investigation records and any associated report(s) under the reference LA11/2025/0039/CA. This information is requested under the Environmental Information Regulations 2004 and in our view the "course of justice" exception to disclosure under regulation 12(5)(b) or the "confidentiality" exception under regulation 12(5)(d) do not apply as the investigation has been stated to have been concluded with no further action intended. On that basis, potential enforcement or legal proceedings cannot be prejudiced. Further, in the circumstances the public interest lies in disclosure, particularly as the Council's opinion on why no enforcement proceedings are necessary is a matter of public interest and importance.

Response

I refer to your letter dated 22nd April 2026 and your follow up email dated 30th July 2026.

I have attached a copy of all documents held by Council in relation to enforcement case LA11/2025/0039/CA.

Upon review and in response to your specific question, it is considered that although our investigation did look at the alleged unauthorised use and alleged unauthorised roadworks, we did not fully investigate the alleged associated apparatus, namely the 'Loading Skid' referred to in your original complaint. On this basis, Council has opened a new enforcement case and will complete an investigation into all matters raised in your complaint dated 26th March 2026.

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

I would however advise that the Information Commissioner has indicated that a review will not be undertaken unless the Council has first had an opportunity to re-consider its decision.

Yours sincerely

Malachy McCarron
Senior Planning Officer