



Derry City & Strabane
District Council
Comhairle
**Chathair Dhoire &
Cheantar an tSraitha Báin**
Derry Cittie & Strabane
Destrict Cooncil

Ref: EIR / 969

19th December 2016

Ms

Email: @gmail.com

Dear Ms

Environmental Information Regulations 2004 Request Section 106 agreements over the last five years

I refer to your FOI request above.

I can advise you that there are no Section 106 Agreements in Northern Ireland Legislation. The mechanism by which Planning Obligations are dealt with is through a Section 76 Planning Agreement (previously known as an Article 40 Planning Agreement).

Derry City and Strabane Council was formed under the Local Government Act (Northern Ireland) 2014 and has been effective since 1st April 2015. Under the Planning Northern Ireland Order 1991, Article 40 Planning Agreements existed, however since the transfer of local government in April 2015 these powers transferred to Council; and the Article 40 Agreements are now known as Section 76 Planning Agreements, under the Planning Act Northern Ireland 2011.

I note you have requested 5 years of data, and as explained above, the data held therefore relates to both DOE Article 40 Planning Agreements and Council Section 76 Planning Agreements.

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planning@derrystrabane.com
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 Derry City & Strabane District Council
 @dcsdcouncil

The returns for both Council and DOE for the last 5 years are as follows.

2012-2013 – none

2013-2014 – none

2014-2015 – none

2015-2016 – One signed S76 by Council for housing development of approx. 1500 dwellings on Zoned H1B lands.

I note you have requested the total monetary value of the Agreement. We do not hold this information. You can however request to view the signed Planning Agreement under FOI; or request a copy of same for your convenience, to which there may be a charge.

I trust this provides you with some clarification on your request.

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 faithfully

Head of Planning