



Department for

Infrastructure

An Roinn

Bonneagair

Deapartment fur

Infrastructure

www.infrastructure-ni.gov.uk

Rivers Directorate
49 Tullywiggan Road
Loughry
Cookstown
Co Tyrone
BT80 8SG

Telephone: 028 86768300

Your reference:

Our reference: DFI/2023-0453

5 January 2024

G M Hyland

[request-1055166-
b1e9103b@whatdotheyknow.com](mailto:request-1055166-b1e9103b@whatdotheyknow.com)

Dear Sir/Madam

Thank you for your email of 4 December 2023 requesting information in relation to enforcement investigations/actions taken under the Drainage (NI) Order 1973 in the last 5 years and the outcomes.

In considering your request on behalf of the Department I have determined that the information requested falls under the Environment Information Regulations 2004 (EIR), as opposed to FOI. Section 39 of the Freedom of Information Act specifically excludes from consideration under that Act requests for what is deemed to be environmental information. EIR gives rights of public access to environmental information held by public authorities.

A guide explaining the Environmental Information Regulations can be found at: <https://ico.org.uk/for-organisations/guide-to-the-environmental-information-regulations/what-are-the-eir/>.

I have responded to the specific issues you have raised as follows:-

(i) Enforcement investigations/actions taken under the Drainage (NI) Order 1973 in last 5 years and outcomes.

The number of enforcement investigations/actions taken by the Department under the Drainage NI Order 1973 in the 5 years to the date of your request is provided in the following table.

Year	Resolved	On-going
2018	2	0
2019	10	3
2020	11	4
2021	7	4
2022	4	7
2023	6	5

(ii) **Responses to (i) above related to Antrim and Newtownabbey Council area(s) in last 5 years.**

The number of enforcement investigations/actions taken by the Department under the Drainage NI Order 1973 in the 5 years to the date of your request that lie within the Antrim and Newtownabbey Council area is provided in the table below.

Year	Resolved	On-going
2018	0	0
2019	0	0
2020	1	0
2021	0	1
2022	0	0
2023	3	0

(iii) **Responses to (i) above related to Belfast City Council area in last 5 years.**

The number of enforcement investigations/actions taken by the Department under the Drainage NI Order 1973 in the 5 years to the date of your request that lie within the Belfast City Council area is provided in the table below.

Year	Resolved	On-going
2018	2	0
2019	0	0
2020	1	0
2021	0	0
2022	0	1
2023	1	0

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two

months of the date of receipt of the response to your original letter and should be addressed to:

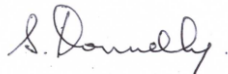
Head of DfI Information Management Unit
DfI Information Management Unit
Clarence Court
10-18, Adelaide Street
Belfast
BT2 8GB
dfiimu@infrastructure-ni.gov.uk

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.
Tel: 0303 123 1113.
Email: icocasework@ico.org.uk.

Yours sincerely,



Shaun Donnelly
Head of Business Support