

EIR Request (received 20 August 2019, clarified 22 August 2019) - Reference: DFI/2019-0305

I must admit that I am disgusted with the email I received from you today (following a site meeting with DfI Roads staff on Wednesday 24 July 2019 regarding sightlines and a bus stop at Dernawilt Crossroads). DfI are putting peoples life's in danger by their attitude on this issue.

1. I am requesting under Freedom of Information, how much the budget in Fermanagh is for this type (sightline improvements) of safety work? (I believe a sum of £70,000 for the year was mentioned at the meeting at Dernawilt Junction);
2. How many management staff is employed to administer this budget? If they do other duties can I be told what exactly are they?
3. How much is spent on salaries of Senior and mid management in the Western Division of DfI Road Service?
4. Could I also seek all information in relation to the Conamara junction sight line scheme on the same Roslea to Donagh Road. Who did the assessment of this Junction. What politician lobbied for it, etc.
5. Can I request how many times [a named individual working for DfI Roads] has complained about Posters, Flags, and bunting etc. on Road Service property over the last 5 years? Can I have sight of these complaints?

Response (issued 18 September 2019)

Thank you for your email on 20 August 2019 requesting replies to the above questions under the Freedom of Information Act.

In considering your request on behalf of the Department I have determined that the information requested falls under the aegis of the Environmental Information Regulations 2004 (EIR), as opposed to Freedom of Information Act 2000. Your request is for information that relates to activities, policies or plans that affect the environment. Section 39 of the Freedom of Information Act specifically excludes from consideration under that Act requests for what is deemed to be environmental information.

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/>.

In response to your request, I can confirm that the Department does hold some information relating to your requests. As EIR relates to public rights of access to information, I am obliged to consider whether the information held by the Department is suitable for release to the world at large, and not solely to the applicant.

I will respond to your requests in same order as listed within your correspondence:

- 1 The budget for Local Transport and Safety Measures for the Fermanagh and Omagh District Council area in 2019-2020 is £140k.
- 2 The Network Development staffing structure for Fermanagh and Omagh is listed below in the reply to question 3. Staff in that team undertake the following functions:
 - Assess schemes for Local Transport and Safety Measures in accordance with appropriate Policy and Procedure guidelines.
 - Manage the collation and delivery of an annual programme of schemes for each financial year in the Fermanagh and Omagh Council area.
 - Ensure compliance with appropriate Road Service Policy and Procedure Guides and Director of Engineering memorandum.
 - Preparation and review of Network Development sections of spring and autumn Council Reports.
 - Manage delivery of schemes.
 - Manage the formulation and delivery of an annual O & M signs and signals programme for the year for capital and maintenance works.
 - Reply to queries both written and orally in accordance with DFI Roads targets.
 - Bid for funding for Active Travel Projects and from any other special funding initiatives.
 - Review and process all requests for Temporary Traffic Regulations.
 - Provide project briefs to consultants taking on the client responsibility for projects.
 - Carry out Vehicle Restraint System assessments in accordance with policy and guidelines.

- Manage any small scale works including design of projects using appropriate standards including Design Manual for Roads and Bridges.
- Processing temporary and permanent legislation for traffic regulation orders.
- Attend meetings/events with elected members and members of the public.
- Provide advice and support to Public Realm project teams.
- Attend Council meetings as requested. Attend District Electoral and special Roads meetings twice a year.
- Undertake policy reviews with other Roads Divisions.

3 The staff numbers in DFI Roads (including Western Division) were reviewed in 2015 to account for the reduction in staff numbers as a result of the NICS Voluntary Exit Scheme. Since 2015, the approved structure as indicated below remained the same until this year, when minor changes at HPTO and PTO grades were implemented.

	2015		2019	
	Western Division	Network Development F&O	Western Division	Network Development F&O
Grade 6 (Divisional Roads Manager)	1		1	
Grade 7 (Principal)	5	0.25	5	0.25
SPTO (Section Engineer)	15	1	15	1
HPTO	21.5	2	24.5	2
PTO	46	2	44	2
TG1	26	1	26	1

Please see this link to the DoF website, which will provide you with pay scales information for civil servants at the grades listed in the above table from 2003:

<https://www.finance-ni.gov.uk/topics/working-northern-ireland-civil-service/civil-service-pay>

- 4 The information you have requested has already been provided to you in response to EIR 2019-0279. A follow-up query regarding the information provided in that reply is being prepared and a reply is due to be issued to you on or before 23 September 2019.
- 5 There were two occasions when the named member of staff recorded comments within DfI Roads to issues with posters, flags, bunting etc. on two occasions. I have examined this recorded information and carried out a public interest test to determine whether this

information is suitable for release to the public. Copies of the comments are included in the attached PDF document, however, you will note that the attached information has, following consideration of the public interest in this case, been redacted as I have determined that the redacted information is not suitable for release.

The redacted information constitutes third party personal data within the meaning of the Data Protection Act 2018 (DPA). A public authority may only release third party personal data if to do so would be fair, lawful and would meet the conditions in Schedule 2, 3 or 4 of the DPA. The Department may not disclose personal information to the public in contravention of any of the data protection principles (Article 5(1) General Data Protection Regulation or sections 34(1) and 85(1) DPA) and must consider all consequences of disclosure in each case.

The information provided has, therefore, been redacted under the exception provided under EIR by Regulations 12(3) & 13: personal information. I am satisfied that the public interest is best served by withholding this information.

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