

Northern Ireland Environment Agency
Resource Efficiency Division



Department of
**Agriculture, Environment
and Rural Affairs**

An Roinn

**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Department o'

**Fairmin, Environment
an' Kintra Matthers**

www.daera-ni.gov.uk

Our reference: **DAERA/24-199**



Water Management Unit
17 Antrim Road
Tonagh,
Lisburn
BT28 3AL

Email: WMU.FOI@daera-ni.gov.uk

17 May 2024

Dear 

Freedom of Information Act 2000

With regard to your request for information received by the Department on 18 April 2024 which sought the following information:

A copy of the investigation file relating to the following press release:

**On 6 February 2024 DAERA put out the following statement in a press release:
“County Down farmer, Alan Wilson (56) from Lurgan Road, Dromore was convicted today at Craigavon Magistrates’ Court for a water pollution offence.”
“The Court heard that dead fish were confirmed in the River Lagan, on the evening of 23 August 2022.”**

I can advise that the Department has completed its search and can confirm that the Department holds the information you requested. However, the decision has been made not to disclose some of the information for the following reason:

Sustainability at the heart of a living, working, active landscape valued by everyone.

If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.



Some of the information held constitutes personal data of which you are not the data subject. In these instances, the Department is required to consider if disclosure would breach the first Data Protection Principle which states that processing must be lawful, fair and transparent. Regulation 12(3) and 13(1) provide an exception from disclosing the names of third parties and have therefore been redacted. A lawfulness, fairness and transparency test has been conducted and is attached as Annex A.

The Department has considered this element and has determined that no lawful basis for disclosure under FOI exists, bearing in mind that any such disclosure must be considered in terms of disclosure to the “world at large”, and not just you the requester. Consequently, the personal data falling within the scope of this request has been withheld.

A copy of the information which can be disclosed is attached as Annex B Part 1 and Annex B Part 2

If you are unhappy with the manner in which your request for information has been handled or the decision to release/withhold information, you have the right to request a formal review by the Department.

If you wish to do so, please contact The Review Section either by e-mailing daera.informationmanager@daera-ni.gov.uk or by post at The Department of Agriculture, Environment and Rural Affairs, Data Protection & Information Management Branch, Floor 2, Jubilee House, 111 Ballykelly Road, Ballykelly, Limavady BT49 9HP, within two months from the date of this letter.

If after such an internal review you are still unhappy with the response, you have the right to appeal to the Information Commissioner at Wycliffe House, Water Lane, Wilmslow, CHESHIRE, SK9 5AF, who will undertake an independent review of the Department’s decision.

Yours sincerely,

[Redacted signature]

[Redacted name]

[Redacted address]

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