



Northern Ireland Environment Agency
Gníomhaireacht Comhshaoil Thuaisceart Éireann
Northern Ireland Environment Agency

Our Reference: DAERA/26-107

██████████ via email
████████████████████

23 March 2025

Water Catchment Unit

NIEA Lisburn

17 Antrim Road

Tonagh

Lisburn

BT28 3AL

Telephone: 0800 80 76 60

Email: WMU.FOI@darea-ni.uk

Dear ██████████,

Environmental Information Regulations 2004

Thank you for your request for information received by the Department on 16 February 2026 which sought the following information regarding a pollution incident that occurred on the Four Mile Burn and Ballyclover Water on 18 May 2024 (NIEA Water Pollution Incident Ref WR 3/24/0504):

1. **Full contents of any investigation, incident and fishkill files to include:**
 - i. **any statements, reports or assessments conducted**
 - ii. **results of any sampling undertaken together with explanation of any technical findings and any conclusions drawn therefrom**
 - iii. **Any photographs, videos, plans or drawings made or obtained in connection with the investigation.**
 - iv. **Any interviews, admissions or statements made by the perpetrator together with details of the perpetrator's legal representatives and insurance status/details**
 - v. **Any correspondence with NIEA relating to this incident**
 - vi. **Any correspondence with any third party arising from this incident**
 - vii. **Copies of any statements or reports presented to the Court**
 - viii. **Confirmation of fine, offender levy and any compensation/restitution/costs Orders or otherwise made at Court herein**
 - ix. **Any unused material**
2. **Any specifications, work orders or summary of actions taken as a result of the incident.**
3. **Confirmation of any enforcement action taken to ensure the cessation of pollution together with confirmation of removal of the offending infrastructure at source.**



An Agency within the Department of
**Agriculture, Environment
and Rural Affairs**
www.daera-ni.gov.uk

Gníomhaireacht de chuid na Roinne
**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

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**Fairmin, Environment
an' Kintra Matthers**

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4. **Confirmation of any acts or omissions concerning restitution of the said rivers, flora and fauna following the incident.**
5. **Details of any sampling undertaken by you, or any third party, both pre and post this incident together with all results therefrom.**

I can advise that the Department has completed its search and can confirm that it holds some of the information you requested.

A redacted copy of the prosecution file compiled by NIEA, and submitted to the Public Prosecution Service (PPS) has been attached as **Annex A**. The Department considers the following exception to be engaged:

Regulation 12(3) and 13(1)

Some information within the report constitutes personal data of which you are not the data subject. Regulation 12(3) requires that personal data is not disclosed and Regulation 13 prohibits the disclosure of third-party personal data that would contravene UK GDPR or the DPA 2018. In this instance, releasing the data would be in contravene of principal (1) “personal data should be processed lawfully, fairly and in a transparent manner in relation to a data subject”. This is an absolute exemption; therefore, no public interest test applies. The Department has, however, carried out the appropriate Lawfulness, Fairness & Transparency Test which is attached as **Annex B**.

The Department believes **Annex A** contains the information in answer to points (1)(parts i-vii).

In answer to point, 1(viii) the defendant was fined £1000 and a £15 offender levy.

In answer to point 1(ix), ‘any unused material’, the Department considers the following Exception to be engaged:

Regulation 12(4)(e)

The Department cannot disclose this information as it views the information as internal communication between members of staff. The Department has attached a Public Interest Test, **Annex C**.

The Department does not hold information in answer to points 2,4 or 5.

In respect of point 3, Enforcement Action is detailed in the response to point 1 (viii) and it is confirmed that the item of failed infrastructure, in respect of this incident, has since been replaced.



If you require any clarification, believe that any part of your request has been overlooked, misunderstood or misinterpreted, please contact me in the first instance to see if it is a matter that can be resolved.

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 title]

Water Management Unit

