

# **Public Interest Test – EIR**

**Reference Number – DAERA/2026-221**

## **Requested Information**

Communications with Environmental Health: copies of correspondence (emails /letters/ notes of calls) between NIEA/DAERA and Fermanagh & Omagh District Council Environmental Health relating to the wastewater/odour complaint concerning 22–28 Drumadagarve Road for the period 1 July 2025 to present.

## **Exception under consideration**

Exceptions engaged:

Regulation 12(5)(b): The course of justice and inquiries exception

## **Reasons why the public interest would favour disclosure:**

- The right of the public to have access to information;
- The accountability of administrators and scrutiny of decision-making processes; and
- Release of the information would demonstrate openness and transparency, greater public awareness and understanding of the circumstances relating to site application.

## **Reasons why the public interest would favour withholding:**

- The Department continues to investigate and seek remedial action to be completed by the consent holder for the septic tank under investigation. It is in the public interest for officials to follow due process and complete ongoing work without interruption and interference from outside.
- Releasing documents between NIEA and council officials would have a detrimental impact on the integrity of the decision because the investigation and determination of any remedial actions require a thorough evaluation of all options and clarification of key points through discussion. If this material is disclosed before the investigation is complete, this has potential to compromise or unduly influence the fair assessment of proposed remedial actions.

## **Conclusion**

Having considered all the elements of the Public Interest Test we conclude that the public interest in withholding this information outweighs the public interest in release.

**Water Regulation Trade and Domestic Consents, DAERA**