

Your Reference
Our reference DAERA/26-128

██████████
██████████@gmail.com

02 April 2026

Conservation, Designation and Protection
2nd Floor, Clare House
303 Airport Road
Sydenham Intake
Belfast
BT3 ED
Telephone: 028 9056 9647
Email: cdp@daera-ni.gov.uk

Dear ██████████

Environmental Regulations 2004

I refer to your request for information received by the Department on 13 February 2026 seeing information regarding the non-enforcement of the Court of Appeal ruling on sand extraction from Lough Neagh. Please accept my apologies for the delay in responding to your request.

The Department has considered your request and I will respond to each of your questions in the order listed:

1. Decision-Making Process (28 June 2017 – 31 December 2017)

All documents, including but not limited to:

- *Internal emails and correspondence between DAERA and NIEA officials regarding the Court of Appeal ruling dated 28 June 2017*
- *Minutes of meetings where the ruling was discussed*
- *Legal advice received regarding enforcement options*
- *Risk assessments conducted regarding non-enforcement*
- *Communications with the sand extraction companies following the ruling*
- *Any memoranda or briefing notes prepared for ministers regarding the ruling*

No information held – Under Regulation 12(4)(a) of the Environmental Regulations 2004 a public authority may refuse a request where it does not hold the information requested. Following a check of records DAERA/NIE does not hold any information in relation to decision making regarding the Court of Appeal ruling dated 28 June 2017.

2. Ongoing Non-Enforcement (1 January 201 to present)

All documents regarding:



- *Subsequent internal discussions about why the Stop Notice was not issued*
- *Any assessment of legal liability for non-enforcement*
- *Communications with sand extraction companies regarding the ongoing situation*
- *Any complaints received about non-enforcement and responses thereto*
- *Changes in policy or approach to enforcement over this period*

No information held – Under Regulation 12(4)(a) of the Environmental Regulations 2004 a public authority may refuse a request where it does not hold the information requested. Following a check of records DAERA/NIE does not hold any information regarding the ongoing non-enforcement of a Stop Notice. The Department of Infrastructure (DfI) is responsible for regulating sand dredging in Lough Neagh. You might try contacting DfI for further information regarding the non-enforcement of the Stop Notice. You can access the DfI website from this link [Home | Department for Infrastructure](#)

3. Legal Advice

All legal advice (whether internal or external) received regarding:

- *The obligation to comply with the Court of Appeal ruling*
- *The consequences of non-enforcement*
- *Potential compensation claims from sand extraction companies if enforcement occurred*
- *Any time limits or conditions on enforcement*

No information held – Under Regulation 12(4)(a) of the Environmental Regulations 2004 a public authority may refuse a request where it does not hold the information requested. Following a check of records DAERA/NIE does not hold any information regarding legal advice received in relation to the Court of Appeal ruling. You might try contacting DfI for any information they may hold in relation to your request.

As no information is held a public interest test has been carried out and is attached as Annex A.

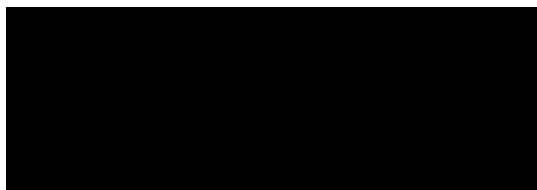
If you require any clarification, believe that any part of your request has been overlooked, misunderstood or misinterpreted, please contact me in the first instance to see if it is a matter that can be resolved.

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, Ballykelly 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,



Conservation, Designation and Protection Branch



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**

An Agency wí'n the Depairtment o
**Fairmin, Environment
an' Kintra Matthers**

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