

Public Interest Test – EIR

Reference Number – DAERA/26-215

Requested Information:

1. All correspondence, emails, letters, file notes, meeting notes, internal memoranda, and other recorded communications between NIEA and Newry, Mourne and Down District Council from 1 August 2025 to the date of your response concerning:

- o Re-Gen Waste Ltd at Shepherds Drive / Carnbane Business Park.
- o the Council enforcement case LA07/2025/0202/CA.
- o any alleged or suspected breach of planning control at the site.
- o any issue concerning waste management licensing, PPC permitting, exemptions, authorisations, or other regulatory controls applying to the site.

2. All records relating to the joint site visit undertaken with the Council on or about 7 January 2026, including:

- o agendas.
- o site inspection notes.
- o handwritten notes.
- o attendance records.
- o photographs.
- o briefing notes.
- o follow-up reports.
- o internal emails discussing the visit before or after it took place.

3. All recorded information held by NIEA regarding whether any matter of planning control at the site has, or may have, a direct bearing on:

- o the validity, scope, or operation of any waste management licence, PPC permit, exemption, or other environmental authorisation.
- o the lawfulness of waste storage, treatment, transfer, sorting, baling, recycling, RDF handling, or any other waste-related activity at the site.
- o compliance with any permit or licence condition.

o whether any ongoing or proposed activity falls outside the scope of the relevant authorisation.

4. Any correspondence or recorded discussion concerning whether the site is being operated:

o outside the scope of planning permission.

o outside the scope of any waste authorisation or permit.

o in a manner requiring variation, review, suspension, revocation, enforcement action, or other regulatory intervention.

5. Any recorded information discussing whether planning breaches, unauthorised structures, unauthorised storage, unauthorised changes of use, or departures from approved site layout are relevant to NIEA's regulatory assessment of the site.

6. Any records of communication between NIEA and the operator, or NIEA and any third party, which refer to the relevance of planning status or planning enforcement issues to the site's environmental authorisation.

7. Any internal NIEA guidance, legal advice summaries, policy notes, or officer notes relied upon in considering how planning control issues at this site interact with waste permitting or licensing controls.

Exemption / Exception under consideration

Regulation 12(5)(e) - adversely affect the confidentiality of commercial or industrial information.

Reasons why the public interest would favour disclosure:

DAERA is committed to conducting its business in a manner that is as open and transparent as possible.

Reasons why the public interest would favour withholding:

This could be used to give a commercial advantage to a competitor of similar specific operations in a particular area or market share of a particular sector.

To release this information would cause a substantial prejudice to the commercial undertaking and economic interest to the companies, which impacts on the wider economy.

This company is involved in a High Court case which has an effect of the disclosure of relevant information.

The Department has previously consulted with such sites and has prior knowledge of their concerns should this information be released to the wider world, which would be as stated above.

Conclusion

Following consideration of the Public Interest Test the Department has decided not to release any information relating to third party companies.



Waste permitting team