

## Northern Ireland Environment Agency

Waste Regulation and Enforcement  
Division



Department of

**Agriculture, Environment  
and Rural Affairs**

An Roinn

**Talmhaíochta, Comhshaoil  
agus Gnóthaí Tuaithe**

Department of

**Fairmin, Environment  
an' Kintra Matthers**

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

Our reference: DAERA/26-245

[REDACTED]

[REDACTED]

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07/05/2026

Dear [REDACTED]

### **Environmental Information Regulations 2004**

I refer to your request for information received by the Department on 5 April 2026 that sought the following information:

**Information under the Environmental Information Regulations 2004 in relation to asbestos report ECS/VCS 415/22 and associated NIEA activity concerning land at Curragh Road, Castleroe, Coleraine.**

**This request relates to matters addressed in your Stage 2 complaint response dated 9 February 2026 (Ref: CC/18/2025).**

**1. Communications with Causeway Coast and Glens Borough Council Copies of all information held by NIEA (including emails, file notes, internal records, and correspondence) recording or evidencing:**

• **communications with Causeway Coast and Glens Borough Council relating to:**

- o **identification of any person as having an estate in, or control of, the land;**
- o **the presence of asbestos at the site;**
- o **any enforcement action taken or proposed;**
- o **arrangements for the removal of asbestos.**

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.

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**2. Basis for NIEA's understanding that the Council ensured removal All information held by NIEA which records, evidences, or supports the statement that:**

**the Council identified the landowner and ensured that asbestos waste would be removed.**

**This includes any:**

- **correspondence (internal or external)**
- **file notes or records of telephone calls**
- **internal briefings or summaries**

**3. Identification of the duty-holder / person in control All information held by NIEA relating to:**

- **the identification of any person considered to be:**
  - o **the owner, occupier, or person in control of the land;**
  - o **a person having an estate in the land;**
- **the basis on which such identification was made or rejected;**
- **any records referring to enforcement notices or other documents identifying a named individual.**

**4. Decision to cease NIEA investigation**

**All information held relating to NIEA's decision to cease or close its investigation, including:**

- **records evidencing reliance on the Council as the lead authority;**
- **internal decision-making records, file notes, or assessments;**
- **any risk assessments or considerations recorded at that stage.**

**5. Verification of asbestos removal and disposal All information held by NIEA relating to:**

- **verification that asbestos was removed by a licensed contractor;**
- **confirmation of disposal at a licensed facility (including date(s), facility details, and any consignment or transfer documentation held).**

**6. Record-keeping and case management**

**Any information held describing:**

- **the systems, processes, or records used by NIEA to record:**
  - o **communications (including telephone calls)**
  - o **decisions**
  - o **enforcement actions**

**in relation to this case.**

In relation to part 1-5 of your request, the Department has provided all information it holds in relation to ECS/VCS 415/22 and is provided in Annex A. Some of this information is redacted as 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.

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The Department has considered this element within the test attached at Annex B and has determined that no lawful basis for disclosure under EIR exists. Please bear in mind that any disclosure must be considered in terms of disclosure to the “world at large” and not just to you, the requester. Consequently, third party personal data falling within the scope of this request has been withheld under regulations 12(3) and 13(1).

In relation to part 6 of your request the Department has included a link to the DAERA Enforcement Policy below.

<https://www.daera-ni.gov.uk/sites/default/files/publications/dard/23.24.043%20DAERA%20Enforcement%20Policy%20-%202023.pdf>

Any additional information requested in Part 6 cannot be disclosed as it relates to internal communications and decision-making processes. This information is exempt from disclosure under regulation 12(4)(e) of the Environmental Information Regulations. A public interest test has been carried out (attached at Annex C) and, on balance, it has been determined that the public interest in maintaining this exemption outweighs the public interest in disclosure. There is therefore no lawful reason to disclose this information.

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](mailto: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.

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Yours sincerely,



**Environmental Crime Unit**

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