

**Northern Ireland Environment Agency
Regulation and Enforcement Division**



Department of
**Agriculture, Environment
and Rural Affairs**

An Roinn

**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Department o'

**Fairmin, Environment
an' Kintra Matthers**

www.daera-ni.gov.uk

Your reference: EIR request — ministerial engagement, Re-Gen Waste Ltd, and
Derryboy Road / Warrenpoint sites
Our reference: DAERA 26/313

██████████

██████████@gmail.com

Waste Permitting Team
Lisburn NIEA
17 Antrim Road
Lisburn
BT28 3AL

Tel: 02890569596

Email: daera.informationmanager@daera-ni.gov.uk

12 May 2026

Dear ██████████,

Environmental Information Regulations 2004

With regard to your request for information received by the Department on the 06th
May 2026 which sought the following information:

I write to make a request for information under the Environmental Information
Regulations 2004 and the Environmental Information Regulations 2004 (Northern
Ireland), insofar as they apply.

This request concerns any ministerial, departmental, or NIEA engagement with Re-
Gen Waste Ltd, its advisers, or its representatives relating to the Derryboy Road site,
the Warrenpoint site, or any potential Regulatory Position Statement (“RPS”)
connected with those sites.

Please provide the following information for the period 1 August 2024 to the present:

1.

All correspondence, including emails, letters, notes, and attachments, between DAERA/NIEA and Re-Gen Waste Ltd, its advisers, or representatives, concerning:

- the Derryboy Road site,
- the Warrenpoint site,
- any RPS request or proposed RPS,
- any connection between waste permitting and planning status.

2.

The dates of any meetings, calls, or other direct engagements between:

- Minister Muir or his Private Office,
 - the Special Adviser,
 - DAERA officials,
 - NIEA officials,
- and Re-Gen Waste Ltd, its advisers, or representatives, on the same subjects.

3.

Copies of any meeting notes, minute sheets, briefing notes, submissions, speaking notes, action notes, or records created for or after any such engagement.

4.

Any records showing whether Newry, Mourne and Down District Council was consulted, informed, or copied into any discussion about:

- an RPS,
- external storage,
- storage in advance of planning approval,
- or any change to the operational position at the site.

5.

Any records showing whether the Public Health Agency, the Loughs Agency, NIEA Conservation, Designation and Protection Team, or the Council's Planning and

Environmental Health departments were informed of, or consulted on, any ministerial engagement connected with this matter.

6.

Any policy, protocol, guidance, or code used by DAERA or NIEA for handling direct approaches by regulated operators to Ministers in relation to specific permit or waste permitting matters.

7.

Any internal record explaining:

- whether a request for an RPS was received from Re-Gen Waste Ltd,
- whether it was considered,
- whether it was escalated to Ministerial level,
- and whether any decision was taken not to issue one.

8.

Any record of the Department's position on the relationship between an RPS and the planning process in this case.

For the avoidance of doubt, I am not seeking legal advice, cabinet-in-confidence material, or anything the Department considers exempt solely because it is legally privileged; however, I do seek the existence, date, title, authorship, and outcome of relevant records where disclosure is otherwise possible.

If any part of this request is refused, please identify each withheld document or category, the exemption relied upon, and explain why the public interest favours withholding.

Please also confirm whether any information has already been published elsewhere and, if so, provide the relevant reference.

After careful consideration, the Northern Ireland Environment Agency (NIEA) is refusing your request under Regulation 12(4)(b) of the Environmental Information Regulations 2004, on the grounds that it is **manifestly unreasonable**.

Reason for Refusal

- Your request is extremely broad, seeking information across multiple categories and timelines.

- Compiling, reviewing, and redacting all responsive records would require a disproportionate amount of staff time and resources, diverting NIEA from its core regulatory and compliance duties.
- The Information Commissioner's Office (ICO) guidance and case law (Dransfield v ICO & Devon CC) support refusal where the burden is excessive or the request is vexatious.

Public Interest Test

NIEA has considered the public interest in disclosing environmental information. While transparency is important, in this case the burden imposed by your requests outweighs the public interest in disclosure. Please see appendix A for the public interest test.

Advice and Assistance

If you wish to receive specific information, NIEA is happy to assist you in narrowing the scope of your request. Please contact us to discuss how your request might be refined to focus on particular documents, sites, or time periods. It is also noted that the department has responded to your similar correspondence within recent TOF-0132, and follow up emails. Please note the point within the TOF response that no RPS is in place. The large volume of previous correspondence and requests for information is also noted.

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,

Waste Permitting Team

APPENDIX A

Public Interest Test – Environmental Information Regulations

Reference Number – DAERA/26-313

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Exemption / Exceptions under consideration

Regulation 12(4)(b) – Manifestly Unreasonable / vexatious.

Reasons why the public interest would favour disclosure:

- Everyone has the right to access environmental information.
- Disclosure of the information would provide confidence that the regulators decision making processes have been carried out fairly and without fear or favour.

Reasons why the public interest would favour withholding:

- Complying with the volume of information requested would apply an unjustified level of disruption to staff already working in difficult circumstances due to already busy workloads.
- The requestor's right of access does not justify the commitment of a significant sum of public money and resources to collect the information.
- The Department has already supplied a very significant amount of information from numerous previous requests. Some of the information now requested asks again for information already supplied. The motivation, value and serious purpose for the numerous requests are unclear but the pattern appear to relate to a campaign. The requests appear to be wide ranging fishing expeditions across several sites. The numerous requests appear to have a significant AI component. The Department also notes the large number of other correspondences from Mr Kerr.

Conclusion

Following consideration of the Public Interest Test, the Department has decided that it would not be in the public interest to fulfil the request made by the requestor. The Department considers this to be manifestly unreasonable / vexatious based on the burden of dealing with the request and consequent diversion of resources in dealing with this query. Advice has been provided to refine the request.

Waste Permitting

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.