

Environment Marine & Fisheries Group
Marine & Fisheries 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

Our reference: **DAERA/26-281**

[Redacted]

Marine & Fisheries Division

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21 May 2026

Dear [Redacted],

Environmental Information Regulations 2004 – Lough Neagh Fishermen's Co-operative Society (LNFC)

I refer to your request for information received by the Department on 24 April 2026, which has been handled under the Environmental Information Regulations 2004 (EIR).

The Department has completed its search and can confirm that it holds some information within scope. Where possible, this information has been provided below.

1	<p>Evidence of fishing rights submitted by LNFC</p> <p>Please provide copies of all documents supplied by LNFC to DAERA in support of its application(s) for the appointment of private water bailiffs, including but not limited to:</p> <ul style="list-style-type: none">• Leases	<p>DAERA does not appoint Private Water Bailiffs (PWBs). Under Section 170 of the Fisheries Act (Northern Ireland) 1966, PWBs are appointed by the courts.</p> <p>The Fisheries Act (Northern Ireland) 1966 requires that applications for private water bailiffs are made to and determined by the courts, with</p>
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	<ul style="list-style-type: none"> • Licences • Deeds • Agreements • Assignments • Legal opinions or counsel's advice • Correspondence describing or asserting fishing rights that were relied upon by DAERA to establish that LNFC held a sufficient fisheries interest for bailiff appointment. <p>If any documents are withheld, please specify the exemption relied upon.</p>	<p>applicants required to notify the Department, which may attend and be heard but does not determine or adjudicate on fishing rights, and the definitive record of appointments rests with the courts.</p> <p>The Department holds limited information within the scope of your request, where it has been notified of applications.</p> <p>The Department is withholding relevant documentation under Regulation 12(5)(b) (course of justice and inquiries exception).</p> <p>The Department is aware of ongoing and anticipated High Court proceedings concerning the ownership of fishing rights on Lough Neagh. Disclosure at this time would, or would be likely to, prejudice the course of justice, including ongoing and anticipated High Court proceedings concerning the ownership of fishing rights on Lough Neagh, by prematurely disclosing material relevant to matters under judicial consideration.</p> <p>A Public Interest Test supporting this decision is provided at Annex A.</p>
2	<p>Scope and wording of bailiff appointment</p> <p>Please provide:</p> <p>a) Copies of the formal appointment instruments, warrants, letters, or written terms under which private water bailiffs associated with LNFC were appointed.</p> <p>b) Any accompanying guidance, limitations, or conditions issued by DAERA defining the scope of powers conferred on those bailiffs.</p>	<p>a)</p> <p>The appointment of private water bailiffs is a matter for the courts under Section 170 of the Fisheries Act (Northern Ireland) 1966.</p> <p>The Department does not appoint private water bailiffs and does not hold the definitive record of appointment instruments, warrants, or associated documentation.</p> <p>However, the Department holds limited information relating to the administrative process associated with</p>

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		<p>applications, where notified. Relevant documents held are provided at Annex B, including:</p> <p>PWB Appointment Process documentation Example Warrant Card</p> <p>b) The powers of private water bailiffs are set out in legislation, principally within the Fisheries Act (Northern Ireland) 1966. The Department does not issue bespoke guidance, conditions, or limitations defining the legal scope of those powers beyond the statutory framework. Relevant documents held are provided at Annex B, including:</p> <p>PWB 1 form Schedule 5a renewal form Section 170 Schedule 5a</p>
3	<p>Recreational angling rights Please confirm:</p> <p>a) Whether any document supplied by LNFC to DAERA expressly confers exclusive rights over recreational rod-and-line angling on Lough Neagh, or an express right to prohibit recreational angling;</p> <p>b) If the answer to (a) is yes, please identify and provide a copy of the relevant document and the precise wording relied upon.</p>	<p>a) The Department holds information within scope of this part of the request; however, this information is being withheld under Regulation 12(5)(b) for the reasons set out in response to Question 1. The Department has considered the public interest in disclosure against the public interest in maintaining the exception and has concluded that the balance favours withholding the information.</p> <p>b) The Department does not determine or adjudicate on private fishing rights. For information on the rights asserted by Lough Neagh Fishermen's</p>

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		Cooperative Society Ltd, you may wish to contact that organisation directly.
4	<p>Alignment between bailiff authority and public statements</p> <p>LNFC has issued public notices stating that recreational angling on Lough Neagh is “not permitted” and “unlawful”.</p> <p>Please provide:</p> <p>a) Any correspondence, briefing, or assessment by DAERA considering whether such public statements accurately reflect the legal scope of the fishing rights held by LNFC;</p> <p>b) Any communication between DAERA and LNFC regarding the content, accuracy, or use of such public notices.</p>	<p>a) The Department is withholding this information under Regulation 12(4)(e) (internal communications). The Department considers that the public interest in maintaining the exception outweighs the public interest in disclosure. Further detail is provided at Annex A.</p> <p>b) The Department is withholding this information under Regulation 12(5)(b), for the reasons set out in response to Question 1.</p>
5	<p>DAERA guidance to bailiffs regarding recreational anglers.</p> <p>Please provide details of:</p> <ul style="list-style-type: none"> Any instructions, protocols, or guidance issued by DAERA to LNFC-associated bailiffs concerning engagement with recreational anglers, including any limits on enforcement in relation to rod-and-line angling. 	<p>Under Section 168(1) of the Fisheries Act (Northern Ireland) 1966, DAERA does not enforce private fishing rights on behalf of fishery owners.</p> <p>Enforcement by the Department relates to compliance with fisheries legislation. Matters relating to fishing without the authority of a fishery owner (Section 164) are a matter for the owner or occupier of the fishery.</p>
6	<p>DAERA's understanding of the legal effect of bailiff appointment</p> <p>Please confirm whether DAERA considers that: The appointment of private water bailiffs on application by LNFC constitutes recognition that LNFC holds exclusive control over</p>	<p>As outlined in response to Question 1, the appointment of PWBs is a matter for the courts and does not constitute recognition or endorsement by the Department of any asserted fishing rights.</p>

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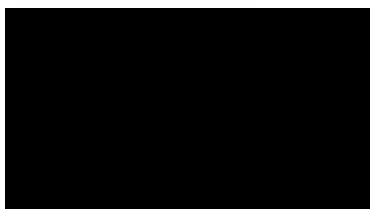
<p>recreational angling rights on Lough Neagh. If not, please provide any internal guidance or policy documents that clarify the distinction between commercial fishing rights enforcement and recreational angling.</p>	<p>The Fisheries Act (Northern Ireland) 1966 does not distinguish between commercial and recreational private water bailiffs.</p> <p>The issue of a DAERA fishing licence does not confer any right of fishing, as provided for under Section 40(a) of the Fisheries Act (Northern Ireland) 1966.</p>
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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, 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,



DAERA Inland Fisheries

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