

Public Interest Test – EIR

Reference Number – DAERA/26-402

Requested Information

Please could you provide me with the destination sites included on the summary logs of these companies, including amounts sent to each destination site, again sorted by month.

Exemption / Exception under consideration

Environmental Information Regulations 2004 - Regulation 12(5)(e) - adversely affect the confidentiality of commercial or industrial information.

Reasons why the public interest would favour disclosure

- Regulation 12(2) requires DAERA to apply a presumption in favour of 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

The information requested above relates to individual Companies involved in commercial contracts with the potential for this information to give a commercial advantage to a competitor of the companies involved if released.

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

The Department, having previously consulted with such Companies, has prior knowledge of their position which is that they consider giving out such detailed information as commercially sensitive as if the information were released it would provide a competitor with an unfair market advantage.

Conclusion

In considering the Public Interest Test in relation to the use of this exception we recognise that Regulation 12(2) requires DAERA to apply a presumption in favour of disclosure and to be as open and transparent as possible. However, withholding the information under Regulation 12(5)(e) allows the companies to operate in a fair market without unfair advantage being given to competitors. The public interest in favour of disclosure is outweighed by that the wider public interest in favour of withholding as a result.

[REDACTED], Waste Data and Producer Responsibility Team