Public Interest Test – EIR

Reference Number – DAERA/26-481

Requested Information

Details of all DAERA and associated bodies' or agencies' communications and correspondence (both electronic and physical, internal and external) in relation to Moy Park and Lough Neagh since 2019. This would include, but is not restricted to:

1) Letters, email, electronic messenger and any other communications discussing this.
2) Minutes and any other records from meetings and engagements (virtual, hybrid and in-person).
3) The time(s), date(s), venue(s) and a full list of attendees of any such meetings and engagements (virtual, hybrid and in-person).
4) Any presentation materials circulated or used at any such meetings and engagements.
5) Any briefing notes or documents shared or used at any such meetings and engagements.

Exemption / Exception under consideration

Regulation 12(4)(c): request formulated in too general a manner and the public authority has complied with regulation 9.

Reasons why the public interest would favour disclosure:

Factor	Weight and reasoning
Transparency	There is a general public interest in openness about environmental information held by public authorities.
Accountability	Disclosure may support public understanding of departmental decision-making, environmental impacts, and use of public resources.
Participation	Access to environmental information can assist public participation in environmental matters.
Presumption in favour of disclosure	Regulation 12(2) requires the Department to start from a presumption in favour of disclosure.

Reasons why the public interest would favour withholding:

Factor	Weight and reasoning
Accuracy of response	Where the request is unclear, disclosure risks providing the wrong information or an incomplete response that does not meet the requester's actual information need.
Effective use of public resources	Clarification helps ensure searches are targeted, proportionate and focused on the information actually sought.
Fairness to the requester	Seeking clarification gives the requester a better opportunity to receive the information they want, rather than information selected through assumptions.
Quality of EIR handling	Maintaining the exception until clarification is received supports a clear audit trail and reduces the risk of misunderstanding, complaint or avoidable internal review.
Compliance with regulation 9	The exception should only be maintained where reasonable advice and assistance has been provided and recorded.

Conclusion

Balancing outcome: The starting point is disclosure. However, on the facts recorded above, the request is formulated in too general a manner and the Department cannot safely identify the information sought without clarification. The public interest in disclosure is recognised, but it is outweighed by the public interest in maintaining regulation 12(4)(c) at this stage, because disclosure before clarification may result in the requester receiving the wrong information and may undermine accurate and efficient handling of the request.

Decision: Maintain regulation 12(4)(c), issue a refusal notice within the statutory time limit, and ask the requester to provide more particulars. The response should include practical advice and assistance to help the requester refine the request. If clarification is received, treat the clarified request as a fresh request and respond within the new EIR time limit.

[redacted]