

Our Reference: DAERA/26-475

Water Pollution Response &

Enforcement Team

NIEA Lisburn

17 Antrim Road

Tonagh

Lisburn

BT28 3AL

Telephone: 0800 80 70 60

Reply via email

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08 August 2026

Email: WMU.FOI@daera-ni.gov.uk

Dear ,

Environmental Information Regulations 2004

Thank you for your environmental information request received by the Department on 15 July 2026 which sought copies of incident reports and enforcement data for water pollution incidents in the waterway within 200m of 47A Feney Road Magheralin (at the stone bridge).

I can advise that the Department has completed its search and can confirm that it holds the information you requested.

Question 1: Copies of all reported pollution incidences reported in this watercourse at this location.

Water pollution incidents in the waterway located within 200m of 47A Feney Road, Magheralin are detailed in the table below. A redacted copy of each incident report, including any follow-up has been attached as **Annex A**.

Incident Reference No
WR 4/21/0099
WR 4/21/0140
WR 4/23/0078
WR 4/24/0115
WR 4/26/0087
WR 4/26/0115

Regarding the information provided, the Department considers the following exception to be engaged:
Regulation 12(3) and 13(1)

Some information within the reports constitutes personal data of which you are not the data subject. Regulation 12(3) requires that personal data is not disclosed, and Regulation 13 prohibits the disclosure of third-party personal data that would contravene UK GDPR or the DPA 2018. In this instance, releasing the data would be in contravene of principal (1) “personal data should be processed lawfully, fairly and in a transparent manner in relation to a data subject”. This is an absolute exemption; therefore, no public interest test applies. The Department has, however, carried out the appropriate Lawfulness, Fairness & Transparency Test which is attached as **Annex B**.

Question 2: Copies of all site visit reports carried out by your department as a result of each of these reported pollution incidents.

Please refer to Question 1 above.

Question 3: Copies of all reports prepared and sent to Single Farm Payments Branch for each of these reported incidents.

Information sent to the ‘Single Farm Payments Branch’ is submitted via an online portal therefore a copy of any submission report is not available. However, we can confirm that breaches of the Nutrient Action Programme Regulations (Northern Ireland) 2019, related to these incidents, were submitted to this branch.

Question 4: Copies of all penalties imposed by Single Farm Payments Branch on farm businesses in association with these farm pollution incidents.

DAERA can confirm that penalty/penalties were applied for a minimum of one of these pollution incidents. Due to the risk of identifying the farm business/persons involved, a copy of any letter relating to penalty/penalties issued cannot be issued.

Question 5: Copies of all prosecutions pursued through the NI Courts Service by your Department for these pollution incidents.

All water pollution incidents referred to above were classified as having a Low Severity environmental impact and, in line with the Departmental Enforcement Policy, no prosecution was pursued. Most cases of water pollution reported to NIEA are, following investigation, found to be unsubstantiated or of Low Severity which would not reach the threshold for formal enforcement action. In the case of Low Severity incidents, NIEA ensures that the pollution is stopped and provides advice to minimise the risk of recurrence. Note, breaches of the Nutrient Action Programme Regulations (Northern Ireland) 2019 with subsequent financial penalty may be applied for Low Severity incidents, of agricultural source, where a polluter has been identified.

NIEA seeks to undertake enforcement action that is proportionate to the significance of the offence. This includes consideration of the level of environmental harm, the impact on communities, the level of financial benefit arising from the offence(s) or the regulatory costs avoided.



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Formal enforcement action is normally considered for incidents having a Medium or High Severity environmental impact where a polluter has been identified. In such cases where it is suspected that a criminal offence has occurred; there is sufficient evidence and it is warranted in line with DAERA's Enforcement Policy, a file may be submitted to the Public Prosecution Service, who review the file and decide whether to direct a prosecution. Other enforcement actions available to the Department include the issuing of Warning Letters, Notices and breaches of Cross-Compliance for agricultural incidents.

Question 6: Copies for all follow up site visit reports monitoring the watercourse over the last 5 years outside of reported incidents.

The small catchment involved does not have its own water quality monitoring station, thus no post-incident monitoring has been undertaken, however, overall data for the River Lagan can be accessed via the [NIEA Catchment Data Map Viewer | Department of Agriculture, Environment and Rural Affairs](#).

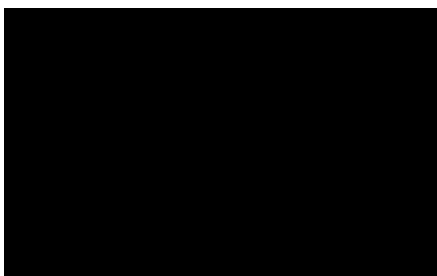
If you require any clarification, believe that any part of your request has been overlooked, misunderstood or misinterpreted, please contact me in the first instance to see if it is a matter that can be resolved.

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,



Water Pollution Response & Enforcement Team



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