

Public Interest Test – EIR

Reference Number – DAERA/26-505

Requested Information:

Recorded environmental information relating to any Transfrontier Shipment (TFS) notifications and corresponding consents relating to the importation of waste to either Lisbane Landfill or the Materials Recovery Facility (MRF) at Aughlish Road, Tandragee.

Exemption / Exception under consideration

Environmental Information Regulations 2004 - Regulation 12(4)(b) - a public authority may refuse to disclose information to the extent that –
(b) the request for information is manifestly unreasonable

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 public interest in maintaining this exception lies in protecting public authorities from exposure to the disproportionate burden of handling a significant number of information requests relating to one site.

Dealing with manifestly unreasonable requests can put a strain on public authority resources and get in the way of delivering mainstream services or answering other requests.

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(4)(b) reduces the burden on NIEA staff allowing them to carry out their statutory duties.

TFS, POPs and ROC Branch