

Public Interest Test – FOI

Reference Number – DAERA/26-643

Requested Information

Information relating to the preparation and drafting of the refusal letter and the Annex A Public Interest Test issued in respect of DAERA/26-321.

Exemption / Exception under consideration

Vexatious under section 14(1) of FOIA.

Reasons why the public interest would favour disclosure:

- Regulation 12(2) requires DAERA to apply a presumption in favour of disclosure and DAERA is committed to conducting its business in a manner that is as open and transparent as possible.
- Disclosure would lead to greater transparency and accountability.
- There is significant interest among the public in matters concerning the environment.

Reasons why the public interest would favour withholding:

- The request forms part of an ongoing series of overlapping requests on the same subject and imposes an unjustified level of disruption and burden on the authority.
- The request adds a further layer of work concerning the administration and handling of an earlier request, in the context of a continuing series of overlapping requests about the same underlying subject. On 12 August 2026 the requester received the outcome of an internal review of the decision of DAERA/26-321.
- The cumulative effect would divert staff from core functions and from the handling of other information requests.
- The Department considers that the work required would be disproportionate to the additional value likely to be obtained from processing this request in full.
- Chilling Effect: the disclosure of internal discussions inhibits free and frank discussions, and that the loss of frankness and candour damages the quality of advice, leading to poorer decision-making.

Conclusion

Following consideration of the Public Interest Test the Department has decided that on balance, the public interest in maintaining the exception outweighs the public interest in disclosing the information.

SULS Project Team
Green Growth and Innovation Division