

Reference Number: DAERA/26-663
Request Details:
EIR request regarding hydroelectric site inspections, compliance monitoring and enforcement on the River Main.



Department of
**Agriculture, Environment
and Rural Affairs**

An Roinn

**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Department o'

**Fairmin, Environment
an' Kintra Matthers**

www.daera-ni.gov.uk

Inland Fisheries
Marine & Fisheries Division



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E-mail:
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23 September 2026



Environmental Information Regulations 2004

I refer to your request for information received by the Department on 01 September 2026 that sought the following information:

Information on the inspection, monitoring and enforcement arrangements relating to the hydroelectric installation operating from Neilsbrook Weir on the River Main.

I can advise that the Department has completed its search and can confirm that it holds the information you requested. The information that can be disclosed is set out below.

The Department has decided not to disclose some of the information you requested, as it considers **Regulation 12(5)(b) of the Environmental Information Regulations 2004** to be engaged. In this instance, the Department is legislatively required to consider the public interest in disclosure. An associated Public Interest Test has been conducted and is attached for your information at **Annex A**.

If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.

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1	How often is the Hydro inspected to ensure mesh screens are in place to protect fish migrating downstream?	All hydroelectric sites within the DAERA area are subject to annual inspections to assess compliance with the Fisheries Act (Northern Ireland) 1966 and adherence to any applicable exemptions issued under sections 58 or 59 of that Act. Additional inspections, including follow-up inspections, may also be undertaken where required.
2	How often is the Hydro inspected to ensure the electrodes are in place and working to stop migrating fish from entering the mill race for fish migrating upstream?	The inspection arrangements outlined in response to Question 1 also apply. Where an electric barrier forms part of the conditions applicable to a site, it is included within the inspection arrangements for that site.
3	What records are kept for these inspections	The Department holds records relating to site inspections. However, the information held in relation to the site concerned is being withheld under Regulation 12(5)(b) of the Environmental Information Regulations 2004 for the reasons set out below.
4	When was the last recorded dates of inspection	The date of the most recent recorded inspection is being withheld under Regulation 12(5)(b) of the Environmental Information Regulations 2004 for the reasons set out below.
5	What penalties can you impose for screens not being in place or to the correct standard, or electrodes not working or not being fit for purpose	Where legislation has been breached or an offence has been detected, the Department has a range of options available to secure compliance. The action taken will depend on the circumstances and seriousness of the breach and may include the issue of a warning letter, an adult caution or referral for prosecution.

The Department has decided not to disclose the information requested under Questions 3 and 4, as disclosure would adversely affect its ability to conduct an ongoing inquiry and any subsequent enforcement proceedings. Regulation 12(5)(b) of the Environmental Information Regulations 2004 therefore applies.

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.

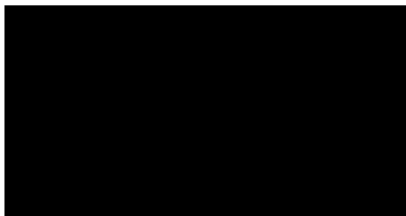
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If you are unhappy with the manner in which your request for information has been handled or the decision to release/withhold information, you have the right to request a formal review by the Department. If you wish to do so, please contact The Review 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,



DAERA Inland Fisheries

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