

Reference Number: DAERA/26-683
Request Details: Community Joint
Complaint - NWP Glenside Road Odour
Pollution & Regulatory Escalation.



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

An Roinn

**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Department of

**Fairmin, Environment
an' Kintra Matthers**

www.daera-ni.gov.uk

**Northern Ireland Environment Agency
Waste & Industrial Pollution
Regulation and Enforcement Division**

By email:

NIEA Regulation Unit
17 Antrim Road
Lisburn
Tonagh
BT28 3AL

Email: daera.informationmanager@daera-ni.gov.uk

21st September 2026

Dear [REDACTED]

Environmental Information Regulation 2004

I refer to your request for information received by the Department on 21 August 2026 which sought the information set out in Appendix A.

As explained in the information sheet enclosed with the acknowledgement letter, under certain conditions, the Department has the right to refuse to respond to a request for information.

Under Regulation 12(4)(b) of the EIR, the Department may refuse to comply with a request for information where it is considered to be manifestly unreasonable. The Department considers the request to be manifestly unreasonable on the grounds that the request is vexatious and of diversion of resources.

The Department has always accepted a greater burden when responding to requests for environmental information than other information, however, in this instance, it considers complying with this request to be overly burdensome, in so far as it will

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divert the existing resources available to the Department to such an extent that the delivery of its public services would be affected.

In these instances, the Department is required to consider the public interest in complying with the request. A Public Interest Test has been conducted and is attached in Appendix B.

By way of advice and guidance, the Department would advise on narrowing the request to a specific timeline and clarifying specifically the information or documents you are requesting.

You may wish to refer to the DAERA Publication Scheme via the following link [DAERA Publication Scheme | Department of Agriculture, Environment and Rural Affairs](#) that may contain some of the information sought within your request.

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 Internal 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,

Waste Permitting Team

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APPENDIX A

Requested Information:

1. Publication of the most recent NIEA air quality monitoring data and compliance reports for this facility, along with a full record of complaints received about this site to date.
2. A strict, published enforcement timeline from DAERA, with clearly defined and escalating consequences, up to and including operational suspension, if the odour is not brought under permanent control.
3. A unique reference number for this complaint, issued by each recipient body, along with reference numbers for any prior correspondence or complaints already held on file relating to this site, so that this matter can be tracked consistently across all future correspondence.

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APPENDIX B

Public Interest Test – EIR

Reference Number – DAERA/26-683

Requested Information

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Exceptions under consideration

Regulation 12(4)(b) For the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that— the request for information is manifestly unreasonable.

Reasons why the public interest would favour 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 time commitment to fulfil this and other requests in full would pose a disproportionate burden on the Department and would involve an unreasonable diversion of resources including staff resources from essential and statutory responsibilities.
- The requestor's right of access does not justify the commitment of a significant sum of public money and resources to collect the information.
- The Department have already supplied a very significant amount of information from numerous previous requests. The motivation, value and serious purpose for the numerous requests are unclear, but the pattern appear in part to relate to campaigns. The requests appear to be wide ranging fishing expeditions.
- Having considered the context and history of correspondence, and in line with ICO guidance, the Department has determined that the present request is manifestly unreasonable / vexatious, and a significant diversion of resources. Responding would impose a disproportionate and unjustified burden on staff and forms part of a pattern of repetitive and numerous correspondence. These factors collectively meet the ICO's threshold for manifestly unreasonable / vexatious, and a diversion of resources.

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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. The Department considers this to be a manifestly unreasonable request based on the burden of dealing with the request and consequent diversion of resources in dealing with this and other requests.

Waste Permitting Team

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