

Public Interest Test – FOI

Reference Number – DAERA/26-537

Requested Information

Information regarding consents to discharge at properties 50 and 50a Sessiagh Scott Road.

Exception under consideration

Exceptions engaged:

Regulation 12(5)(b): The course of justice and inquiries exception

Reasons why the public interest would favour disclosure:

- The right of the public to have access to information;
- The accountability of administrators and scrutiny of decision-making processes; and
- Release of the information would demonstrate openness and transparency, greater public awareness and understanding of the circumstances relating to this report of pollution.

Reasons why the public interest would favour withholding:

- The Department is in the process of following up a reported pollution incident. It is in the public interest for officials to follow due process and complete ongoing work without interruption and interference from outside.
- Releasing documents between officials and consent holders would have a detrimental impact on the integrity of the enforcement decision making because the assessment and determination of any remedial actions require a thorough evaluation of all options and clarification of key points through discussion. If this material is disclosed before remedial actions are agreed and completed, this has potential to compromise or unduly influence the fair assessment of each of these options.

Conclusion

Having considered all the elements of the Public Interest Test we conclude that the public interest in withholding this information outweighs the public interest in release.

Water Regulation Industrial and Domestic Consents, DAERA