

Reference Number: DAERA/26-711
Request Details:
Records associated with the regulatory history of the 2013 Suspension Notice for Lisbane Landfill.



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

Central Service Team

[REDACTED]
[REDACTED]
[REDACTED]
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Waste Permitting Team
Lisburn NIEA
17 Antrim Road
Lisburn
BT28 3AL

Tel: 02890569596

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

12 October 2026

Dear [REDACTED]

Environmental Information Regulation 2004

With regard to your request for information received by the Department on 14 September 2026 which sought the following information:

Dear NIEA,

Environmental Information Regulations 2004 Request

I request the following recorded environmental information concerning Lisbane Landfill, 29 Aughlish Road, Tandragee, operating under PPC permit P0145/06A.

On 20 June 2013 NIEA served a Suspension Notice which recorded, among other matters:

“Infilling of waste in Phase 9 of the landfill without the required engineered containment system.”

The Notice required waste acceptance to cease and required the operator to:

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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“Construct the engineered containment system for Phase 9 of the Landfill.”

The operator’s Annual Environmental Report for 2013 subsequently recorded that:

“The landfill site was closed to receiving further waste at the end of Quarter 2 2013 due to a failure to commence Phase 9 of the Landfill.”

The current permit history also records that Lisbane ceased accepting non-hazardous waste in June 2013 and subsequently resumed accepting inert waste following the July 2018 variation to the permit.

I am seeking to establish the recorded regulatory history of the 2013 Suspension Notice and, specifically, how the Phase 9 matter identified in that Notice was ultimately dealt with.

Please therefore provide:

1. A copy of any notice, decision, letter or other record formally withdrawing, cancelling, revoking, varying or otherwise bringing to an end the Suspension Notice dated 20 June 2013.
2. The date upon which NIEA recorded that the Suspension Notice ceased to have effect, together with any record identifying the legal or regulatory basis upon which that occurred.
3. Any record showing NIEA’s assessment or determination that the requirement in the Suspension Notice to construct the engineered containment system for Phase 9 had been satisfied.
4. Any records concerning the continuing status of the 20 June 2013 Suspension Notice between its issue and the July 2018 permit variation, including records created or considered in connection with permit variations V2, V3 and V4, determined on 13 October 2014, 11 November 2015 and 16 February 2016 respectively, which addressed whether the Suspension Notice remained in force or whether its requirements had been satisfied.
5. Records relating to the status of the Suspension Notice when permit variation P0145/06A/V5 was determined on 27 July 2018, including any assessment of whether the Suspension Notice required to be withdrawn, varied or otherwise dealt with before the landfill could resume accepting inert waste.
6. Any record identifying the date on which waste acceptance actually resumed pursuant to permit variation P0145/06A/V5, and the recorded regulatory basis upon which NIEA considered waste acceptance could lawfully recommence.

If NIEA holds no formal withdrawal, revocation or equivalent document in relation to the 20 June 2013 Suspension Notice, please state that clearly.

Likewise, if NIEA holds no record showing that the specific requirement to construct the engineered containment system for Phase 9 had been satisfied, please state that clearly.

For avoidance of doubt, I am seeking recorded information held by NIEA rather than asking NIEA to provide a new explanation or opinion.

The relevant period for this request is 20 June 2013 to the date on which waste acceptance first resumed pursuant to permit variation P0145/06A/V5.

I am aware that NIEA has communicated a restriction concerning further information requests in relation to Lisbane.

Residents within our community do not accept the basis or scope of that restriction and intend to challenge it directly and collectively with the Information Commissioner's Office.

Pending determination of that challenge, I intend to continue submitting requests where I consider the information sought necessary to understand discrete regulatory issues concerning the site.

This request should therefore be considered on its own terms under the Environmental Information Regulations 2004.

Please provide the information electronically.

Yours faithfully,

I can advise that the Department has completed its search and can confirm that it holds some the information you requested, please see attached documents. However, some of the information has been withheld for the following reason:

- It is considered Personal Data of which you are not the data subject. Regulation 12(3) 13(1) provides an exception from disclosure. Information regarding the names of third parties have been redacted. A Lawfulness, Fairness and Transparency Test has been conducted and is attached as Annex A.

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 &

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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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ANNEX A

LAWFULNESS, FAIRNESS AND TRANSPARENCY TEST

DAERA/26-711 - Environmental Information Regulations 2004 (EIR)

Request Details:

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“Infilling of waste in Phase 9 of the landfill without the required engineered containment system.”

The Notice required waste acceptance to cease and required the operator to:

“Construct the engineered containment system for Phase 9 of the Landfill.”

The operator’s Annual Environmental Report for 2013 subsequently recorded that:

“The landfill site was closed to receiving further waste at the end of Quarter 2 2013 due to a failure to commence Phase 9 of the Landfill.”

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Brief description of the Personal Data falling within the scope of the request

The data includes names which would enable the identification of individuals.

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LAWFULNESS

Please identify the lawful basis for processing

Personal data is processed when it is lawfully disclosed in response to an FOI / EIR request.

The lawful basis for processing are set out in Article 6 of the GDPR and the ICO expects at least one of two lawful bases (Consent / Legitimate Interest) to apply before the personal data held can be disclosed.

- ☐ **Consent:** This will apply when the data subject(s) clear consent exists that allows you to disclose the personal data falling within the scope of this request.
- ☐ **Legitimate interests:** the processing is necessary for the Department's legitimate interests or the legitimate interests of a third party that overrides the data subject(s) rights and freedoms, particularly their right to privacy.

Consideration of Legitimate Interests

1. PURPOSE

As the disclosure of personal data under FOIA or EIR is a disclosure to the world at large, doing so on the strength of a requester's private interests alone could constitute a disproportionate and unwarranted level of interference with the data subject(s) rights and freedoms, particularly their right to privacy and family life under the Human Rights Act 1998.

2. NECESSITY

The right of access under FOI or EIR does not in itself constitute a **pressing social need**.

The Department has considered and not identified any such need for the data subject's right to privacy to be interfered with.

CONCLUSION

Having considered all of the information contained within this test, the Department has established that, on balance, there is no lawful for the disclosure of third party personal data falling within the scope of the request of which the requester is not the data subject.