

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



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

An Roinn

**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Deapairtment o'

**Fairmin, Environment
an' Kintra Matthers**

www.daera-ni.gov.uk

Our reference: DAERA/26-707



NIEA Regulation Unit
17 Antrim Road, Tonagh, Lisburn, BT283AL
Tel: 028 9056 9353
Email: wml.queries@daera-ni.gov.uk

06 October 2026

Dear ,

Environmental Information Regulations (EIR)

I refer to your request for information received by the Department on 11 September 2026, in relation to Natural World Products Ltd, which requested:

1. Any warning letters, or other correspondence issued by NIEA to NWP, regarding breaches of the permitted waste tonnage capacity limits under Permit P0479/15A (any variation), in the past five years (September 2021 to date).
2. Any correspondence between NIEA and NWP regarding the storage/storm water attenuation tank at the site, which NWP's planning statement (December 2024, submitted in support of planning application LA08/2025/0024/F) states was installed at the request of NIEA's licensing team to address flood and drainage issues.

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

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comply with a request for information where it is considered to be manifestly unreasonable.

The Department has determined your request to be manifestly unreasonable on the grounds of cost and diversion of resources and considers Regulation 12(4)(b) of the Environmental Information Regulations to be engaged.

The Department has always accepted a greater burden when responding to requests for environmental information than when responding to requests for other information. However, in this instance, it considers complying with this request to be overly burdensome, insofar as it will divert the existing resources available to the department to such an extent that the delivery of its public services would be affected.

The Department has determined the cost of complying with your request to be over **£2,695**, as detailed in the table below:

Number of potential records identified	Time to review each record and extract information	Time taken @ £25/hr of staff time	Total
1294 records	1294 x 5 minutes = 6470 minutes	6470 / 60 = 107.8 Hours x £25=	£2,695

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 as **Annex 1**.

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.

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Yours sincerely,

Waste Licensing Team

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ANNEX 1

Public Interest Test – EIR Reference Number – DAERA/26-707

Requested Information

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Exceptions under consideration

Regulation 12(4)(b) - 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.
- Disclosure would promote transparency and accountability in relation to the Department's regulation of the site.
- There is a legitimate public interest in access to environmental information concerning odour, complaints, monitoring and regulatory compliance.
- Disclosure could assist the public in understanding the information held by the Department and the regulatory action taken in response to concerns about the site.

Reasons why the public interest would favour withholding:

- Complying with the request in full would require the Department to identify, retrieve and review information potentially held across a range of records and correspondence. When considered alongside the related requests and

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correspondence already received, this would place a disproportionate burden on the Department.

- The work required to comply would involve a significant diversion of staff resources away from the Department's essential regulatory and statutory responsibilities. This would adversely affect the Department's ability to deliver its wider public services.
- The Department has already provided a substantial volume of information in response to previous requests concerning the site. The motivation, value and serious purpose for the numerous requests are unclear, but the pattern appears in part to relate to campaigns. The requests appear to be wide-ranging fishing expeditions.
- The requestor's right of access does not justify the commitment of a significant sum of public money and resources to collect the information.
- Having considered the context and history of correspondence, the Department has determined that responding would impose a disproportionate and unjustified burden on staff, significantly divert resources and form part of a pattern of repetitive and numerous correspondence. Collectively, these factors meet the threshold for manifest unreasonableness under ICO guidance and relevant case law, including *Dransfield v ICO & Devon CC*, which supports refusal where the burden is excessive or the request is vexatious.

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 cost and burden of dealing with the request and consequent diversion of resources in dealing with this and other requests.

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