Reference Number: DAERA/26-780

Request Details:
NIEA handling of ABC Council odour-monitoring observations at Lisbane Landfill

Department of
Agriculture, Environment and Rural Affairs
An Roinn
Talmhaíochta, Comhshaoil agus Gnóthaí Tuaithe
Depairtment o'
Fairmin, Environment an' Kintra Matthers
www.daera-ni.gov.uk

[redacted]

Waste Permitting Team
Lisburn NIEA
17 Antrim Road
Lisburn
BT28 3AL
Telephone: 02890569596

E-mail: daera.informationmanager@daera-ni.gov.uk

3rd November 2026

Dear [redacted],

The Environmental Information Regulations (EIRs) 2004

With regard to your request for information received by the Department on the 9th October 2026 which sought the following information:

EIR Information Requested:
Dear Northern Ireland Environment Agency,

4. Information requested

Please provide the following recorded environmental information held by NIEA concerning the email correspondence of 9–14 September 2022, the odour-monitoring observations supplied by ABC Council on 13 September 2022, and NIEA's receipt or handling of the further observation dated 17 May 2023.

Request A: Receipt and internal consideration

Any records documenting NIEA's receipt, circulation, review, assessment, internal referral or discussion of ABC Environmental Health's email of 13 September 2022 at

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17:14, including the attached complaint information and monitoring Entries 696886 and 702539.

This includes any records identifying whether NIEA officers considered the references to:

- “Obvious sweet compost smell” along Lisbane Road;
- “Brown soil / compost being used” during capping works;
- bird activity associated with newly layered material; and
- the “sweet, sickly smell” associated with decaying organic matter.

Request B: Enquiries, investigation or verification

Any records of enquiries, investigations or verification undertaken by NIEA in response to the observations contained in the Council’s 13 September 2022 email, including:

a. Any enquiries concerning the nature, composition, origin or regulatory status of the material observed during capping works.

b. Any enquiries made to the landfill operator concerning those observations.

c. Any site inspections, examination of waste acceptance or deposition records, or consideration of capping documentation undertaken in response to the observations.

d. Any assessment of the reported compost-like odours, decaying organic matter or associated bird activity.

e. Any consideration of whether the observations raised potential compliance issues under PPC Permit P0145/06A, including the inert-only waste-acceptance restrictions then in force and the approved landfill closure and restoration arrangements.

Request C: Recorded conclusions and regulatory decisions

Any records documenting the conclusions reached by NIEA, regulatory action considered or taken, or decisions that no further enquiries, investigation or enforcement action were necessary in response to the observations supplied by ABC Council.

Please include any recorded reasons supporting those conclusions or decisions.

Request D: Correspondence with ABC Council

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Any correspondence, replies or other recorded communications between NIEA and ABC Environmental Health arising from the email exchange of 9–14 September 2022, insofar as they concern the monitoring findings supplied on 13 September.

This includes any subsequent request for clarification or additional information, substantive response, advice or explanation provided by NIEA concerning Entries 696886 and 702539.

The correspondence already reproduced in Appendix 1 to IR-2026-962 need not be duplicated, provided any additional records are disclosed.

Request E: Subsequent observation of 17 May 2023

Please provide any records held by NIEA showing whether ABC Environmental Health Entry 711694, dated 17 May 2023, was subsequently received, referred to or discussed by NIEA.

If such records are held, please provide the relevant correspondence or referral together with any recorded consideration, enquiries, conclusions or response concerning that specific observation.

5. Clarification of information sought

For clarity, the dates, correspondence details and monitoring entry numbers identified above are provided to enable NIEA to locate the relevant information accurately. They are not intended to restrict the search to records created on those dates or to only those documents which expressly refer to the Council's monitoring entry numbers.

I am seeking all recorded information falling within Requests A–E, including any subsequent correspondence, enquiries, investigations, inspections, assessments, regulatory consideration, conclusions or follow-up concerning the environmental matters reported by ABC Council.

This includes relevant information recorded within routine site inspection reports, compliance assessment records, internal communications or other regulatory documentation, even where those records do not explicitly reference the Council's original observations.

I have not imposed an end date, as doing so could exclude relevant records of subsequent investigation, consideration or regulatory action.

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Where no recorded information is held in respect of any of Requests A–E, please confirm this expressly.

Yours faithfully,

On this occasion the Department will apply the EIR Regulation 12(4)(c), for requests formulated in too general a manner. Please see attached Public Interest Test for further information.

To enable us to help with your information request, it may be beneficial to focus on one specific topic.

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,

Waste Permitting Team

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APPENDIX A

Public Interest Test – Environmental Information Regulations

Reference Number – DAERA/26-780
Requested Information:
Dear Northern Ireland Environment Agency,
. Information requested

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- **"Obvious sweet compost smell" along Lisbane Road;**
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- **bird activity associated with newly layered material; and**
- **the "sweet, sickly smell" associated with decaying organic matter.**

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Any records of enquiries, investigations or verification undertaken by NIEA in response to the observations contained in the Council's 13 September 2022 email, including:

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b. Any enquiries made to the landfill operator concerning those observations.

c. Any site inspections, examination of waste acceptance or deposition records, or consideration of capping documentation undertaken in response to the observations.

d. Any assessment of the reported compost-like odours, decaying organic matter or associated bird activity.

e. Any consideration of whether the observations raised potential compliance issues under PPC Permit P0145/06A, including the inert-only waste-acceptance restrictions then in force and the approved landfill closure and restoration arrangements.

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Please include any recorded reasons supporting those conclusions or decisions.

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This includes relevant information recorded within routine site inspection reports, compliance assessment records, internal communications or other

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regulatory documentation, even where those records do not explicitly reference the Council's original observations.

I have not imposed an end date, as doing so could exclude relevant records of subsequent investigation, consideration or regulatory action.

Where no recorded information is held in respect of any of Requests A–E, please confirm this expressly.

Yours faithfully,

Exemption / Exceptions under consideration
Regulation 12(4)(c) – Requests formulated in too general a manner.

Reasons why the public interest would favour disclosure:

- Everyone has the right to access environmental information.
- Disclosure of the information would provide clarity in regard to previous correspondence.

Reasons why the public interest would favour withholding:

- This requests asks for information on 5 topics, this is too broad for the officer to answer, with the current work load, diversion of resources from statutory functions and time restrictions of other PPC work.

Conclusion

Following consideration of the Public Interest Test, the Department has decided that it would not be in the public interest to fulfil the request made by the requestor.

Waste Permitting Team.

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