

Introduction

1. The Environmental Information Regulations 2004 (“the Regulations”) provide individuals with rights to environmental information. The County Council holds environmental information and must pro-actively disseminate it and respond to requests for information.
2. This Policy is designed to provide the framework through which the public can understand the responsibilities of the County Council has in relation to these legal rights.

Scope of this policy

3. This policy applies to all “environmental information” as defined in the Regulations which is “held” by the County Council.
4. This can include for example:
 - Details of emissions from our buildings
 - Our plans to tackle waste disposal in the future
 - Our views on roads that need updating

Responsibilities

5. Responsibility for pro-actively disseminating environmental information lies with the Strategic Director of Communities.
6. Day to day responsibility for responding to requests for environmental information lies with the Strategic and Environmental Services Division (Communities) supported by the Monitoring Officer and Legal Services.
7. All Members and Officers should familiarise themselves with this policy.
8. All Members and Officers should be aware that where they receive a written **or verbal** request for environmental information that they should:
 - 8.1. Refer it to Communication and Development Team in the Communities Department or Legal Services.
 - 8.2. Be aware that EIR requests should be completed in 20 working days
 - 8.3. That there is a wide definition of “environmental information” in the Regulations.

9. Failure to comply with this policy could have dire consequences for the County Council, could detrimentally affect individuals and lead to prosecution.

Relationship with other policies

10. This policy should not be read in isolation. It has a direct link to :

- a) Freedom of Information Act Policy
- b) E-mail usage policy
- c) Data Protection Act Policy

How will we deal with “environmental information” requests?

11. The Council will look at ways of pro-actively making environmental information available through the Information Bank, the website generally and other media.

- a) We will endeavor to deal with EIR requests within 20 working days
- b) We will act in accordance with the guidance issued by the Information Commissioner and DEFRA.
- c) A senior Officer of at least second or third tier level will make decisions about disclosure.
- d) Any requests for an internal review of those decisions will be considered by the Chief Executive.
- e) We will apply charges for requests at a rate equivalent to the Information Commissioner’s suggested rates for data protection act requests.
- f) We will keep this policy under review