SCOTTISH CONSUMER COUNCIL
FRIENDS OF THE EARTH SCOTLAND

COME CLEAN!

PUBLIC ACCESS TO INFORMATION ABOUT LOCAL AUTHORITY AIR POLLUTION CONTROL

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SUMMARY

The Environmental Protection Act 1990 introduced a public right of access to information about pollution and pollution control held by local authorities. This report investigates whether local authorities are allowing public access to the information and whether from the public’s point of view access is easy and straightforward.

Under the Act industrial operators have to make applications to their local authority for permission to discharge potentially polluting substances into the air. All their applications have to be placed by the local authority in a register to which the public have access.

A survey of 39 local authorities in Scotland was carried out in August/September 1992 by 45 volunteers. This survey was followed up in January 1993 by a postal questionnaire sent to all District and Islands Councils. Replies were received from 53 of the 56 Councils.

Results from the survey and questionnaire show that most reception staff and officials at Departments responsible for public registers of information have a high level of awareness about the legislation and public rights of access. Despite this high level of awareness only about half of the Departments which were visited by volunteers had registers set up at the time of the survey. At nine local authorities there was no register because no applications had been received at that time. Two local authorities had set up registers but would not let the volunteers see them, one authority could not find the register and four had not set up registers despite having received applications. As of January 1993, only one local authority has not set up a register for public consultation.

Local authorities should also have available for inspection, information supplied to them by HM Industrial Pollution Inspectorate and River Purification Authorities. Only just over half of the local authorities visited during the survey had this information available.

The Act requires local authorities to provide members of the public with copies of entries in their registers at a reasonable charge. The survey showed that some local authorities are charging up to £1.00 and even £5.00 per page for copies.

By January 1993, although around 281 applications (for Block 1 processes) have been received throughout Scotland, there is still a shortfall of about 91 applications which should have been made. Operators should have submitted these applications by the end of July 1992.
ACKNOWLEDGEMENTS

The Scottish Consumer Council and Friends of the Earth Scotland would like to thank the following volunteers who helped with this report.


We would also like to thank all the local authority officials who commented on a draft version of the report and who completed the postal questionnaire.

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The research for this report was carried out by Gillian Fyfe (SCC) and Kevin Dunion (FoE). The text of the report was edited by Katie Carr and typed by Muriel Adam, Margaret Little, Rona Rae and Jackie Stalker.
CHAPTER ONE

INTRODUCTION

The Environmental Protection Act 1990 (EPA) introduced a public right of access to information about pollution and pollution control. It also made provision for the public to be able to comment on and express their views about the control of industrial pollution.

The Act, therefore, gives members of the public the right of access to information held by local authorities about individual companies, their operations, what steps they are taking to minimise pollution and whether they are complying with all the conditions attached to their authorisation to operate. All this information is contained in registers to which the public have a right of access.

If the public are to exercise their rights to pursue concerns about environmental pollution they must know of the existence of the registers and be able to gain access to them.

The legislation covering access to the registers came into force in England and Wales on 1 April 1991, a year earlier than in Scotland. Experience of the first year of operation there suggests that many industrial operators were not complying with the legislation and that the public were making little use of the new registers to get information.

A previous survey by the Scottish Consumer Council (SCC) in 1991 about public access to registers of Environment and Safety information showed that access was not easy and that some enforcing authorities had not set up registers at all or that the registers contained very little information (Access to Environment and Safety Information, SCC, 1991).

Given the experience in England and Wales of implementing Part I of the EPA and in Scotland of public access to other registers, the Scottish Consumer Council (SCC) and Friends of the Earth Scotland (FoE) were concerned that the system when introduced in Scotland might not operate as planned.

The aims of this project were therefore:

* to promote quick and easy access to registers of information about environmental pollution;

* to encourage enforcing authorities to ensure that industrial operators are complying with the legislation;

* to make recommendations to improve public access.
CHAPTER TWO
THE ENVIRONMENTAL PROTECTION ACT 1990, PART I

2.1 BACKGROUND

The Environmental Protection Act (1990) (EPA) introduced a requirement that industrial
operations have to apply for authorisation to carry out potentially polluting processes. The
Act is based on a set of earlier consultation papers that covered proposals for enhanced
industrial pollution control. Part 1 of the 1990 Act sets out two complementary pollution
control regimes.

- Integrated Pollution Control (IPC) is enforced by HM Industrial Pollution
Inspectorate (HMIPI) and local River Purification Authorities (RPAs). In Scotland the
RPAs are the seven River Purification Boards (RPBs) (Clyde, Forth, Tweed,
Highland, Tay, Solway and North East) and the three Islands Councils (Part A
processes).

- Local authority air pollution control is enforced in Scotland by District and Islands
Councils (Part B processes).

Under the Act, District and Islands Councils, HMIPI and RPAs are collectively known as
enforcing authorities. This survey focuses on the operation of local authority air pollution
control in Scotland by the 53 District and three Islands Councils.

2.1.1 Applications

Under Part 1 of the EPA industrial operators including all existing operations have to apply
for permission to carry out polluting processes, termed ‘prescribed processes’. They must
not operate ‘prescribed processes’ without authorisation from the local authority. The stages
involved in making an application are illustrated in a flow chart in the Secretary of State’s
Guidance on Applications and Registers (Appendix I). The first stage is the submission of
an application to the local authority. The local authority then decides whether the application
has been ‘duly made’. Any application which does not comply with the statutory
requirements by, for example, not including all the necessary information or because it is not
accompanied by the relevant fee can be rejected because it has not been ‘duly made’. Local
authorities are advised to try and determine whether the application has been ‘duly made’ or
not within two weeks. Applications that have been ‘duly made’ (and which are not claimed
to be commercially confidential by the applicant) are then advertised by the applicant and put
on the public register by the local authority.

In their application, industrial operators have to give details of the process for which
authorisation is being sought, including a description of the prescribed substances involved,
techniques used to present their release into the atmosphere, the environmental consequences
of release and proposals for monitoring any release. The information to be included in an
application is laid out in Regulation 2 of the Environmental Protection (Applications, Appeals

The information required is summarised in the Secretary of State’s Guidance on Applications and Registers as:

- "details about the operator and the location of the process;
- description of proposed process and of the proposed techniques to prevent or minimise emissions to air of prescribed substances and to render harmless emissions to air of all substances;
- details of the source, nature and amount of current and/or anticipated air emissions from the process;
- proposals for monitoring, sampling and measurement of air emissions;
- assessment of the likely environmental consequences of any emissions to air”.

The Secretary of State’s Guidance on Applications and Registers suggests that it may be helpful to both applicants and local authorities to use a standard application form. The Guidance gives an example of a standard application form (Appendix II).

2.1.2 Implementation

The prescribed processes (Part B) controlled by Scottish local authorities are divided into four blocks with different timetables for implementation. The processes involved range from iron and steel operations, to incinerators, to maggot breeding (Appendix III). Other prescribed processes (Part A) are controlled by HMIPI and the RPAs under the system of Integrated Pollution Control. The processes controlled by HMIPI and RPAs have, in general, a greater potential to pollute or may involve release of prescribed substances into water or onto land as well as into the air.

In issuing an authorisation a local authority, RPA or HMIPI has a statutory obligation to ensure the processes are operated using Best Available Techniques not Entailing Excessive Cost (BATNEEC).

This survey focuses on the registration of Block 1 processes. Applications to operate Block 1 processes should have been made between 1 April 1992 and 31 July 1992. Block 1 processes cover the following operations:

- Combustion processes;
- Glass processes;
- Ceramic processes;
- Asbestos processes;
- Incinerators;
- Timber processes;
- Maggot breeding.

Appendix III gives more details of the processes covered under these headings.
2.2 REGISTERS

The EPA also introduced an important new provision that the public should have access to registers compiled by the enforcing authorities.

Regulation 15 of The Environmental Protection (Applications, Appeals and Registers) Regulations 1991 gives details of what information should be placed in the register.

The information required can be summarised under the following headings from the Secretary of State's Guidance on Applications and Registers:

- applications;
- paragraph 1(3) notices served under paragraph 1(3) of Schedule 1 to the Act and any information furnished in response to the notice;
- representations;
- authorisations;
- notices;
- appeals;
- court cases/convictions;
- monitoring date;
- commercially confidential monitoring data (where monitoring data is withheld for reasons of confidentiality a statement by the local authority should be entered indicating whether or not there has been compliance with conditions of authorisation);
- published reports;
- directions.

The Secretary of State's Guidance on Applications and Registers says that all papers should be placed on the register as soon as possible after they have been received. Applications "must be available to be consulted from the date the advertisement is published".

The EPA requires that these public registers are available for the public to consult, free of charge, at all reasonable times (ie during normal office hours) and that copies of entries should be available at a reasonable cost. Local authorities hold registers of all prescribed processes within their area including those regulated by HMIPs and RPAs. HMIPs and RPAs are required to supply local authorities with copies of all the applications they receive. This means that the public should have access to information about all prescribed processes by visiting their local authority and without having to visit HMIPs and the relevant RPA as well.

2.3 PUBLIC CONSULTATION: ADVERTISEMENTS

Applications for authorisation to operate must be advertised in a local newspaper before authorisation is granted. The advertisement must give the name of the applicant, the address of the premises, and a description of the processes involved, and must explain that the public can look at the application at the offices of the enforcing authority. The requirements about advertisements are given in Regulation 5 of The Environmental Protection (Applications, Appeals and Registers) Regulations 1991. A suggested sample advertisement is given in the Secretary of State's Guidance on Applications and Registers (Appendix IV).
The requirement to advertise allows the public to comment on applications within 28 days of the advertisement being published. Enforcing authorities must consider any comments they receive before they decide to issue an authorisation. In the case of local authority pollution control, relevant comments would be about air pollution. The Scottish Office leaflet *The Environmental Protection Act 1990 Part I and You* (Appendix V) suggests that the public might want to comment on "the nature of the plant and equipment to be used, the techniques and management practices to be employed or possibly the experience, qualifications and skills of operating or supervising staff." The leaflet then goes on to say: "what the enforcing authority will find particularly valuable, however, is local information on the neighbourhood environment which might not be available from national statistics or surveys."

The provision that allows the public to comment is an important one, but one that can only work effectively if the public can in fact gain access to the registers.

2.4 ENGLAND AND WALES

Part I of the Environmental Protection Act 1990 came into force in England and Wales on 1 April 1991, a year earlier than in Scotland. A survey carried out by the National Society for Clean Air (NSCA) and the Association of Metropolitan Authorities (AMA) published in July 1992 assessed implementation of the EPA Part I in England and Wales ("Implementation of the Environmental Protection Act 1990 Part I" in *Clean Air*, Vol. 22, No 2). The survey showed that a large number of process operators (around 600) had not yet applied for authorisation (about six months after the deadline) and were therefore risking prosecution. The survey also showed that the public were making little use of the new registers to get information and comment on applications.
CHAPTER THREE

RESEARCH METHODOLOGY

Given the experience of implementing the legislation in England and Wales and problems encountered in the past in relation to public access under the Environment and Safety Information Act 1988, the SCC and FoE were concerned that the provisions of the EPA when introduced in Scotland might not operate as planned.

This survey, therefore, aimed to find out how well the system is operating in Scotland and in particular:

- how many applications had been received by each authority;
- how many applications had been expected;
- how easy it was for the public to gain access to the registers;
- whether applications had been advertised in the local press.

The timing of the legislation meant that applications for Block 1 processes had to be made between 1 April 1992 and 31 July 1992. We, therefore, decided to look at Block 1 applications in the hope that our results would be available in time to be of use in relation to other Blocks of applications. Block 1 processes cover combustion processes, glass processes, ceramic processes, incinerators, asbestos processes, timber processes and maggot breeding.

The first step was to draft a questionnaire to be used by volunteers who would visit local authorities and ask to see the registers. The questionnaire was then pilot tested at Glasgow District Council and Edinburgh District Council. Amendments were then made to the questionnaire in the light of the pilot survey. The questionnaire included questions on:

- finding the correct department responsible for the registers;
- gaining access to the registers;
- assessing the information contained in them.

The questionnaire is reproduced in Appendix VI.

We then contacted members of the SCC’s Consumer Network and of FoE in as many local authorities as possible. The absence of any volunteers living in some local authorities inevitably means that there are gaps in the survey’s coverage. All the volunteers were sent a copy of the questionnaire and a set of briefing notes, (Appendix VII) and were told which Council to visit.

The volunteers did not have a prior knowledge of the subject matter and they were not given any special training. The briefing notes were considered sufficient to give them some background information and guidance on how to carry out the survey. It was important that the volunteers found out what the experience of gaining access is like for ‘ordinary’ members of the public. The volunteers were advised to make a note of the questions involved to take with them to remind them what to find out. However, in some cases, a few questions were
forgotten or the volunteer could not proceed, for example because there was no register.

The survey was timed to run over the last two weeks of August and the first two weeks of September. This allowed local authorities at least two weeks after the deadline for Block 1 applications in which to have compiled the register.

Once the completed questionnaires were received from the volunteers, gaps in the coverage were identified and some volunteers were asked to visit some of the larger Councils that had not yet been visited. At the end of the survey 39 Councils had been covered by 45 volunteers.

After the results of the survey were analysed and a draft report compiled, it was decided that more information was needed to provide an up-to-date picture of the current situation in Scotland. A short one-page questionnaire was, therefore, circulated in December 1992/January 1993 to all District and Islands Councils. The questionnaire asked for information about Block 1 applications and authorisations and about public access and charges for copies. The results of the postal questionnaire are included in Chapter 4.

All those local authorities which were covered in the survey carried out by the volunteers were sent a draft copy of the report to be checked for factual accuracy.
CHAPTER FOUR

RESULTS OF THE SURVEY

4.1 RECEPTION

All except one of the volunteers found receptionists friendly and helpful at local authority headquarters when they asked if they could see the registers of information about air pollution. Despite the friendly reception half of the receptionists did not appear to know what the volunteers were talking about, and more than half consulted somebody else before dealing with the request. (See Table 4.1 for a summary of the results and Appendix VIII for a full breakdown of responses.)

Although many receptionists did not know about the registers, they were very quick to identify to which Department enquirers should be sent. Half of the volunteers were told which Department to go to in under one minute. Only four volunteers found they had to wait longer than five minutes before the receptionist had identified to which Department they should be sent. Only one person was directed to the wrong Department; the volunteer who visited Cunninghame District Council was sent to the Administration Department first and then eventually to the Environmental Health Department.

Several receptionists phoned the Department which had the registers so that the volunteers were expected when they arrived.

Just over half (25) of the volunteers were directed to another building or Department somewhere else. Only a few (10) found that the correct Department was within the same building as Council headquarters. Several volunteers (4) were asked to wait at reception while officials came to see them rather than being directed to a particular Department.

Most of those who were directed to another Department found they could walk to it within ten minutes. Some volunteers, however, found that it was too far to walk, for example the 20 minute drive from Sutherland District Council headquarters in Golspie to the Environmental Health Department in Dornoch.

All of the volunteers found that the registers were the responsibility of whichever Department covered Environmental Health issues. Most were Environmental Health (20) or Environmental Services Departments (11). In some smaller authorities the Department responsible for Environmental Health may cover other services as well such as Leisure or Consumer Protection.
TABLE 4.1: SUMMARY OF SURVEY RESULTS

PART I. AT RECEPTION (DISTRICT AND ISLANDS COUNCIL HEAD OFFICE)

1. Did the receptionist
   
   a) appear to be friendly and helpful? Y 41 N 1 N/A 3*
   b) appear to know what you were talking about? Y 21 N 21 N/A 3
   c) consult somebody else before dealing with your request? Y 18 N 24 N/A 3

2. How long did you have to wait until the receptionist had identified which Department to direct you to?
   
   a) less than 1 minute 22
   b) 1 - 5 minutes 16
   c) more than 5 minutes 4
   d) N/A 3

3. Were you directed to another part of the same building? Y 10 N 32 N/A 3

4. Were you directed to another building or Department somewhere else? Y 25 N 7 N/A 13

4a. If YES, how far away was it?
   
   a) 0 - 5 minutes' walk 12
   b) 6 - 10 minutes' walk 4
   c) 11 - 15 minutes' walk 2
   d) more than 15 minutes' walk 4
   e) less than 15 minutes by car 2
   f) more 15 minutes by car 1
   g) N/A 20

5. Which Department was responsible for the registers?

   a) Environmental Health 20
   b) Cleansing and Environmental Development 1
   c) Department of Environment & Technical Services 1
   d) Environmental Services 11
   e) Environmental and Leisure Service 3
   f) Consumer Protection and Environmental Health 1
   g) Housing and Environmental Services 1
   h) Environment and Development Services 1

(Total = 39 local authorities)

*Note: Unless otherwise stated the answers given relate to the 45 respondents. Y = Yes, N = No, N/A = not applicable and ? = unknown.
PART 2. AT DEPARTMENT WHERE REGISTER IS HELD

6. When you had found the Department that holds the registers, did the receptionist:
   a) appear friendly and helpful?                    Y 37  N 1  N/A 6  ? 1
   b) appear to understand your request?            Y 30  N 9  N/A 6
   c) consult somebody else before dealing with your request? Y 24  N 13 N/A 8

7. Was the receptionist able to identify an official who was responsible for the registers? Y 37  N 3  N/A 5

8. Did the official understand your request to see the registers? Y 35  N 2  N/A 2

(Total = 39 local authorities)

9. Were you eventually shown the register of applications made to the local authority in relation to air pollution processes? Y 19  N 20

(Total = 39 local authorities)

10. How long did you have to wait to see the register, once you were in the correct Department?
   a) less than 1 minute                             5
   b) 1 - 5 minutes                                  15
   c) 6 - 10 minutes                                 2
   d) 11 - 15 minutes                                1
   e) more than 15 minutes                           1
   f) N/A                                            20
   g) ?                                              1

11. Were you asked to return at another time? Y 6  N 35  N/A 4

PART 3. LOOKING AT THE REGISTER

12. How many applications for permission to operate had been entered in the register?
   a) none                                           9
   b) 1 - 5                                          13
   c) 6 - 10                                         1
   d) 11 - 20                                        4
   e) more than 20                                   1
   f) N/A                                            11

Where a local authority was visited more than once, the highest number of applications is given
(Total = 39 local authorities).
13. Does the Council provide an application form for the Company to fill in?  
Y 22  N 3  N/A 14  
(Total = 39 local authorities)

14. How many of the applications said which newspaper they intended to place an advertisement in?
   a) none  
   b) all  
   c) not applicable  
   d) some/most  
   e) ?  
   4  19  19  2  1

15. Were there any authorisations in the register?  
Y 4  N 19  N/A 16  
(Total = 39 local authorities)

Where more than one visit was made and different answers were recorded, the higher number of authorisations was assumed to be correct.

16. Could you make any sense of the applications and authorisations in the register?  
Y 21  N 2  N/A 22

17. Was anyone available to help you if you wanted to ask any questions?  
Y 34  N 2  N/A 9

Please ask the official:

18a. How many applications the Council had been expecting to receive by 31.7.92.
   a) none  
   b) 1 - 5  
   c) 6 - 10  
   d) 11 - 20  
   e) more than 20  
   f) N/A  
   5  10  5  5  6  8  
(Total = 39 local authorities)

18b. How many authorisations the Council has granted.
   a) none  
   b) 1 - 5  
   c) 6 - 10  
   e) N/A  
   23  6  1  9  
(Total = 39 local authorities)
18c. How much you would have to pay for a copy of each application.

a) free 5
b) 10p/sheet 5
c) 20p/sheet 2
d) £1/sheet 2
e) don't know 10
f) N/A 15

Where a local authority was visited more than once and different answers were given, the lower price was used for this summary.
(Total = 39 local authorities)

18d. If the Council also has information about pollution supplied by HMIP and the local RPA.

Y 23  N 6  N/A 9  ? 1
(Total = 39 local authorities)

PART 4. OTHER INFORMATION

19. Were you, at any stage, asked to give your name? Y 31  N 13  N/A 1

20. Were you, at any stage, asked why you wanted to see the register? Y 26  N 18  N/A 1

21. Was the office open at normal times? Y 43  N 1  N/A 1

22. Did the office appear to be accessible to physically disabled people? Y 28  N 13  N/A 1  ? 3
4.2 DEPARTMENTS RESPONSIBLE FOR REGISTERS

The vast majority (37) of receptionists in the Departments responsible for the registers were friendly and helpful. Only one volunteer said they did not appear to be friendly and helpful.

Most appeared to understand the request to see the registers but two thirds consulted somebody else before dealing with the request. Almost all receptionists were able to identify an official who was responsible for the registers. One volunteer found that the receptionist was responsible for allowing public access to the register:

"The girl I spoke to at reception said she had recently been given responsibility for keeping this register and had it to hand" (Hamilton).

At Dundee one respondent was shown a list of applications by the receptionist and asked to choose which applications they wanted to see.

The officials identified understood the volunteer’s requests to see the registers in all but two cases:

"He was very mystified and clearly had not dealt with such a request before" (Stewartry).

At Stewartry District Council the two officials normally responsible for the register were absent and another member of staff dealt with the volunteer.

Despite widespread understanding of the request and, therefore, awareness of the need to keep a register, only half of the volunteers were eventually shown a register which contained applications to the local authority. The volunteers were given a variety of reasons why they could not see the registers:

"He was quick to tell me that there was no need for a register in Wigtown District as there would be no applications; also there was no register as it was not yet prepared" (Wigtown).

"No one will have a register yet" (Strathkelvin).

"He was unwilling to let me see the register. Even though I stressed that I had the right to see the register, the best he could offer me was a phone call from his boss" (Dunfermline). (The volunteer was phoned the next day and received an apology for not having been shown the register.)

"Stated repeatedly that the register was not ready for public viewing" (Aberdeen).

"He did go away and produce what seemed to be the appropriate register. I was 'shown' the file but was not allowed to handle it personally" (Stewartry). (This later turned out to be the wrong register and the correct one could not be located.)
Several volunteers commented on the attitude of the officials involved:

"The overall impression of the Environmental Health Department was reluctance to divulge much information and very defensive about not having the register made up" (Clydesdale).

"She seemed wary and demanded to know my reason for wanting to see the register" (Kilmarnock & Loudoun).

Most of the volunteers who were shown a register had to wait less than ten minutes. Only one volunteer had to wait longer than 15 minutes before they were shown the register. Only six people were asked to return at another time.

4.3 REGISTERS

At the 20 local authorities where volunteers did not see a register:

- nine had received no applications for Block 1 processes;
- four did not have the register ready;
- two would not allow the volunteers to see the register;
- two showed volunteers HMIP registers instead;
- one could not locate the register;
- one had a register set up which they say the volunteer did not ask specifically to see;
- one had a single application which they considered to be the register (see Table 4.2).

Cumnock and Doon Valley did not have a formal register set up but the single application they had received was considered by them to form the register. The volunteer recorded the fact that they did not see the register, although we have been told that they could have seen the application if they wanted to. Nithsdale District Council have informed us that none of the ten or so people who have requested to see their register have been denied access, although our volunteer did not actually see any applications.
TABLE 4.2 LOCAL AUTHORITIES AND PUBLIC REGISTERS

1. Local authorities which had public registers set up at the time of the survey (19):

<table>
<thead>
<tr>
<th>Angus</th>
<th>Kilmarnock and Loudoun</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dumbarton</td>
<td>Kirkcaldy</td>
</tr>
<tr>
<td>Dundee</td>
<td>Kyle and Carrick</td>
</tr>
<tr>
<td>East Lothian</td>
<td>Monklands</td>
</tr>
<tr>
<td>Edinburgh</td>
<td>Motherwell</td>
</tr>
<tr>
<td>Ettrick and Lauderdale</td>
<td>Nithsdale</td>
</tr>
<tr>
<td>Falkirk</td>
<td>North East Fife</td>
</tr>
<tr>
<td>Glasgow</td>
<td>Renfrew</td>
</tr>
<tr>
<td>Hamilton</td>
<td>Stirling</td>
</tr>
<tr>
<td>Inverness</td>
<td></td>
</tr>
</tbody>
</table>

2. Local authorities where volunteers were shown registers of applications to HMIPi rather than applications to the local authority (two):

<table>
<thead>
<tr>
<th>Cunningham</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sutherland</td>
<td></td>
</tr>
</tbody>
</table>

3. Local authorities which had a register of applications which they would not let the volunteers see (two):

<table>
<thead>
<tr>
<th>Aberdeen</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Dunfermline</td>
<td></td>
</tr>
</tbody>
</table>

4. Local authorities which had received applications but had not set up a register (four):

<table>
<thead>
<tr>
<th>Annandale and Eskdale</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Argyll and Bute</td>
<td></td>
</tr>
<tr>
<td>Cumbernauld and Kilsyth</td>
<td></td>
</tr>
<tr>
<td>Wigtown</td>
<td></td>
</tr>
</tbody>
</table>

5. Local authorities with no register as no applications had been received (nine):

<table>
<thead>
<tr>
<th>Banff and Buchan</th>
<th>Perth and Kinross</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bearsden and Milngavie</td>
<td>Strathkelvin</td>
</tr>
<tr>
<td>Clydebank</td>
<td>Tweeddale</td>
</tr>
<tr>
<td>Clydesdale</td>
<td>Western Isles</td>
</tr>
<tr>
<td>Eastwood</td>
<td></td>
</tr>
</tbody>
</table>

6. Local authorities where volunteers did not see registers for various reasons (three):

- Cumnock and Doon Valley - the single application formed the register.
- Ross and Cromarty - the volunteer did not ask to see the correct register.
- Stewartry - register could not be located.

15
4.4 APPLICATIONS

Most of the Councils surveyed had received less than ten applications for Block 1 processes. Larger authorities such as Edinburgh District Council, Falkirk District Council and Glasgow District Council had received the largest number of applications.

Some Councils despite having received applications had not compiled a register:

"He said they had three applications but they hadn’t been authorised yet so they hadn’t been put in a register" (Cumbernauld & Kilsyth).

There also seemed to be confusion about the fact that members of the public can see applications before they are authorised. Several volunteers were told they could not see applications because they had not yet been authorised:

"I was told that even if they had applications they do not have to give authorisations till March so the applications would not be put in the register until then" (Strathkelvin).

"I then asked to see the applications but was told I couldn’t see them because they hadn’t been authorised yet" (Cumbernauld & Kilsyth).

"I was told the register would be available after the process was complete" (Aberdeen).

4.5 APPLICATION FORMS

Twenty two of the Councils covered in the survey provide an application form for companies to fill in. One Council, however, said that they had specifically chosen not to use one:

"All three officers had found that application forms inhibited applicants by the very nature of the forms" (Monklands).

Many local authorities have designed their own application forms based on the example given in the Secretary of State’s Guidance. In most cases the forms are well designed and clearly laid out.

Most of the applications received stated which newspaper the applicant intended to advertise their application in. Although there is no requirement for a copy of the advertisement to be placed in the register, we asked the volunteers to see whether advertisements were included, so that we would know where and when advertisements had been published.
4.6 AUTHORISATIONS

Very few local authorities had issued any authorisations at the time the survey was carried out and the deadline for authorisation is not until the end of March 1993. Some Councils said that they had had to return applications to the companies involved so that further details could be supplied:

"Presently there is only one application (for burning waste oil) and it will probably be returned for further work before being authorised" (Banff & Buchan).

4.7 UNDERSTANDING AND HELP WITH THE REGISTERS

Only two volunteers said that they could not make any sense of the applications and authorisations that had been entered in the register:

"Some seemed straightforward but the amount of technical data relating to specific processes and the options open to limit or remedy any pollution made for a lot of paperwork - in one case about 100 pages" (Kilmarnock & Loudoun).

All but two of the volunteers found that there was someone available to answer their questions while they were looking at the register. Several volunteers mentioned how helpful officials had been:

"Staff prompt, courteous and very helpful in dealing with my enquiries even though not in a position to deal with every aspect of my enquiry" (Edinburgh).

"The EHO was very helpful. When I could not keep my first appointment he even offered to bring the register to me" (Angus).

At Monklands District Council the volunteer was told that the copy of an application he had requested had to be stamped with an official stamp. When the stamp could not be found he was told the copy would be sent to him instead once it had been found. In fact a Council official took the copy to his house next day.

4.8 OBTAINING COPIES

Although members of the public are supposed to be able to obtain copies of information in the register this sometimes proved difficult. A few volunteers had to ask for copies to be sent to them by post:

"Could not just take away a copy because no photocopier - would be sent by post" (Glasgow).

The survey has also uncovered a wide variation in the amount local authorities charge for photocopies. A few Councils made no charge, while others asked for up to £1.00 per sheet:

"£1.00 per page. (Outrageous) no explanation given" (Kirkcaldy).
Perth and Kinross District Council have informed us that they will charge £5.00 per page from April 1993.

4.9 HMIPi AND RPA REGISTERS

Just over half of the Councils also had registers of information supplied by HMIPi and/or the local RPA. This information was provided in both separate registers and incorporated into local authority registers.

Some found that it would be difficult to see information supplied by the RPA or HMIPi:

"Told that HMIPi and RPA information was kept in another building in another part of Dingwall" (Ross and Cromarty).

"He seemed unaware that he should have these registers. Checked with a leaflet when I asked about them" (Strathkelvin).

4.10 PERSONAL DETAILS

Approximately three quarters of the volunteers (31) were asked to give their name and 26 were asked why they wanted to see the registers.

Both these figures are very high and many respondents commented on this point:

"He immediately asked my name and wrote it down" (Motherwell).

"He said it (giving name) was for security reasons. Some applications were to be dealt with in confidence. This advice came from the Council's lawyers" (Edinburgh).

"He immediately asked 'who are you from?'. To which I replied that I was a local resident curious to find out" (Eastwood).

"The Council official wrote down my name and address" (Dumbarton).

4.11 OPENING HOURS AND DISABLED ACCESS

All but one of the offices was open during normal office hours:

"I felt this was good, particularly since I went during lunch" (Glasgow).

About two thirds appeared to be accessible to disabled people. Several people mentioned that files could be brought to reception, and officials at Monklands District Council said they would take the registers to the home of a disabled member of the public.
4.12 THE CURRENT SITUATION

As mentioned earlier in Chapter 3, the survey by the volunteers was followed up by a postal questionnaire sent to all District and Islands Councils. The results of the postal questionnaire are given in Table 4.3.

The postal questionnaire covered questions on the number of Block 1 applications received by the 31 July 1992 deadline, the number received since then and the total number of Block 1 applications expected. By the 31 July deadline, 174 Block 1 applications had been received by the 53 local authorities who responded to the questionnaire. By January 1993, 281 Block 1 applications had been received. However, around 372 Block 1 applications are expected altogether. This leaves a shortfall of around 91 applications. The largest shortfall between the number so far received and the number expected is in Edinburgh District (24) and Renfrew District (16), which together make up almost half of the shortfall.

Of all the applications received, only a relatively small proportion (about 14%) have had to be returned to applicants because further details were needed. Only 19 authorisations have been issued so far, ten of which have been issued by Glasgow District Council.

All but one local authority has now set up a register to which the public have access. Approximately 125 members of the public have requested access to the registers so far throughout Scotland.

Ten local authorities are currently making no charge for copies of entries in registers. The most common charge is 10p or 20p per page (25 local authorities). Two local authorities are charging £1.00 per page (Kirkcaldy and Moray) and two are charging £5.00 per copy of an application irrespective of size (North East Fife and Clydesdale). We have been informed by Kirkcaldy District Council that the charge of £1.00 per page reflects staff time involved and that the charge does not meet the true cost involved. Nithsdale District Council are charging £2.00 for the first page and £1.00 per page thereafter. Perth and Kinross District Council say they will start charging £5.00 per page from 1 April 1993.
### TABLE 4.3 RESULTS OF POSTAL QUESTIONNAIRE

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<tr>
<th>COUNCIL</th>
<th>No. of Block 1 applications received by 31.7.92</th>
<th>No. of Block 1 applications received by January 93</th>
<th>No. of Block 1 applications expected in total</th>
<th>% Block 1 applications returned for more details</th>
<th>No. of Block 1 authorisations issued by January 93</th>
<th>Public register set up</th>
<th>If no register set up why not?</th>
<th>No. of people requesting access to register so far</th>
<th>charge per page for copies</th>
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<td>No. of Block 1 applications received by January 93</td>
<td>No. of Block 1 applications expected in total</td>
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<td>No. Block 1 authorisations issued by January 93</td>
<td>Public register set up</td>
<td>If no register set up why not?</td>
<td>No. of people requesting access to register so far</td>
<td>charge per page for copies</td>
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<td>4</td>
<td>4</td>
<td>0%</td>
<td>0</td>
<td>Y</td>
<td>N/A</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>WIGTOWN</td>
<td>3</td>
<td>3</td>
<td>4</td>
<td>0%</td>
<td>0</td>
<td>Y</td>
<td>N/A</td>
<td>0</td>
<td>undecided</td>
</tr>
<tr>
<td>TOTAL</td>
<td>174</td>
<td>281</td>
<td>372</td>
<td>19</td>
<td></td>
<td></td>
<td></td>
<td>125</td>
<td></td>
</tr>
</tbody>
</table>

Note: UR = under review, * = no information received, Y = Yes, N = No
CHAPTER FIVE

DISCUSSION OF FINDINGS

5.1 RECEPTION

The experiences of the volunteers at reception desks of local authority headquarters where all but one of the volunteers found receptionists friendly and helpful is mirrored by research focused on local authority reception facilities (How Can I Help You?, SCC, 1992) which found most staff prompt and polite. In the survey for How Can I Help You? four out of five receptionists were able to tell enquirers for example, the date of the next council meeting immediately, although some double checked with a colleague. The volunteers for this research, despite a friendly welcome, found that half of the receptionists did not appear to know what they were talking about and more than half consulted somebody else before dealing with the request. Although it seems that receptionists are more likely to know the date of the next Council meeting than where to find air pollution registers, they were quick to direct people to the Environmental Health or Environmental Services Department. The key word ‘pollution’ obviously triggered a mental connection with environmental issues.

Most of the volunteers found it fairly easy to go to the Environmental Health or Environmental Services Department to see the registers, as most were able to walk there in under ten minutes. Some people had to walk further or drive to offices that were some way from Council headquarters.

5.2 DEPARTMENTS RESPONSIBLE FOR REGISTERS

Most of the volunteers found receptionists friendly and helpful in Departments responsible for the registers. Three quarters understood the request to see the registers, although two thirds consulted a colleague about the request. This high level of awareness indicates that most staff have been well briefed about the Environmental Protection Act and the requirement to keep registers. Receptionists were quick to identify the official responsible for the register although some volunteers found that the official was absent at the time of the visit. For some volunteers this meant that the member of staff who dealt with them knew little, if anything, about the registers. In some cases the member of staff could not find the register or would not let the volunteers see it. Because officials responsible for the registers had not briefed another member of staff in order that they could deal with requests, some volunteers were effectively being denied access. If members of the public have to make one or more return visits in order to see a register, this provision of the Act is not being met.

5.3 REGISTERS

Despite the high level of awareness among officials about the registers, only half of the volunteers were shown registers. In the case of nine local authorities this was because they had not received any applications at that stage. The other authorities who did not have
registers set up, but had received applications, or had registers set up but would not allow the volunteers to see them were quite clearly denying access in contravention of the requirements of the Act. Several officials seemed unaware of the public right of access to see not only the registers but any applications that had been received. The provision of the Act that allows members of the public to comment on applications before authorisation cannot be exercised if officials do not allow applications to be seen until after they have been authorised. Those officials who were well aware of the Council's obligations in relation to local authority air pollution control, but were also adamant that the public had no right to see applications, were acting against the letter of the law.

In some cases, volunteers were shown registers of information supplied by HMIPi instead of applications to the local authority which may indicate that the officials were unaware of their own requirement to register prescribed processes as well.

Given the current climate of greater openness advocated by the Government through the Citizen's Charter, it is important that this openness operates not only in theory but in practice as well.

5.4 APPLICATIONS

Most local authorities had received fewer than ten applications for Block 1 processes and not surprisingly most applications had been received by urban District Councils. Some authorities had not expected to receive any Block 1 applications because there were no companies operating Block 1 prescribed processes in their area.

The shortfall between the number of applications received and the number expected is worrying. In January 1993, five months after the deadline, the shortfall was still around 91 applications (about 24%). Throughout Scotland, therefore, there are around 91 companies operating without permission although in most local authorities only one or two operators have not yet applied. In two local authorities fairly large numbers of operators have not so far made applications and are either ignorant of the law or have chosen to ignore it. A shortfall of around 20% in the number of applications expected was recorded in England and Wales where a significant number of operators (600) of Block 1 processes had not applied, even six months after the deadline and were, therefore, risking prosecution.

5.5 APPLICATION FORMS

The majority of local authorities issue an application form for operators to fill in, which makes it easier not only for both the applicants and Council officials, but also for members of the public. In most cases local authorities have based their application forms on the sample provided in the Secretary of State's Guidance (Appendix IV).

All the application forms drawn up by local authorities which we examined ask the applicants which newspaper they intend to advertise their application in. This allows the Council to check whether an advertisement has been placed or not. It is important that applicants give this information so that the local authority can ensure this requirement of the Act is being complied with and that the newspaper used is an appropriate one.
5.6 HMIPI AND RPA REGISTERS

Only half of the Councils surveyed also had registers of information supplied by HMIPI and the local RPA. HMIPI and RPAs are required to supply local authorities with copies of applications received by them for operators in their area. This allows members of the public to consult applications for all the operators in their area covered by both local authority air pollution control and Integrated Pollution Control at the offices of their local authority.

5.7 UNDERSTANDING AND HELP WITH THE REGISTERS

A welcome finding of the survey was that virtually all of the volunteers who took part in the survey found that they could make sense of the contents of the registers, although they had no prior knowledge of the subject matter. It is, of course, very important that members of the public can understand the applications if they are going to comment on them.

Most volunteers also found that there were officials present who could answer questions for them. In many cases the officials involved were both knowledgable and informative about the requirements of the Act and about the local situation.

5.8 OBTAINING COPIES

The requirement of the Act that enforcing authorities have a duty to "afford to members of the public facilities for obtaining copies of entries on payment of reasonable charges" is not always being met. Charges of £1.00 per page or worse £5.00 per page are not reasonable charges and may effectively act to restrict access to the information. Where charges above those made by public libraries are levied, there must be a question of whether they are designed to deter the public from requesting copies. In some cases the administrative costs involved in making a charge may make poor economic sense if there is a limited demand for copies.

5.9 PERSONAL DETAILS

The Act does not require members of the public to give their name or a reason for wanting to see the registers. Despite this, approximately three quarters of the volunteers were asked to give their name. In some cases the name and address of the enquirer were written down. If the register is open to the public it is really no concern of the authority who is requesting access and why. Being asked for your name and address and then having it written down can seem intimidating and there is little justification for asking for this information.

Several local authorities have informed us that they consider it acceptable to ask visitors their name for a variety of reasons, including courtesy, safety and security. If names have to be asked for safety or security reasons the visitor should be told why their name is needed. Out of courtesy many people will be happy to give their name but it should not be necessary to write down visitors' names and addresses unless they are needed if further contact is planned.

Almost as many people were also asked why they wanted to see the register; several officials seemed to presume that the volunteers were asking on behalf of an organisation and some were asked directly who they worked for. Since the public have a right of access there is
also no reason for asking why members of the public want to see the register, although officials may find it easier to help people if they know what their interests are.

5.10 OPENING HOURS AND DISABLED ACCESS

Although access to the registers in terms of normal office opening hours appears to be satisfactory, access for disabled people is more difficult. About a third of the offices where the registers were held appeared to be inaccessible to physically disabled people. Where any premises are open to the public it is important that disabled people can gain access without undue difficulty or there should be alternative means of access or ways of dealing with their needs. This survey confirms the findings of earlier surveys by the Scottish Consumer Council which highlight the problems of access for disabled people (Following our Advice: a review of advice services in Scotland, SCC, 1988; Access to Environment and Safety Information, SCC 1991).
CHAPTER SIX
CONCLUSIONS AND RECOMMENDATIONS

RECOMMENDATION 1
The Scottish Office should issue further guidance to local authorities reminding them of the provisions of the Environmental Protection Act 1990 Part I in relation to public access.

Although the Secretary of State's Guidance on the requirements of the Act is very detailed, it is clear from the survey that some staff involved are vague about or unaware of the requirements of the Act in relation to public access. This may be partly explained by the fact that in some areas few members of the public have requested access so far. This survey itself will have raised awareness among officials of the public's right of access. Despite this, renewed guidance is necessary if inconsistencies in the interpretation and operation of the Act are to be clarified. The greater openness advocated in the Citizen's Charter must now start to operate in practice as well as theory.

RECOMMENDATION 2
The leaflet "The Environmental Protection Act 1990 Part I and You" should be available in all Departments responsible for implementing the legislation. To heighten public awareness it should also be available at advice centres and public libraries.

Given the relatively low numbers of people who have requested access it seems that the public are largely unaware of their rights under the Act. The Scottish Office has produced a leaflet The Environmental Protection Act 1990 Part I and You (Appendix V) which gives a good description of public rights under the Act but only one volunteer mentioned seeing it on display in an Environmental Health Department.

RECOMMENDATION 3
Whenever an official responsible for the registers is unavailable a 'stand in' member of staff should be briefed to deal with public enquiries.

Although the survey indicates a high level of awareness about the Act among reception staff and officials in Departments responsible for implementing the legislation, there is still a need for 'stand in' staff to be briefed about public access to the registers and about dealing with general questions on their content, whenever those officially responsible for the registers are unavailable.

RECOMMENDATION 4
Local authorities should continue to make every effort to ensure that applications are made by all companies in their area that require authorisation under the legislation.
There is clearly a shortfall between the number of applications that have been made and the number that should have been made. Local authorities are responsible for ensuring that all relevant operators in their area submit applications. They should also ensure that operators of Block 2, 3 and 4 processes are fully informed of their requirement to apply for authorisation and the deadlines involved.

RECOMMENDATION 5
Charges for photocopies of entries in the register should not exceed that made by public libraries.

Where registers were accessible the charges quoted for copies of entries varied widely and in some cases were unreasonable. In the SCC's experience, where local authorities are permitted to charge for photocopies and have chosen not to do so, they have found this does not lead to an increased demand for copies or to unacceptable administrative costs.

RECOMMENDATION 6
Members of the public requesting access to registers under Part I of the Environmental Protection Act 1990 should not be asked for their reasons for wanting access, to give their names and addresses, or to say who they work for or represent.

The survey showed that most people were asked their name and why they wanted to see the register. This information should not be the concern of the local authority and asking for it could be seen as intimidating. While asking someone's name may be necessary for security or safety reasons it is not necessary to write down their name and address.

RECOMMENDATION 7
HMIP and RPAs should ensure local authorities are supplied with copies of all applications they receive. Local authorities should ensure this information is made available to the public.

Information supplied by other authorities such as HMIP and RPAs which the public should have access to at local authority offices was only available at about half of the authorities visited. Both HMIP and RPAs should ensure that all relevant applications are sent to local authorities where they should be publicly available.

RECOMMENDATION 8
Local authorities should ensure that all their offices to which the public require access are accessible to people with disabilities without assistance or, where access may be difficult, they should provide alternative means for dealing with their enquiries.

The Act requires access to the registers by members of the public and it is, therefore, the duty of the local authority to provide access to their premises so that all members of the public, including disabled people, can exercise that right.
GLOSSARY

application - official request to discharge prescribed processes made by individual companies to an enforcing authority

authorisation - permission to discharge prescribed processes issued by enforcing authority to individual companies

AMA - Association of Metropolitan Authorities

BATNEEC - Best Available Techniques not Entailing Excessive Cost

Block 1 processes - prescribed process which had to be registered between 1.4.92 and 31.7.92

enforcing authority - authorities to which companies must apply for permission to discharge prescribed processes

EPA - Environmental Protection Act 1990

FoE - Friends of the Earth Scotland

HMIP - Her Majesty’s Industrial Pollution Inspectorate

IPC - Integrated Pollution Control

NSCA - National Society for Clean Air

prescribed processes - operating processes which require authorisation

RPAs - River Purification Authorities

RPBs - River Purification Boards

SCC - Scottish Consumer Council
APPLICATIONS—MAIN PROCEDURAL STAGES

Application

Is application 'duly made'? Yes

No Application rejected. Papers and fee returned

Does operator claim it contains commercially confidential (C/C) information? Yes

No

Operator advertises application

LA places appn. on register and copies appn. to stat consultees

Does LA decide C/C info. within 2 weeks? Yes

No

LA places appn. on register and copies appn. to stat consultees

Is LA content to withhold C/C info? Yes

No

Does applicant appeal within 21 days? Yes

No

SoS decides appeal

Does operator wish to continue with application? Yes

No Application withdrawn

Has LA issued autho. within 4 months? Yes

No

Operator may appeal within 6 months

Operator may appeal at any time against non-determination. Appn. cannot be determined by LA if operator appeals

Does LA consider that autho. contains C/C info.? Yes

No

Give operator opportunity to request exclusion from register

Place full autho. on register

Does operator request exclusion? Yes

No

LA reconsider C/C info

LA agrees to exclusion?

Yes

No

C/C info. excluded from register for 21 days

Does operator appeal?

Yes

No

Info. kept from register pending appeal decision

Author. placed on register with/without disputed info.

* Or other period, as specified in the Environmental Protection (Authorisation of Processes) (Determination Period) Order 1991, SI513.

From: Secretary of State’s Guidance — Applications and Registers GG3(91)
Reproduced with the permission of the Controller of Her Majesty’s Stationery Office.
ENVIRONMENTAL PROTECTION ACT 1990, PART I
THE ENVIRONMENTAL PROTECTION (PREScribed
PROCESSES AND SUBSTANCES) REGULATIONS 1991, SI 472
THE ENVIRONMENTAL PROTECTION (APPLICATIONS,
APPEALS AND REGISTERS) REGULATIONS 1991, SI 507

APPLICATION FOR AUTHORISATION UNDER SECTION 6
OF THE ENVIRONMENTAL PROTECTION ACT 1990

1. Process for which authorisation is sought

2. (a) name, address and telephone number of applicant* (or address of applicant’s principal place of business—for mobile plant)

(b) name, number and registered office of applicant company* (if applicable)

3. Name and address of premises where process is or will be carried on
   (not applicable to mobile processes)

4. Name of local authority in whose area the process will be operated
   (or local authority area in which the operator has his principal place
   of business—for mobile plant)

5. List of maps or plans enclosed with the application showing the location of the premises where the process will be carried on.

6. List of attached documents comprising part of the application **

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**Regulation 2 of the Environmental Protection (Applications, Appeals and Registers) Regulations 1991 requires that all applications must include the following information (for guidance on these requirements see General Guidance Note No 3—"Secretary of State’s Guidance: Applications and Registers", HMSO, 1991: ISBN 0 11 752425 5, 14)
-
- a description of the process
- a list of prescribed substances (and any other substance) which might cause harm if released into the air which will be used in connection with, or will result from the carrying on of the prescribed process
- a description of the techniques to be used for preventing releases into the air of prescribed substances, for reducing such substances to a minimum and for rendering harmless any substances that are released
- details of any proposed release of such substances into the air and an assessment of the environmental consequences
- proposals for monitoring any release of such substances, the environmental consequences of any such release and the use of techniques for preventing or reducing releases
- the manner in which the applicant relies to establish that the objectives mentioned in section 7(3) of the Act will be achieved and that he will be able to comply with the conditions imposed by section 7(4) of the Act

The applicant may also supply any other information he wishes the local authority to take into account in considering his application.
7. Name of newspaper in which it is proposed to advertise the application

8. Fee enclosed (cheques to be made payable to ................. Council)

£..................

I hereby certify that all the information contained in this application is, to the best of my knowledge, correct.

.......................... (signature)

.......................... (name in BLOCK CAPITALS and capacity in which signing)

.......................... (date)
APPENDIX III

PRESCRIBED PROCESSES


BLOCK 1 (DEADLINE 31 JULY 1992)

Combustion Processes (section 1.3 of the Regulations)

The following processes unless carried on in relation to any Part A (see Regulations*) process:

a) burning any fuel in a boiler or furnace with a net rated thermal input of not less than 20 megawatts (but less than 50 megawatts);
b) burning any fuel in a gas turbine or compression ignition engine with a net rated thermal input of not less than 20 megawatts (but less than 50 megawatts);
c) burning in an appliance with a net rated thermal input of less than 3 megawatts solid fuel which has been manufactured from waste by a process involving the application of heat;
d) burning, in any appliance, fuel manufactured from, or including, waste (other than waste oil or recovered oil or such fuel as is mentioned in paragraph (d)) if the appliance has a net rated thermal input of less than 3 megawatts but at least 0.4 megawatts or is located with other appliances which each have a net rated thermal input of less than 3 megawatts and the aggregate net rated thermal input of all the appliances is at least 0.4 megawatts.

In paragraph (c) of Part A (see Regulations) and paragraph (e) of Part B, "fuel" does not include gas produced by biological degradation of waste; and for the purposes of this section -

"net rated thermal input" is the rate at which fuel can be burned at the maximum continuous rating of the appliance multiplied by the net calorific value of the fuel and expressed as megawatts thermal; and

"waste oil" means any mineral based lubricating or industrial oil which has become unfit for the use for which it was intended and, in particular, used combustion engine oil, gearbox oil, mineral lubricating oil, oil for turbines and hydraulic oil; and

"recovered oil" means waste oil which has been processed before being used.

Processes Involving Asbestos (section 3.2 of the Regulations)

The industrial finishing of any product mentioned in paragraph (b) of Part A (see Regulations) of this Section if the process does not fall within that paragraph.

In this Section, "asbestos" means any of the following fibrous silicates - actinolite, amosite, anthophyllite, chrysotile, crocidolite and tremolite.

Glass Manufacture and Production (section 3.5 of the Regulations)

a) The manufacture of glass at any location where the person concerned has the capacity to make 5,000 tonnes or more of glass in any 12 month period, and any process involving the use of glass which is carried on at such location in conjunction with its manufacture.
b) The manufacture of glass where the use of lead or any lead compound is involved.
c) The making of any glass product where lead or any lead compound has been used in the manufacture of the glass except -
   (i) the making of products from lead glass blanks;
   (ii) the melting, or mixing with another substance, of glass manufactured elsewhere to produce articles such as ornaments or road paint.

*Note: Only details of Part B prescribed processes and substances are given here. For Part A processes and substances see the Regulations.
d) Polishing or etching glass or glass products in the course of any manufacturing process if -
   (i) hydrofluoric acid is used; or
   (ii) hydrogen fluoride may be released into the air.

Ceramic Production (section 3.6 of the Regulations)

Firing heavy clay goods or refractory goods in a kiln where the process does not fall within a description in Part A (see Regulations) of this Section.

In this Section, "clay" includes a blend of clay with ash, sand or other materials.

Incineration (section 5.1 of the Regulations)

a) The destruction by burning in an incinerator other than an exempt incinerator of any waste, including animal remains, except where related to a Part A process (see Regulations).

b) The cremation of human remains.

In this section -
"exempt incinerator" means any incinerator on premises where there is plant designed to incinerate waste, including animal remains at a rate of not more than 50 kgs per hour, not being an incinerator employed to incinerate clinical waste, sewage sludge, sewage screenings or municipal waste (as defined in Article 1 of EC Directive 89/369/EEC(a)); and for the purposes of this section, the weight of waste shall be determined by reference to its weight as fed into the incinerator;
"waste" means solid or liquid wastes or gaseous wastes (other than gas produced by biological degradation of waste); and;
"clinical waste" means waste which falls within the descriptions in paragraph (a) or (b) of the definition of such waste in the Collection and Disposal of Waste Regulations 1988 (B) (or would fall in one of those paragraphs but for Regulation 2(3) of those regulations).

Timber Processes (section 6.7 of the Regulations)

The manufacture of products wholly or mainly of wood at any works if the process involves the sawing, drilling, sanding, shaping, turning, planing, curing or chemical treatment of wood ("relevant processes") and the throughput of the works in any 12 month period -
   (i) where wood is sawed but not subjected to any other relevant processes at the works, is likely to exceed 10,000 cubic metres; or
   (ii) in any other case, is likely to exceed 500 cubic metres.

For the purposes of this paragraph -
"throughput" shall be calculated by reference to the amount of wood which is subjected to any of the relevant processes: but where, at the same works, wood is subject to two or more relevant processes, no account shall be taken of the second or any subsequent process; and
"works" includes a sawmill or any other premises on which relevant processes are carried out on wood.

The Treatment and Processing of Animal or Vegetable Matter (section 6.9 of the Regulations)

(b) Breeding maggots in any case where 5 kg or more of animal or of vegetable matter or, in aggregate, of both are introduced into the process in any week.

In this Section -
"animal" includes a bird or a fish.
BLOCK 2 (DEADLINE 30 SEPTEMBER 1992)

Combustion Processes (section 1.3 of the Regulations)

c) burning as fuel, in an appliance with a net rated thermal input of less than 3 megawatts, waste oil or recovered oil;

In paragraph (c) of Part A (see Regulations) and paragraph (e) of Part B, "fuel" does not include gas produced by biological degradation of waste; and for the purposes of this section - 
"net rated thermal input" is the rate at which fuel can be burned at the maximum continuous rating of the 
appliance multiplied by the net calorific value of the fuel and expressed as megawatts thermal; and 
"waste oil" means any mineral based lubricating or industrial oil which has become unfit for the use for 
which it was intended and, in particular, used combustion engine oil, gearbox oil, mineral lubricating oil, 
oil for turbines and hydraulic oil; and 
"recovered oil" means waste oil which has been processed before being used.

BLOCK 3 (DEADLINE 30 NOVEMBER 1992)

Iron and Steel (section 2.1 of the Regulations)

a) Making, melting or refining iron, steel or any ferro-alloy in:
(i) an electric arc furnace with a designed holding capacity of less than 7 tonnes; or
(ii) a cupola, rotary furnace, induction furnace or resistance furnace.
b) Refining iron or making iron, steel or any ferro-alloy where air or oxygen or both are used, if related to another process described in paragraph (a) above.
c) The desulphurisation of iron, steel or any ferro-alloy, if the process does not fall within paragraph (b) of Part A (see Regulations).
d) Any such process as is described in paragraph (i) of Part A (see Regulations), if not falling within that paragraph.
e) Any foundry process (including ancillary foundry operations such as the manufacture and recovery of moulds, the reclamation of sand, settling, grinding and shot-blasting) if related to another process described in this Part of this Section.

Any description of a process in this Section includes, where the process produces slag, the crushing, screening or grading or other treatment of the slag if that process is related to the process in question.

Non-ferrous Metals (section 2.2 of the Regulations)

a) The making or melting of any non-ferrous metal or non-ferrous metal alloy in any furnace, bath or other holding vessel with a designed holding capacity of less than 5 tonnes (together with any incidental refining).
b) The extraction or recovery of copper, aluminium or zinc from mixed scrap by the use of heat.
c) Melting zinc or a zinc alloy in conjunction with a galvanising process.
d) Melting zinc or aluminium or an alloy of one or both of these metals in conjunction with a die-casting process.
e) Any such process as is described in paragraph (h) of Part A (see Regulations), if not related to another process described in that Part.
f) Any foundry process (including ancillary foundry operations such as the manufacture and recovery of moulds, the reclamation of sand, settling, grinding and shot-blasting) if related to another process described in this Part of this Section.

Cement and Lime Manufacture and Associated Processes (section 3.1 of the Regulations)

a) Any of the following processes, if not related to a process falling within a description in Part A of this Section:
(i) storing, loading or unloading cement or cement clinker in bulk prior to further transportation in bulk;
(ii) blending cement in bulk or using cement in bulk other than at a construction site, including the bagging of cement and cement mixtures, the batching of ready-mixed concrete and the manufacture
of concrete blocks and other cement products.

b) The slaking of lime for the purpose of making calcium hydroxide or calcium magnesium hydroxide unless related to a process falling within another description in this Schedule.

Other Mineral Processes (section 3.4 of the Regulations)

a) The crushing, grinding or other size reduction or the grading, screening or heating of any designated mineral or mineral product except where -
   (i) the process falls within a description in another Section of this Schedule;
   (ii) the process is related to another process falling within such a description; or
   (iii) the operation of the process is unlikely to result in the release into the air of particulate matter.

b) Any of the following processes unless carried on at an exempt location or as part of a process falling within another description in this Schedule -
   (i) crushing, grinding or otherwise breaking up coal or coke or any other coal product;
   (ii) screening, grading or mixing coal, or coke or any other coal product;
   (iii) loading or unloading coal, coke or any other coal product except unloading on retail sale.

c) The crushing, grinding or other size reduction, with machinery designed for that purpose, of bricks, tiles or concrete.

d) Screening the product of any such process as is described in paragraph (c).

e) Coating roadstone with tar or bitumen.

In this section -
"coal" includes lignite;
"designated mineral or mineral product" means -
(i) clay, sand and any other naturally occurring mineral other than coal or lignite;
(ii) metallurgical slag;
(iii) boiler or furnace ash produced from the burning of coal, coke or any other coal product;
(iv) gypsum which is a by-product of any process; and
"exempt location" means -
(i) any premises used for the sale of coal, coke or any coal product by retail where at least 90% on aggregate of the coal, coke and coal products which are removed from those premises are supplied to persons purchasing in quantities of 10 tonnes or less; or
(ii) any premises to which coal, coke or any coal product is supplied only for use there.

Nothing in this section applies to any process carried on underground.

BLOCK 4 (DEADLINE 31 MARCH 1993)

Di-isocyanate Processes (section 6.2 of the Regulations)

Any process not falling within any other description in this Schedule where the carrying on of the process by the person concerned at the location in question is likely to involve the use of 5 tonnes or more of di-isocyanates or partly polymerised di-isocyanates (or in aggregate of both) in any 12 month period.

Coating Processes and Printing (section 6.5 of the Regulations)

a) Any process described in paragraph (c) of Part A (see Regulations) (other than the respraying of vehicles) where -
   (i) the process does not fall within that paragraph by reason of the qualification relating to special waste;
   (ii) the process may result in the release into the air of particulate matter or of any volatile organic compound; and
   (iii) the carrying on of the process by the person concerned at the location in question is likely to involve the use in any 12 month period of -
      (aa) 20 tonnes or more of any printing ink, paint or other coating material which is applied in solid form; or
      (bb) 20 tonnes or more of any metal coatings which are sprayed on in molten form; or
      (cc) 5 tonnes or more of organic solvents.

b) Any process for the respraying of road vehicles not falling within paragraph (c) of Part A (see Regulations) if the process may result in the release into the air of particulate matter or of any volatile organic
compound and the carrying on of the process by the person concerned at the location in question is likely to involve the use of 2 tonnes or more of organic solvents in any 12 month period.

In this Section -

"coating material" includes paint, varnish, lacquer, dye, any metal oxide coating, any adhesive coating, any elastomer coating and any metal or plastic coating; and in calculating for the purposes of Part B the amount of organic solvents used in a process, account shall be taken both of solvents contained in coatings and solvents used for cleaning or other purposes.

The Manufacture of Dyestuffs, Printing Ink and Coating Materials (section 6.6 of the Regulations)

Any process not falling within a description in any other Section of this Schedule -

a) for the manufacture or formulation of printing ink or any other coating material containing, or involving the use of, an organic solvent, where the carrying on of the process by the person concerned at the location in question is likely to involve the use of 100 tonnes or more of organic solvents in any 12 month period;
b) for the manufacture of any powder for use as a coating where there is the capacity to produce 200 tonnes or more of such powder in any 12 month period.

In this section "coating material" has the same meaning as in section 6.5.

Processes involving rubber (section 6.8 of the Regulations)

a) The mixing, milling or blending of -
   (i) natural rubber; or
   (ii) synthetic elastomers, if carbon black is used.
b) Any process which converts the product of a process falling within paragraph (a) into a finished product if related to a process falling within that paragraph.

The Treatment and Processing of Animal or Vegetable Matter (section 6.9 of the Regulations)

a) Any process mentioned in Part A (see Regulations), of this Section unless an exempt process -
   (i) where the process may not result in the release into water of any substance described in Schedule 5 (see Regulations); but
   (ii) may release into the air a substance described in Schedule 4 (see Regulations) or any offensive smell noticeable outside the premises on which the process is carried on.

In this Section -

"animal" includes a bird or a fish; and
"exempt process" means -
(i) any process carried on on a farm or agricultural holding other than the manufacture of goods for sale;
(ii) the manufacture or preparation of food or drink for human consumption but excluding -
   (a) the extraction, distillation or purification of animal or vegetable oil or fat otherwise than as a process incidental to the cooking of food for human consumption;
   (b) any process involving the use of green offal or the boiling of blood except the cooking of food (other than tripe) for human consumption;
   (c) the cooking of tripe for human consumption elsewhere than on premises on which it is to be consumed; and
"green offal" means the stomach and intestines of any animal, other than poultry or fish, and their contents.
ENIRONMENTAL PROTECTION ACT 1990, PART I

APPLICATION FOR AUTHORISATION

[Name of applicant] has applied for an authorisation from [local authority] to operate [description of process] at [name, if any, and address of premises where process is or will be carried on].

A copy of the application is available for public inspection free of charge, at [place(s) designated by local authority].

Written representations about the application may be sent to [local authority and address] within 28 days of [date of the advertisement].

From: Secretary of State's Guidance — Applications and Registers GG3(91)
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Addresses

The address of HMIP is 57 Perth Street, Edinburgh EH3 2RB. Those of the river purification authorities (the 7 river purification boards and 3 islands councils) are:

**Director**
- Clyde River Purification Board
- Rivers House
- Murray Road
- East Kilbride
- G75 0LA

**The Director**
- Forth River Purification Board
- Clearwater House
- Heriot Watt Research Park
- Avenue North
- Edinburgh
- EH14 4AP

**The Director**
- Tweed River Purification Board
- Bambrae
- Mossilee Road
- Galashiels
- TD1 2BF

**The Director**
- Highland River Purification Board
- Shettleston Road
- Dingwall
- IV15 9QF

**Chief Executive**
- Orkney Islands Council
- Kirkwall
- KW15 1NY

**Chief Executive**
- Shetland Islands Council
- Town Hall
- Lerwick
- ZE1 0HD

Additional Reading

- *Integrated Pollution Control in Scotland - A Practical Guide*, available on request from HMIP.


THE ENVIRONMENTAL PROTECTION ACT 1990
PART I AND YOU

PRINTED IN SCOTLAND FOR HMSO 2/92

THE SCOTTISH OFFICE

Reproduced with the permission of the Controller of Her Majesty’s Stationery Office.
**Introduction**

Under Part I of the Act the public are entitled to express their views on the control of pollution from industry and are allowed access to extensive information about pollution and pollution control at individual works. This leaflet explains those opportunities.

**What is the Environmental Protection Act? Part I?**

Part I of the Act requires a wide range of industrial operations, including existing factories, to apply for authorisation to operate. The authorisation sets down what action must be taken to minimise pollution from the factory in question.

The most polluting or complex processes are regulated by HM Industrial Pollution Inspectorate (HIPPI) and the local River Pollution Authority (RPA) acting together. Within this arrangement HIPPI are principally concerned with air pollution, minimising the generation of solid wastes, the control of radioactive substances and the disposal of radioactive wastes, the RPAs with maintaining and improving the quality of the water environment.

Simpler or less-polluting processes are controlled by Districts and Islands Councils. These authorities are only concerned with air pollution; the environmental health department of the local authority is the department most likely to be responsible.

HIPPI, the RPAs and District and Islands Councils are collectively known as "enforcing authorities" under the Act.

The new controls are being phased in over a period of about 4 years, beginning on 1 April 1992. From then on, an application for authorisation must be made when a company proposes to start up a new factory or to substantially change an existing one. Existing factories will come under the new controls over the subsequent 4 years.

Many different types of process are affected. They range from chemical manufacturing plants to large boilers, from clinical waste incinerators to cement works and from iron foundries to large scale painting operations.

If you want to know whether a process near you is covered by the Act and, if so, when it comes under control ask your local environmental health department, HIPPI or the RPA for the area.

**What information on me is available?**

Each enforcing authority is required to hold a public register, which includes particulars of:
- All applications for authorisation.
- All authorisations that have been granted.
- Any information the operator of the process is required to supply to demonstrate that the process is complying with the authorisation.
- Any enforcement action taken by the enforcing authority.

The only restriction on the information contained in the register is that it must not include commercial secrets or national security information.

**Where is the information kept?**

Each district and Islands council holds a register of all prescribed processes within its area, including those regulated by HIPPI and the RPAs(s). You should check with your local environmental health department to find out where the local register is kept. As enforcing authorities themselves, HIPPI and the RPAs also keep a register.

However, these do not contain details of local authority-controlled processes. The addresses of HIPPI and the RPAs are given at the end of this leaflet.

The register is available for the public to consult, free of charge, during normal office hours. You can also request copies of the register entries (but expect to pay a small copying charge for them).

**How can I have my say?**

Almost all applications for an authorisation must be advertised in a local paper to allow the public to comment. Any comments sent to the enforcing authority (the advert will tell you which one) within 28 days of the date of the advert must be considered before a decision is made on the application.

You may also at any time inspect the information on the process contained in the public register and raise any matters of concern with the enforcing authority.

**What comments can I make?**

When expressing your comments to the enforcing authority you should bear in mind that they are only concerned with pollution control and frame your comments accordingly. For example, the suitability of the proposed site for a factory, (as opposed to the process to be carried on there) is a planning question, and comments on that aspect of the case would not be relevant to the application for an authorisation.

Remember also to limit your comments to the enforcing authority's particular responsibility. For example, a district council could not consider comments relating to the control of water pollution.

In considering applications the enforcing authority must decide whether the equipment and operating procedures proposed will prevent, minimise and render harmless pollution generated by the process. Comments might therefore relate to the nature and degree of the pollution and equipment to be used, the techniques and management practices to be employed or possibly the experience, qualifications and skills of operating or supervising staff.

What the enforcing authority will find particularly valuable however, is local information on the neighbourhood environment which might not be available from national statistics or surveys.

**Is that it?**

Not quite. The applicant has the right of appeal against the enforcing authority's decision. If an appeal is made anyone who made representations on the application will be informed of the appeal and advised on how to submit further comments. In addition, if the appeal goes to a public hearing, the hearing must also be advertised in the local press. (This includes hearings into appeals against any enforcement action being taken by the enforcing authority against the operator). Anyone can attend the hearing and ask the permission of the person conducting the hearing to make representations on the appeal.
Questionnaire

Name and address of the local authority:

Please put a circle around Y for YES or N for NO below. If any of the questions cannot be answered because, for example, you could proceed no further, write N/A for NOT APPLICABLE. Note what happened in the comments section after each question or at the end of the questionnaire. Remember, if you take the questionnaire with you, keep it out of sight.

PART 1. AT RECEPTION (COUNCIL HEAD OFFICE)

Ask at reception: "I'd like to see the registers of information about air pollution which I understand are held by the Council under the Environmental Protection Act. Could you direct me to somebody who could let me see them?"

Reminder: If asked to identify yourself, give your own name. Do not say you are from SCC. If asked to give a reason for your request, simply say you want to find out what is going on in your local area.

1. Did the receptionist
   a. appear to be friendly and helpful? Y N
   b. appear to know what you were talking about? Y N
   c. consult somebody else before dealing with your request? Y N

2. How long did you have to wait until the receptionist had identified which Department to direct you to? ________________ minutes.

3. Were you directed to another part of the same building? Y N
   If YES, please go to question 5.

4. Were you directed to another building or Department somewhere else? Y N
   4a. If YES, how far away was it? ________________ minutes walk

5. Which Department was responsible for the registers (eg. Environmental Services)? ________________________

PART 2. AT DEPARTMENT WHERE REGISTER IS HELD

Ask: "I'd like to see the registers of information about air pollution which I understand are held by the Council under the Environmental Protection Act. Could you direct me to somebody who could let me see them?"

6. When you had found the Department that holds the registers, did the receptionist:
   a. appear friendly and helpful? Y N
   b. appear to understand your request? Y N
   c. consult somebody else before dealing with your request? Y N

7. Was the receptionist able to identify an official who was responsible for the registers? Y N
   Comments:

8. Did the official understand your request to see the register? Y N
   Comments:

9. Were you eventually shown the register of applications made to the local authority in relation to air pollution processes? Y N
   Remember the register may be in a ring-binder file, or in wallet files or even in a filing cabinet.

10. How long did you have to wait to see the register, once you were in the correct Department? ________________ minutes.

11. Were you asked to return at another time? Y N
    Comments:
PART 3. LOOKING AT THE REGISTER

12. How many applications for permission to operate had been entered in the register?
   Write in the number or put 'none' ________________

13. Does the Council provide an application form for the Company to fill in?  Y  N

14. How many of the applications said which newspaper they intended to place an
   advertisement in? ________________

   Please fill in below for up to 5 applications chosen at random.

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<th>Name of company</th>
<th>Operating Process</th>
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<th>Date of advert</th>
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15. Were there any authorisations in the register (ie the letter of permission to
   operate sent by the Council to the Company)?  Y  N

16. Could you make any sense of the applications and authorisations in the register?
   Comments:  Y  N

17. Was anyone available to help you if you wanted to ask any questions?  Y  N
   Comments:

18. Please ask the official:

   a. How many applications the Council had been expecting to receive by
      31st July 1992? ________________

   b. How many authorisations the Council has granted? ________________

   c. How much you would have to pay for a copy of each application? ________________

      Ask for a copy of one application - up to a cost of £2.

   d. If the Council also has information about pollution supplied by
      Her Majesty's Industrial Pollution Inspectorate and by the local River
      Purification Authority?  Y  N

      If YES, was the information in a separate register or was it included
      as entries in the local authority register? ________________
PART 4. OTHER INFORMATION

19. Were you, at any stage, asked to give your name?  
   Comments:  Y  N

20. Were you, at any stage, asked why you wanted to see the register?  
   Comments:  Y  N

21. Was the office open at normal times? (i.e. 9 am - 5 pm, Monday to Friday)  
   Comments:  Y  N

22. Did the office appear to be accessible to physically disabled people?  
   Comments:  Y  N

If you have any additional comments, please write them below.

Please write in your name:  ____________________________________________

Date of your visit:  ____________________________________________

Thank you for your assistance. Please return this questionnaire in the Freepost envelope provided (you do not need a stamp) as soon as possible and not later than September 1992. Remember to enclose any copies of applications that you managed to get.
Briefing notes

SCOTTISH CONSUMER COUNCIL
FRIENDS OF THE EARTH SCOTLAND

PUBLIC ACCESS TO REGISTERS OF INFORMATION
ABOUT ENVIRONMENTAL POLLUTION

For this survey, volunteers will visit District and Islands Council offices to see whether registers of information about local air pollution processes have been set up. This survey is being done in conjunction with Friends of the Earth Scotland whose volunteers will also be taking part. By combining our volunteers we hope to be able to cover all 56 District and Islands Councils in Scotland.

BACKGROUND INFORMATION

The Environmental Protection Act 1990 requires industrial operators, including factories, to apply for authorisation to operate.

The most complex and polluting processes are regulated by HM Industrial Pollution Inspectorate (HMIPI) and local River Purification Authorities (RPAs). Simpler and less polluting processes involving air pollution are regulated by District and Islands Councils. The Environmental Health Department of the District and Islands Councils is the department most likely to be responsible.

The Environmental Protection Act will mean that industrial operators will have to state what level of pollution they cause and how they intend to reduce it.

Before the District or Islands Council decides to approve an application it must consult with local people. So the law requires that the application from the company is advertised in the local press and that full details are included in a register in the Council offices. The public are allowed to see the registers at all reasonable times and free of charge.

Friends of the Earth is concerned that the system may not operate as planned. Firstly, experience from England and Wales, where the law came into effect a year earlier, has shown that almost 50% of the applications expected were not made. This means that either industries were ignorant of the law or that they were simply ignoring it. Secondly, a survey carried out by the Scottish Consumer Council last year on public registers of information which local authorities are already obliged to keep has shown that access is not always easy. In some cases there were no registers at all or they contained very little information.

Friends of the Earth Scotland and the Scottish Consumer Council are, therefore, concerned to check that the law is operating as it should. In particular, we will be checking:

- that industries have complied with the law and have made applications by the deadline;
- that public consultation is taking place;
- and that the public have access to the register held by local authorities.

WHAT WE WOULD LIKE YOU TO DO

The instructions below outline what we would like you to do and indicate some of the problems or questions you might come up against.

Please study these notes carefully before your visit. The questionnaire enclosed will help lead you through your enquiry. Please complete the questionnaire after your visit and not during it, if possible. This will make your request to see the registers look more natural. If you feel that you will need the questionnaire with you so that you can remember all the questions try and keep it out of sight, or make notes of the questions and take them with you.

As this survey will try to find out how easy it is for a member of the public to gain access to the information it would be best if you do not say that you are a member of Consumer Network or from SCC. This is because you may be treated more courteously or given more help, than a member of the public would have received, if you say you are from SCC.

The name and address of the District or Islands Council which you should visit is given at the top of the questionnaire. In most cases the registers will be held by the Environmental Health or Environmental Services Department. However, it would be best to go to the District or Islands Council head office first of all. You will then be directed to the right department.

At the reception desk of the head offices you should ask to see the registers of information about air pollution held under the Environmental Protection Act. The receptionist will probably direct you to a particular department - this may be in a separate building.

If the receptionist does not know who to refer you to, please go to the Environmental Health or Environmental Services Department and ask there instead.
When you have found the right department (probably Environmental Health), ask the receptionist if you can see the registers of information about local air pollution held under the Environmental Protection Act.

The receptionist will probably refer you to an official. You may be asked to come back later.

You may be asked to give your name or asked why you want to see the register. You are not required to give a reason for wanting to see the register but it may smooth your enquiry if you say that you want to find out what is going on in your local area.

When the register is produced, and if it has entries in it, you should ask for an explanation of how the register and index work. The register may not be just a book or file it may take the form of a series of wallet files or it may be in a filing cabinet instead. Be prepared to have to look through folders, files or even a filing cabinet.

You should count how many applications are in the register and note this down.

You should ask if you are allowed to get a photocopy of an application, and if so, how much it would cost. Please get a copy of one of the applications up to a cost of £2 - this will be reimbursed later.

At any point in the procedure above it may not be possible to continue the enquiry; for example, if you are told the register has no applications in it. If this happens, please record what happened in the comment sections.
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- means no answer given or not applicable

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