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The Rt Hon The Lord Young of Graffham
Department of Employment
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29 July 1986

Dear David

UNIFIED POLLUTION INSPECTORATE

Now that we are agreed that a new Unified Pollution Inspectorate should be created and located in the Department of the Environment we must consider how to announce our intentions.

The new body will be welcomed by environmentalists and industrialists as providing the potential for a more effectively focussed system of pollution control. However, as Kenneth Clarke has pointed out, we must present it carefully.

There are a considerable number of detailed arrangements to be sorted out before the new Unified Pollution Inspectorate (UPI) can come into operation. I have in mind in particular our need to consider the precise means of transferring the Industrial Air Pollution Inspectorate to DOE. In addition the other pollution control authorities (local government and water authorities) will wish to know that their responsibilities will be undiminished.

I propose therefore that we should set the date for the coming into operation of UPI at 1 April 1987, and that this should also be the date from which the transfer of IAPI to DOE takes effect. My officials will be discussing with HSE detailed proposals for the method by which that may be achieved pending primary legislation. I would propose also to discuss with the water and waste disposal authorities how UPI will relate to their statutory regulatory functions.

Whilst I should have preferred to be able to make this announcement to Parliament I believe that we cannot wait. We need to discuss detailed plans with, for example, the trades unions. I understand that the Opposition parties may state their commitment to a UPI at their conferences this year. There is considerable interest in the outcome of the Efficiency Unit's scrutiny in the national and specialist press. I hope colleagues will agree therefore that this should be a good new story for the Government during the summer recess. I attach a draft announcement which I would be grateful for agreement to issue as soon as possible.

Subject to agreement, I propose to make the announcement on Thursday 7 August. I hope that this will provide adequate time for the necessary consultation with the Health and Safety Commission.

CONFIDENTIAL

I am copying this to the Prime Minister, the Lord President, the Chancellor of the Exchequer, the Secretaries of State for Trade and Industry, Scotland and Wales, the Minister of Agriculture, Sir Robert Armstrong and Sir Robin Ibbs, and the Secretary of State for Energy.

Johnson
Nicholas

NICHOLAS RIDLEY

DRAFT ANNOUNCEMENT

GOVERNMENT TO CREATE A UNIFIED POLLUTION INSPECTORATE

Nicholas Ridley, the Secretary of State for the Environment, today announced the Government's intention to bring together the central government pollution inspectorates to form a Unified Pollution Inspectorate (UPI). The Inspectorate will develop a more coherent approach to the control of industrial emissions and discharges to air, water or land in England and Wales and to provide advice that will help the other pollution control authorities to carry out their statutory responsibilities.

"A Unified Pollution Inspectorate will be an instrument for developing coordinated and practical measures for environmental protection" said Mr Ridley. "In creating this new body we are responding to calls from industry as well as from environmentalists for a clear focus to ensure the most effective use of resources available to control industrial pollution and to provide advice on ways of dealing with industrial wastes".

An essential element in the creation of UPI will be the transfer of the Industrial Air Pollution Inspectorate to the Department of the Environment. This Inspectorate presently forms part of the

Health and Safety Executive, although it is responsible in policy terms to the Secretaries of State for the Environment and Wales. UPI will also draw together staff already in DOE, in the Radiochemical Inspectorate and in the Hazardous Waste Inspectorate. In addition the new Water Pollution Inspectorate proposed in the Government's consultation paper "The Water Environment: The Next Steps" would form part of it.

One of UPI's major tasks will be to develop an approach to pollution control which seeks the "best practicable environmental option" (BPEO) in relation to industrial emissions and discharges. The need for a concerted approach to the problems of air, land and water pollution was first proposed in the fifth report of the Royal Commission on Environmental Pollution in 1976. The Royal Commission are now engaged on a further study of this issue, and their conclusions will be an important input to the work of the Inspectorate. UPI will also need to work closely with the water authorities and local pollution control authorities.

Background Note

The new Unified Pollution Inspectorate will come into operation on 1 April 1987 when the transfer of the Industrial Air Pollution Inspectorate to DOE will take effect. No change in Ministerial responsibilities is involved. The other inspectorates in HSE, which deal primarily with worker safety, are not affected by the change. UPI will continue to cooperate closely with the Factory Inspectorate.

UPI will contain staff dealing with air and water pollution and hazardous waste. However, its work will not diminish the statutory responsibilities of the water or waste disposal authorities. Discussions will take place with these authorities on the implications of the establishment of UPI for their particular responsibilities and on appropriate liaison arrangements. There will be early consultations with departmental trade unions representing the staff affected in both DOE and HSE.

The Government has announced that it proposed to review air pollution control legislation and to publish a consultation paper discussing options for effective powers which could be made available, as necessary, to either a central inspectorate or to local authorities. It is expected that a consultation paper will be published in the autumn.

Arrangements in Scotland, where a unified pollution inspectorate already exists, will not be affected by the new Inspectorate for England and Wales.

