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24<sup>th</sup> March 2011

Dear Consultee

## **Environmental Better Regulation White Paper**

I am writing to advise you that the Department of the Environment is seeking views on proposals arising from the publication of the Environmental Better Regulation White Paper.

The following document may be viewed at <http://www.doeni.gov.uk> (click on "environmental issues" and on "Better Regulation").

- Environmental Better Regulation White Paper

If you are unable to access the website, please advise me of your e-mail address and I will arrange for a version to be e-mailed to you.

If you do not have e-mail facilities and prefer a hard copy arrangements can be made to have one posted to you. You can request a copy by telephone (028 9025 4822) by fax (028 9025 6080) by textphone (028 9054 0642) or in writing. Should you require a copy of the document in an alternative format, it can be made available on request in large print, disk, Braille or audiocassette. The document may also be available on request in minority ethnic languages to those who are not proficient in English.

The Department is consulting on proposals in four areas: better permitting; enforcement and inspection powers; administrative penalties and sanctions; and criminal penalties and sanctions. It is the intension that during the consultation period the Department will bring forward specific policy proposals and will consult on each of these areas.

You are invited to send your comments to the Department to arrive no later than **Friday 30th September 2011** to:

Email: [better.regulation@doeni.gov.uk](mailto:better.regulation@doeni.gov.uk)

Alternatively if you do not have access to email you can send your response to:

Paul Byrne  
Better Regulation Team  
DOE Environmental Policy Division  
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The draft proposals have been assessed by DOE for equality, human rights and rural impacts. The draft proposals have not been found to have any negative impact on these areas.

## **FREEDOM OF INFORMATION ACT 2000 – CONFIDENTIALITY OF CONSULTATIONS**

The Department will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. **Before** you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

The Freedom of Information Act gives the public a right of access to any information held by a public authority, namely, the Department in this case. This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity, should be made public or be treated as confidential.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:-

- the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- the Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature;

- acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

For further information about confidentiality of responses please contact the Information Commissioner's Office (or see the website at: <http://www.informationcommissioner.gov.uk/> ).

Yours sincerely

Paul Byrne

DOE Environmental Policy Division