

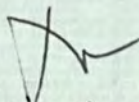
PRIME MINISTER

POLLUTION

Kenneth Baker's minute at Flag A is proposing a new pollution inspectorate which would bring together various groups of inspectors and advisers in his department and take in the Air Pollution Inspectorate from the Department of Employment. He sees this as a major presentational move at the very least to demonstrate the priority attached by the Government to environmental issues. He receives enthusiastic support from the Welsh Secretary, Trade and Industry Secretary, Sir Robin Nicholson and the Policy Unit. Doubts have been raised, however, by Lord Young (Flag B), who wants to ensure that it does not add to the regulatory burdens on industry; and Lord Whitelaw (Flag C) who records Lord Marshall's proposal for a transfer of work in the other direction from the Department of the Environment to the Health and Safety Executive. Sir Robert Armstrong's minute at Flag D says that in view of these differing views, together with the need to ensure that efficiency savings could be made, suggested by Sir Robin Ibbs there should be a speedy review of the factors involved to be conducted by the Cabinet Office with help from the Efficiency Unit.

Do you wish:-

- i. to press ahead with Mr. Baker's proposals and sort out any problems on the way; or No
- ii. express general approval of the idea subject to the kind of examination of the issues involved proposed by Sir Robert Armstrong.


(Timothy Flesher)
15 October, 1985

RAMACI

*Do not see the
need for change. It
will not succeed in improving
matters*



GC/NO

CONFIDENTIAL

WO693

PRIME MINISTER

15 October 1985

A NEW POLLUTION INSPECTORATE

The Secretary of State for the Environment is proposing the formation of a unified pollution inspectorate by combining, in his Department (and the Welsh Office), the Industrial Air Pollution Inspectorate (now part of the Health and Safety Executive), the Radiochemical and Hazardous Waste Inspectorates (part of the Department of the Environment) and other groups of specialist advisers.

2. I agree with Mr Baker that such a measure would be a positive benefit to the presentation of the Government's environmental protection policies. I believe that a unified pollution inspectorate would be widely welcomed, not only by the Royal Commission on Environmental Pollution, but also by both industry and environmental organisations.

3. More importantly, the proposal is justified on the grounds that it should improve the effectiveness and cost-effectiveness of pollution control policies. The present fragmentation of responsibility among various inspectorates (in different Departments) and local authority bodies leads to wastage of resources, and confusion and uncertainty on the part of industry and the public.

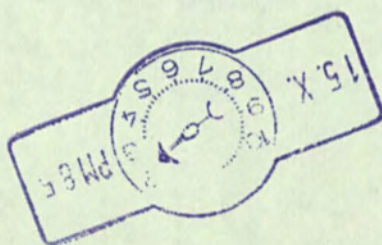
4. I advise acceptance of Mr Baker's proposal though I understand that there may be suggestions for a prior look at the machinery of government implications. I further suggest that, following the establishment of a unified inspectorate, he is asked to review the relative responsibilities of central and local government in pollution control.

5. I am copying this minute to Sir Robert Armstrong.

RBN.

SIR ROBIN NICHOLSON
Chief Scientific Adviser

Environmental Affairs. Pt 4
Acid Rain





CC/NO

Ref. A085/2629

PRIME MINISTER

A New Pollution Inspectorate

I have seen the Secretary of State for the Environment's minute to you of 23 September proposing the creation of a new Pollution Inspectorate, and the comments from the Lord President, the Secretaries of State for Employment and Wales, and Sir Robin Ibbs.

2. I can certainly see the attractions of a unified environmental inspectorate. There are, however, as Lord Whitelaw and Lord Young point out, counter-arguments: transferring the Industrial Air Pollution Inspectorate from its present position in the Health and Safety Executive could have an impact on other HSE work; a new Pollution Inspectorate could add to the regulatory burdens on industry; and the nuclear industry, currently regulated by HSE's Nuclear Installations Inspectorate and DOE's Radiochemical Inspectorate, would prefer the latter to be transferred to HSE - which would be a move in the reverse direction to that suggested by Mr Baker.

3. I doubt whether you would wish to take a decision on Mr Baker's proposal without a more detailed assessment of the background to it and the implications. I therefore support the suggestion that officials should carry out such an examination. This should cover the work of the various Inspectorates involved and look at all the options. The efficiency scrutiny suggested by Sir Robin Ibbs might be combined with this examination: I suspect that the efficiency implications are one factor you will wish to consider when taking a decision on the proposal, rather than at a later stage when any resultant merger was already under preparation.



4. You will want a review which is both speedy and sufficiently thorough. I suggest that the Machinery of Government Division of the Cabinet Office be instructed to set this in hand, involving Departments whose interests are affected, and that the Efficiency Unit be invited to look in parallel at the efficiency considerations, so that their advice on that aspect can form an input to the final paper.

5. Given that the Lord President's minute was not copied to other Ministers I have sent a copy of this minute only to him.

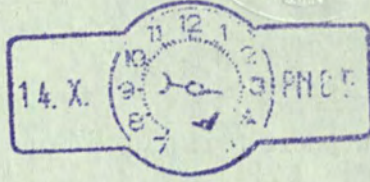
RA

ROBERT ARMSTRONG

14 October 1985

Environmental
Affairs;

Acid Rain; Pt 4



COMPLETED

cc 20



DEPARTMENT OF TRADE AND INDUSTRY
1-19 VICTORIA STREET
LONDON SW1H 0ET

TELEPHONE DIRECT LINE 01-215 5422
SWITCHBOARD 01-215 7877

JU265

Secretary of State for Trade and Industry

TF seen.

9 October 1985

await RN's comment

The Rt Hon Kenneth Baker MP
Secretary of State for
the Environment
Department of the Environment
2 Marsham Street
London SW1

R. Kent

Thank you for sending me a copy of your minute to the Prime Minister of 23 September concerning the possible establishment of a unified Pollution Inspectorate.

As you know, my predecessor was inclined to support the CBI's view that the Industrial Air Pollution Air Inspectorate (AIPI) should be located in your Department, and I have no reason to dissent from that view. I can see the case for unifying the various inspectorates, and I am therefore content with what you propose.

The work of the inspectorates is, of course, an area of considerable interest to industry, and I am sure you will recognise the importance of ensuring that they continue to be sensitive to the financial and administrative burdens which their work can place on the business community. If anything, the unification of the inspectorates under your Department should make it easier for us to ensure that we strike the right balance between environmental policy objectives and the deregulation initiative.

I am sending copies of this letter to the Prime Minister, George Younger, Nicholas Edwards, David Young, Kenneth Clarke and to Sir Robert Armstrong.

Law

LEON BRITTAN

ENVU AFFAIRS

ACID RAIN

PT 4





cc go
TF has seen
Averett SJ
RM.

MANAGEMENT IN CONFIDENCE

Prime Minister

A NEW POLLUTION INSPECTORATE

Kenneth Baker has sent me a copy of his minute of 23 September about his proposals for a new unified Pollution Inspectorate responsible to the Secretary of State for the Environment and myself.

I fully support the proposals which would facilitate a closer relationship between the Inspectorates and enable us to make - and to be seen to be making - a more integrated approach to the many difficult environmental issues that we are facing.

/ I am copying this minute to Kenneth Baker and those who received copies of his minute.

8th October 1985

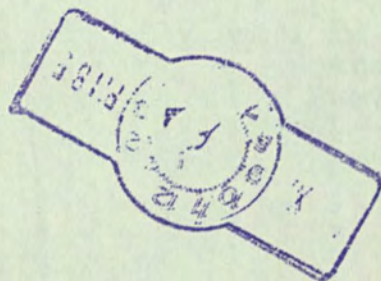
RNE
RNE



Secretary of State for Trade and Industry
Secretary of State for Scotland
Secretary of State for Employment
Paymaster General
Secretary to the Cabinet

CONQUEROR
III
LONDON

ENVI. AFFAIRS
ACID RAIN
PT. 4





TF Seer. CCNO
done SJRN
for comments

PRIME MINISTER

A NEW POLLUTION INSPECTORATE

1. I certainly agree with Kenneth Baker (his minute to you of 23 September) that we need to demonstrate that we take environmental issues seriously and that we are thoroughly equipped to deal with them. A central pollution inspectorate has undoubted attractions and I am ready to consider the possible transfer of the Industrial Air Pollution Inspectorate (IAPI) to his Department to help create it if the detailed work I suggest below bears out the merits. Policy responsibility for its work is already vested in the DOE.

2. There are however important practical issues which need to be considered. We need to be clear that the creation of a further powerful regulatory body would not place additional burdens on industry subjecting employers to inspection regimes on the same matters from difficult quarters. This was a very important strand of the approach we adopted in the White Paper "Lifting the Burden". Thus far there has, I understand, been seen to be advantage in having a single main enforcement authority. There is also the question of the most effective and efficient use of scarce specialist resources. At present the IAPI, with its field inspectorate bedded out in HSE area offices, makes an important contribution to many of HSE's activities. Research and laboratory facilities are shared.

MANAGEMENT IN CONFIDENCE



3. I suggest that therefore officials should be asked to examine urgently the practical implications of Kenneth Baker's proposal, which might also touch upon other Departments' responsibilities (eg the Department of Energy and the Ministry of Agriculture), to help us decide upon the most effective arrangements and how any duplication of burden on employers can be avoided. You might want to ask Sir Robert Armstrong to arrange for this to be done.

4. I am copying this to Leon Brittan, George Younger, Nicholas Edwards, Kenneth Baker and Sir Robert Armstrong.

A handwritten signature in blue ink, appearing to be "ref" or similar initials, written in a cursive style.

DY

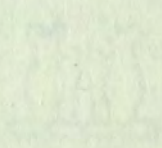
7 October 1985

MANAGEMENT IN CONFIDENCE

ENV. AFFAIRS: Acid Rain: Pt 4



CONFIDENTIAL



CONFIDENTIAL

CCNO

BF // *TF seen*
Awaiting Sir Robin
Nicholson's comments

PRIME MINISTER

I have now seen Kenneth Baker's minute of 23 September to you about the possibility of establishing a new Pollution Inspectorate incorporating the Industrial Air Pollution Inspectorate which currently works under the Health and Safety Executive.

You may recall Lord Marshall of Goring raising with you the related proposal of transfer of the Radiochemical Inspectorate away from the Department of the Environment and into the Health and Safety Executive; you suggested he might pursue it with me, and he did.

I merely mention this because it does seem to run slightly counter to the proposals now made by Kenneth Baker. In view of this, I wonder whether the best course would be for there to be a full examination of the respective duties of the various Inspectorates involved, and whether their locations best meet current needs. This is particularly important in the field of nuclear energy, with which Lord Marshall is of course concerned. You may also be interested to know that I was made aware during my recent visit to Sellafield that BNFL are also concerned about being subject to different inspectorates answerable to different Government Departments.

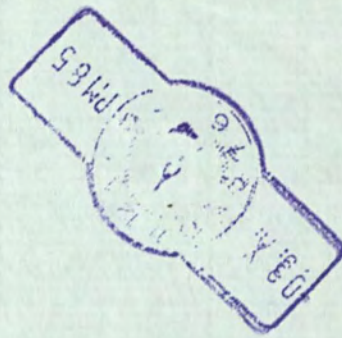
I am not sending copies of this minute to any Ministerial colleagues.

hs/w

2 October 1985.

ENVIRO. AFFAIRS

ACID RAIN PT 4





ccmp
Award
Cabinet Office
advice

CONFIDENTIAL

PRIME MINISTER

A NEW POLLUTION INSPECTORATE

I have seen a copy of Kenneth Baker's paper containing his proposal to establish a single inspectorate for pollution.

I am sure that it is right to seek to strengthen government environmental activity. But the emphasis in the proposal seems to be on presentation rather than how (and with what expected result) the merger can be used to improve the standard of protection against pollution, thereby effectively reducing unit costs. And of course the proposals leave untouched questions such as co-ordination with MAFF on sea pollution.

The time to make gains is obviously when the merger is in preparation. At this time it might be worth doing a scrutiny with the specific task of making proposals for how the inspectorates can be brought together to make a reality of potential gains in efficiency.

Jan 30 1985

p.p. Robin Ibbs (approved by Sir Robin Ibbs and signed in his absence.)
30 September 1985

CONFIDENTIAL

ENV. AFFAIRS

PT 4



ACID RAIN

UNITED KINGDOM

PRIME MINISTER

10 DOWNING STREET, LONDON SW1A 2AA

I have been a member of the Committee since 1984 and have been particularly concerned to see that the Government's policy on acid rain is based on the best available scientific evidence. I have been particularly concerned to see that the Government's policy on acid rain is based on the best available scientific evidence. I have been particularly concerned to see that the Government's policy on acid rain is based on the best available scientific evidence.

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Yours faithfully,
The Secretary of State for the Environment

APPOINTMENTS IN CONFIDENCE



FILE

ky

10 DOWNING STREET

From the Private Secretary

24 September, 1985

I enclose a copy of a minute from the Secretary of State for the Environment seeking the Prime Minister's agreement to the establishment of a single inspectorate for pollution, reporting to the Secretary of State for the Environment.

BFI

I should be grateful for any comments you may wish to make.

I am copying this letter to Michael Stark (Cabinet Office).

(Mark Addison)

Sir Robin Ibbs,
Cabinet Office.

APPOINTMENTS IN CONFIDENCE

✓

CP
R7A in effing advice, we
should be in a week.
24/9

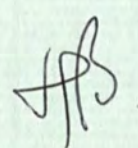
PRIME MINISTER

24 September 1985

POLLUTION INSPECTORATE

We support DoE's excellent proposal to implement the recommendation of the fifth report of the Royal Commission Environmental Pollution 1976. DoE have told us there is no intention to reduce personnel. We believe some ~~avoidance~~ of more efficiency and rationalisation should result in savings, and that the Efficiency Unit should be asked to do a scrutiny.

Do you agree to invite the Efficiency Unit to investigate?



HARTLEY BOOTH

cc NO

cc Led Pms.
Treas

S. P. H. 16/11/73

R. T. A. - cc R. I.

PRIME MINISTER

A NEW POLLUTION INSPECTORATE

When you appointed me and we discussed William Waldegrave's promotion, we agreed on the need for a higher profile for our environmental work. There is more public and political interest in environmental protection than at any time in the last decade. I expect it to intensify as the General Election approaches. It is more than ever important for the Government to show that we take environmental issues seriously and that we are thoroughly equipped to deal with them.

Our present institutional arrangements do not enable us to do either of these things properly. The capacity of Environment Ministers to give leadership and practical guidance to local authorities, water authorities and industry should be strengthened. In addition to its intrinsic merits, such a step would provide a restatement of the Government's commitment to environmental protection.

For the most part, we have a decentralised system for pollution control; the bulk of the responsibility lies at local level with local authorities and water authorities. Only with the worst kinds of industrial pollution to the atmosphere, or with radioactive waste, do we have central inspectorates. Our largely local system however is not balanced in England and Wales by coherent arrangements in Central Government for providing Environment Ministers with authoritative advice and with sufficient control and influence over the whole range of pollution problems affecting the factors of air, land and water, which increasingly must be seen as a whole. This is a weakness which we must remedy and be seen to remedy.

At present, the Secretary of State for Wales and I have groups of specialist scientists and engineers engaged on Water Pollution, Land Wastes, Radioactive Wastes and Air Pollution Policy. In addition we



have a small Hazardous Waste Inspectorate and a Radiochemical Inspectorate. We do not have the Industrial Air Pollution Inspectorate (formerly the Alkali Inspectorate) which was transferred to the Health and Safety Commission in 1975 - although George Younger retains its Scottish counterpart. I want to improve our present arrangements, and to demonstrate our commitment to strong, practical policies of environmental protection by bringing these scattered Inspectorates and groups of advisers in England and Wales into a single body responsible to me and the Secretary of State for Wales. This would mean restoring the Air Pollution Inspectorate to my Department.

This Inspectorate's work is truly environmental. Indeed it is the oldest environmental protection Inspectorate in the world. At present, it supports my Department under a Memorandum of Understanding with the Health and Safety Executive. My officials have good working relationships with it, but I have no direct control over its deployment. In today's world it is inappropriate that it should not directly advise and be directly answerable to Environment Ministers. Within the Health and Safety Executive it has already retained a separate identity which accords with the nature of its work.

With the transfer back of the Industrial Air Pollution Inspectorate to this Department and the Welsh office, I would make it the focus of a new unified Pollution Inspectorate comprising the Radiochemical and Hazardous Waste Inspectorates, a small number of the professional staff from the Water Directorate and a team who operate the New Chemicals Notification Scheme. The new Inspectorate would promote high standards in the field and provide Ministers with expert advice based on professional experience and practical understanding of pollution control. It would be available to help local authorities and water authorities.



Such a change would be neutral in manpower terms, but an immense advance in authority. It would not mean additional costs to the Exchequer. The transfer might be done initially without primary legislation but the permanent arrangements would need to be included in the Bill which I am contemplating to deal with Air Pollution and Hazardous Wastes possibly for the 1986/7.

An Inspectorate along these lines would be widely popular. It would be backed by the Royal Commission on Environmental Pollution and, I believe, by the CBI who have written to support the restoration of the Air Pollution Inspectorate to my Department. It would also signal at home and abroad our commitment to a robust environmental policy, science-based and combining high standards with realism. I have the support of the Secretary of State for Wales and the Secretary of State for Scotland and I have discussed the proposition with the Secretary of State for Employment. I hope you and our other colleagues will agree that this is an initiative we should take.

I am copying this minute to Leon Brittan, George Younger, Nicholas Edwards, David Young, Kenneth Clarke and to Sir Robert Armstrong.

K.S.

K B

23 September 1985



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