

PRIME MINISTER

POLLUTION

In September Kenneth Baker proposed a new Pollution Inspectorate which would take in the Air Pollution Inspectorate from the Health and Safety Executive (Department of Employment). Lord Young had doubts about this, and you may recall that Lord Marshall thought the transfer of work should be in the other direction. You said you saw no need for change at this stage, but agreed that Sir Robert Armstrong should examine the issues.

You might like to know that Sir Robin Ibbs will shortly be asked to undertake a scrutiny to examine the present working arrangements. This would provide a basis for a review of where responsibility for the Inspectorate should lie. The timetable planned is that the scrutiny team would report by the end of February, the decision on responsibilities should be taken by the end of April, and action plans drawn up by the end of June. Implementation of any new arrangements would take place by November 1987.

Duty Clerk

pp

(MARK ADDISON)

11 December 1985

CCBG



70 WHITEHALL, LONDON SW1A 2AS

01-233 8319

From the Secretary of the Cabinet and Head of the Home Civil Service

Sir Robert Armstrong GCB CVO

Ref. A085/3209

10 December 1985

NBPM

Dear Peter,

A New Pollution Inspectorate

--- Thank you for your letter of 19 November and 4 December. I attach a final version of the specification for this two-stage review exercise, prepared in the light of comments on my letter of 11 November.

I suggest that on the basis of this specification your Secretary of State, having cleared a draft with the Secretary of State for Employment, might now write to Robin Ibbs to commission the scrutiny stage. I understand that the Efficiency Unit propose that this scrutiny would then be announced in an arranged PQ which would give details of the scrutiny programme as a whole. This first stage (the scrutiny itself) is not primarily concerned to appraise the proposal for a new Pollution Inspectorate, but rather by examining the present working arrangements and relationships to provide a starting point for that appraisal (the second, machinery of government, stage). Departments will no doubt advance at that second stage whatever considerations they think relevant on the proposal to set up an Inspectorate.

I am sending copies of this letter to Michael Quinlan; also to Robin Butler, Brian Hayes, Kerr Fraser, Richard Lloyd-Jones, Peter Gregson, Michael Franklin, Robin Ibbs, Robin Nicholson and Tim Flesher at No 10.

*Yours as
Robert*

Sir Peter Harrop KCB

SPECIFICATION

AIM

1. To review the system of pollution and hazardous waste control and inspection within central Government, with particular reference to the proposal that HM Industrial Air Pollution Inspectorate be transferred from the Health and Safety Executive to form part of a new Pollution Inspectorate to be established within the Department of the Environment. The review should take account of the impact of regulatory activity on industry, and assess the effectiveness of options for the future organisation of work.

TERMS OF REFERENCE

First Stage

2. The review should begin with an organisation scrutiny of:
- HM Industrial Air Pollution Inspectorate
 - the other parts of HSE's Technology and Air Pollution Division, including the Major Hazards Assessment Unit (insofar as related to other bodies mentioned in the terms of reference)
 - HM Factory Inspectorate (insofar as related to other bodies mentioned in the terms of reference)
 - the Radiochemical Inspectorate
 - the Hazardous Waste Inspectorate
 - DOE scientists and engineers engaged on water pollution
 - HM Nuclear Installations Inspectorate
 - HSE's Research and Laboratory Services Division (insofar as related to the above bodies).

The primary purpose will be to identify the present working arrangements of these bodies, including extent of co-ordination as to the impact of their work on industry, and identify links with other parts of Government and with local authorities. The scrutiny should also identify the working arrangements of HM Industrial Pollution Inspectorate for Scotland and the impact of these on industry. It should draw conclusions on the economy and efficiency of existing arrangements, and their effectiveness in securing Ministerial objectives for pollution control and deregulation, and how they might be improved to give better value for money.

Second Stage

3. The review should analyse the options for changing present Ministerial responsibilities for inspectorates and all arguments for or against such change, including, but not confined to, arguments arising from the scrutiny or concerning the need to maintain present standards of expertise.

ACTION MANAGERS

4. For a decision on machinery of government aspects:
Mr R A C Hewes.

5. Following a machinery of government decision, for producing action plans for implementation: Sir Michael Quinlan and Sir Peter Harrop.

EXAMINING OFFICER

6. G P Dyche, Cabinet Office; with team of 1 full-time member from each of DOE and HSE plus 1 part-time member from the Efficiency Unit.

TIMETABLE

7. Scrutiny: start date - 9 December 1985
study plan - 20 December 1985
synopsis - 7 February 1986
report - 28 February 1986

Machinery of Government decision on 30 April 1986

Action plans by 30 June 1986

Implementation by November 1987.

ENV AFFAIRS: Acid Rain: Pt 4

