

ps



Department of Employment
Caxton House, Tothill Street, London SW1H 9NF

Telephone 071-273 5803
Telex 915564 Fax 071-273 5821

Secretary of State

The Rt Hon Chris Patten MP
Secretary of State for the Environment
2 Marsham Street
London
SW1P 3EB

cc/po
n.b. P.M.
DWP
26/11
26 November 1990

Dear Chris

NEW BURDENS ON LOCAL GOVERNMENT

Thank you for the copy of your letter of *9* November to John MacGregor about new burdens on local government. *Par*

You mention that fourteen items were notified by the Health and Safety Executive alone. I have carefully examined these items because I very much share your view of the need to keep additional demands on local government to a minimum.

I understand there has been a misunderstanding over the inclusion of some items with consequent inflation of the list. The current list includes, erroneously, costs which local authorities may incur simply as employers. In particular, the costs mentioned as arising from the proposed Code on Legionellosis largely arise in this way. Officials agreed some years ago that such items were not appropriate for notification under the new burdens procedure. I have therefore asked officials to provide a corrected list to your Department.

Of the other items, some relate to some very technical changes in the current regulations. For instance, the amendments to the Control of Substances Hazardous to Health Regulations (items 2 & 11 of List A to your letter) involve changes in the exposure limits to some of the substances covered by the Regulations. Others, such as the Construction (Head Protection) Regulations (item 13) are largely enforced by HSE not local authorities.



Employment Department · Training Agency
Health and Safety Executive · ACAS



Secretary of State
for Employment

Some are the unavoidable result of European legislation, including Directives against which the UK argued unsuccessfully. An example is the regulations on display screen equipment (item 3). I stressed the European dimension to health and safety in my letter of 10 September to Michael Portillo, copied to you. With some 20 directives to implement over the next few years, there are likely to be further demands placed on both local authorities and the Health and Safety Executive, as enforcers of health & safety legislation.

As I explained in my letter of 2 August to you, the Health and Safety Commission is charged under the Health and Safety at Work etc. Act to bring forward proposals progressively to modernise health and safety law as well as putting forward proposals for implementing European requirements in their field. I can assure you that they are very conscious of the need to keep the burdens on local authorities, whether as employers or as enforcers of Health and Safety regulations in the locality, to a minimum. Local Authority Associations are consulted about proposals, as are employers generally, and proposals are always accompanied by a rigorous cost benefit analysis.

I am copying this letter to the Prime Minister, members of E(LG) and to Sir Robin Butler.

*Yours
Michael*

MICHAEL HOWARD

LOCAL GOVT: Keis RT 38