

Environmental Information Regulations (EIR)

Environmental Information Regulations (EIR) 2004

The Environmental Information Regulations 2004 (EIR) came into force on 1st of January 2005. They apply to public authorities, which for the purposes of the EIR includes, Bristol Water plc.

Environmental Information

The definition of Environmental Information is wide and includes written, electronic, visual or audio information held by Bristol Water about :

- (i) the state of the elements of the environment, e.g. air, atmosphere, water, soil, land, landscape and natural sites, biological diversity and its components, including genetically modified organisms;
 - (ii) factors affecting the environment e.g. substances, energy, noise, radiation or waste, including radioactive waste, emissions, discharges and other releases;
 - (iii) measures (including administrative measures) and activities affecting or designed to protect the environment e.g. policies, legislation, plans, programmes, environmental agreements;
 - (iv) reports on the implementation of environmental legislation;
 - (v) cost-benefit and other economic analyses and assumptions used within the framework of environmental measures and activities; and
 - (vi) the state of human health and safety, including contamination of the food chain, conditions of human life, cultural sites and built structures in as much as they are affected by the state of the environment, or factors, measures or activities affecting the environment.
- It only includes information that already exists, and not information that could be created by manipulating existing information or requires further research to be carried out.

Requests

Requests can be made by anyone. They need not be in writing, and can be made by telephone, in person, e-mail or other means of communication.

There is also no requirement to refer specifically to, or state that the request is made under the Environmental Information Regulations, nor to give any reasons for the request, or the proposed use for which the information requested. However, it will help to process the request more efficiently if "Environmental Information Regulations" or "EIR" is mentioned when making the request.

It is also open to anyone making a request to ask for information to be provided in a certain format, such as by paper copy, electronically or to inspect information.

Making a Request for Environmental Information

You can request information by contacting Bristol Water as detailed below. If the information exists and there is no exception to disclosure, the information will be provided to you as soon as possible and in any event within 20 working days unless the request is complex in which case we may extend this time limit to 40 working days.

1) send a letter by writing to:

EIR request
Customer Services
Bristol Water plc
Bridgwater Road
Bristol
BS13 7AT

2) telephone us on: 0345 702 3797.

3) email us at customer.services@bristolwater.co.uk (please ensure that “EIR request” is mentioned in the subject heading).

It will help process the request more efficiently if “Environmental Information Regulations” or “EIR” is mentioned when the request is made. If the information cannot be provided, for example if the information requested does not exist or if it is held by another public authority or there is an exception to disclosure, we will contact you to advise you of this within 20 working days.

When making a request for information please include the following details:

- (i) the information you would like to access;
- (ii) the format you would prefer – ie: paper, electronic, inspection at Bristol Water offices (by appointment) ; and
- (iii) your name and address / telephone number.

Normally, where a request has been made other than in writing, Bristol Water will send you written confirmation of the terms of your request.

EIR Exceptions

A request for Environmental Information can be refused where there is an exception to disclosure and the public interest in maintaining the exception outweighs the public interest in its disclosure.

The exceptions when the:

- (i) information is not held when the request is received;
- (ii) request is unreasonable;
- (iii) request is too general;
- (iv) information comprises incomplete data or is intended for future publication;
- (v) request involves the disclosure of internal communications;
- (vi) information requested includes personal data where the requestor is not the data subject, in specified circumstances.

Disclosure may also be refused where it would adversely affect:

- (i) international relations, defence, national security and public safety;
- (ii) the course of justice, the ability to receive a fair trial or the ability to conduct a criminal or disciplinary inquiry;
- (iii) intellectual property rights;
- (iv) confidentiality of proceedings provided by law;
- (v) commercial or industrial confidentiality;
- (vi) the interests of a person providing environmental information where there is no legal obligation on the person to disclose the information supplied, they did not supply it in

circumstances that entitles disclosure by the public authority apart from the EIR, and the person has not consented to disclosure;

(vii) protection of the environment.

However, exceptions iv, v, vi and vii do not apply when the requested information applies to emissions.

Complaints

Where you have made a request and you are of the opinion that your request has not been dealt with in accordance with the EIR by Bristol Water, you have the right to make a complaint under the Bristol Water Complaints Procedure. ([click here](#))

You should write with details of any complaint to:

EIR complaint

Customer Services
Bristol Water plc
Bridgwater Road
Bristol
BS13 7AT

and quote: “Environmental Information Regulations Complaint”

Your complaint will be investigated by Bristol Water staff not involved in your initial request and an acknowledgement or where possible a substantive reply to the complaint will be sent to you within 10 working days of receiving your written complaint. In any event a substantive reply will be sent to you no later than 40 working days from the date that the complaint was first received. If you are not satisfied with our response to your complaint, you may take your complaint to the Information Commissioner whose details are as follows:

Information Commissioner

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Telephone 01625 545745

Fax 01625 524510

Email casework@ico.org.uk

See also

<https://ico.org.uk/>

Charges and Fees

The EIR allows the information provider to make a reasonable charge for providing environmental information.

Where fees are required, a Fees Notice requesting payment will be issued and no further action will be taken until a fee is received. The time taken to pay the fees does not count as part of the 20 working day target for responding to requests, and it will be necessary to receive the due fee before providing the information requested.

You may have to pay for:

- (i) staff time for locating & retrieving information, except where the time spent is minimal;
- (ii) printing or photocopying costs;
- (iii) copying to different media including photographic prints, scanning to CD –ROM, etc – details will be provided when responding to the particular request;
- (iv) postage or other delivery charges.

You do not have to pay for:

- (i) information available on the Bristol Water plc website;
- (ii) copies of any publication (e.g. leaflets or reports) already made available by Bristol Water;
- (iii) inspecting public registers or examining information at Bristol Water’s Head Office.

Schedule of charges for Environmental Information Reporting

Please note that these charges are correct as at 23 February 2015 and will be reviewed to comply with any fees, or charges or regulations published. Bristol Water reserves the right to waive charges where appropriate.

Charges for staff time

Junior staff

Mid-level staff

Senior staff

£15 per hour

£25 per hour

£45 per hour

Bristol Water will endeavour to provide information by utilising the most junior level of staff appropriate for the request.

Charges for photocopying

A4 black & white copies and prints	A4 Colour per page	A3 black & white copies and prints	A3 Colour copies and prints
10 pence per page	20 pence per page	15 pence per page	30 pence per page

Charges for postage

Standard charges for postage will apply

Please note that Bristol Water provides a number of commercial information services, including for example, the supply of water and drainage asset information that are subject to commercial rates – details will be provided when responding to particular requests.