

██████████
Office for Environmental Protection
Worcestershire County Hall
Spetchley Road
Worcester
WR5 2NP

Your ref: CMS-334
Date: 17 March 2023

By email to complaints@theoep.org.uk

Dear ██████████

Public Register Compliance Action Plan

Thank you for your letter dated 20 January 2023 outlining your assessment of how we are meeting our duties to provide public registers. We take public access to environmental information seriously and recognise the concerns you have raised in respect of how the Environment Agency is complying with environmental law in this area.

In this letter we have provided information about; The scale of the challenge that we face, what we are doing now to comply with the law, and what we are planning to do over the coming years to improve. We have also included an indicative project plan which shows our timescales and dependencies for the improvements along with next steps for implementing this plan.

Number of records held

The Environment Agency holds around 4 million documents which fall within the scope of the Environmental Permitting (England and Wales) Regulations 2016 ('the EPR'), first in force in 2007, (and preceding) public register provisions. In some cases, records were created over 20 years ago. The number of documents continues to increase on a daily basis, as the Environment Agency performs its regulatory functions.

Our older records are held in various formats and may contain personal information (such as an applicant's date of birth) that we would no longer collect or make available. To manually check every public register record would be an enormous undertaking. By way of illustration, it would take one member of staff working full

time over 35 years to review each item at a rate of one document per minute. In reality, the review of many documents would take much longer because of their length and the need to redact and upload them.

What we are doing now

We are committed to making our data and public register documents available to the public and have undertaken a number of steps to ensure this is possible. For example, our [Data Services Platform](#) had approximately 1.8 billion calls on our environmental data in 2022. We also provide the following options to access information specifically related to the EPR:

- Our Public Register Online (PRO) service is searched more than 900,000 times a year, providing access to information on sites and activities we register or permit. We also provide wider access to the underlying information, enabling third parties to incorporate our data into their services thereby promote further access to it.
- We have recently enhanced our PRO service to include online access to permits and associated decision documents issued under the Industrial Emissions Directive. Other documents can be requested via the PRO service (or by directly contacting us) with copies provided directly to the requestor.
- We have introduced an online consultations hub [Environment Agency - Citizen Space \(environment-agency.gov.uk\)](#) which provides citizens with access to permit applications, variations and supporting documents and allows them to comment on these applications and variations as part of the decision making process.
- For sites of particularly high public interest such as [Walleys Quarry Landfill](#), we have provided further information online that includes background briefings, frequently asked questions, monitoring information and other relevant documents.
- Separate from PRO, we have developed and introduced a new internal electronic repository for information and documents covering the complete regulatory life cycle of the sites we regulate. This new service - called DMS (Document Management Service) - replaces a legacy system built on old technology.

The roll out of DMS was a significant undertaking, involving the migration of over 8 million documents spanning over 20 years. The new system includes features to make it easier for staff to correctly file, 'tag' and find documents. As part of the DMS roll out, approximately 4,000 users received training, which included the assessment and tagging of documents available to citizens under Public Register provisions. Our public register documents are maintained within DMS. This work has created a foundation for the next phase of improvements where our plan will be to build an interface mechanism between our PRO system and the DMS system to serve up public register documents as they are requested.

What we are going to be doing

We recognise that there is more that we could do to make it easier for the public to access our data and information. We are focussing on 4 areas:

- Staff training - there is an ongoing need to ensure that staff understand Public Register provisions, how to assess and tag documents correctly and how to make public register information available promptly. This is particularly important during times of high staff turn-over.
- Document metadata - ongoing improvement in the consistency and completeness of metadata. This is a prerequisite for future integration with our PRO service. This will require co-ordinated work across our National Permitting Service and our 14 operational area offices.
- Analysis of user need - reviewing citizens' use of our PRO Service and requests for public register documents (and other information) that can't already be directly downloaded. This will give us valuable insight to shape the prioritisation of further user-centred development of our PRO service.
- Technical Development - Further work is required to scope and, if feasible, develop integration between DMS and our PRO service. This will be a significant piece of work. It will require funding, business case development and approval, and Government Digital Service assessment.

We will continue to develop and iterate our Public Register Action Plan to deliver these improvements. A high-level overview of the latest version is at Annex A. We will now proactively provide you with updates on the progress of this plan as part of our regular interactions. We will also provide a formal update on 17 May 2023. This update will include further details around implementation and further key dates.

We hope this information provides some helpful context on our work in this area, the challenges we face and how we are addressing them. If you have any other questions, we would welcome the opportunity to provide further information.

Yours sincerely

A solid black rectangular box used to redact the signature of the Chief Operating Officer.

Lucy Hunt
Chief Operating Officer

Appendix 1

See attached "Indicative PR Action Plan" PowerPoint document