

Environmental Information Regulations (EIR) 2004

When we will charge for requests
involving large amounts of environmental
information – paper or electronic format

Author	
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Policy

Summary

Purpose

This policy and procedure sets out when we will charge for particularly complex requests for environmental information. By 'complex' we mean any request that will take more than 2 hours to locate, extract and collate the information requested. This includes requests where information is requested in electronic or paper format.

Nothing in this policy or procedure is intended to detract from our overriding duty to release environmental information, or prevent us from engaging the Manifestly Unreasonable exception where appropriate.

Distribution - who needs to be aware of this policy?

This Policy applies to all employees of St Albans City & District Council ('we'/'us') including elected Members, contract, agency and temporary staff, volunteers and employees of partner organisations working for the Council. It also applies to information held on our behalf by contractors.

The EIR Policy applies to all environmental information held by us, which may fall under the EIR Regulations, including information which we hold on behalf of another person. The EIR Policy also applies to information held by another person on behalf of the Council, including information held by contractors and partner organisations on the Council's behalf.

Context

Background - why this policy is needed?

The Environmental Information Regulations 2004 (EIR) give rights of public access to information held by public authorities. The aim of the EIR is to ensure comprehensive access to environmental information.

The EIR allows public authorities to charge for making environmental information available, but any charge must be reasonable. The Information Commissioner (ICO) states that any charges should be compatible with encouraging transparency and should not be an obstacle to such access.

In general, a reasonable charge may include the disbursements costs in transferring the information to the applicant, whether in paper format or electronically, and the staff time taken to locate the information.

This policy sets out how we should comply with the charging regime laid out in Regulation 8 of the EIR and, in particular, what constitutes a "reasonable amount". As a general rule the charges should not exceed the actual costs of producing the material in question. The purpose of charging is to recover the costs incurred in complying with requests and managing demand.

Objectives

In light of updated guidance from the ICO regarding “Charging for Environmental Information”, this policy sets out our process for charging for EIR requests.

Scope – what the policy covers

This policy relates to information requests processed under the Environmental Information Regulations 2004 (EIR). If the information is not environmental information, the EIR are not relevant and public authorities will instead need to consider the charging regime under FOI.