

# CONSULTATIONS

## 2.1 Customer Care Performance Report for the year to 31st March 2005

Twelve of the sixteen performance measures for 2004/5 were within target and of the remainder, two were within 1% of their target.

In the last edition of Facts and Figures, four performance measures of concern were highlighted. Three of these (Measures 6, 12 and 16) have shown marked improvements over the last year and are anticipated to continue performing strongly. However, time taken to make a decision on grants remains significantly outside our standards. In order to improve our service to our customers, grants under £5,000 have been separated out and given a more demanding target. The traditional method of reporting this measure is also included so that the improvement can be seen. The performance on grants remains unsatisfactory however and further changes to the programme are planned.

Performance Area	Total Cases 2001/02	% within standard 2001/02	Total Cases 2002/03	% within standards 2002/03	Total cases 2003/04	% Within Standards 2003/04	Total cases 2004/05	% Within Standards 2004/05
1 We will answer telephone calls promptly – (standard set to 12 sec average ring time.)	see footnote 1	7.2 Secs	386,310	6.3 Secs	415,654	6.1	435,216	6.2
2 We will minimise occasions when you cannot contact us by phone – (standard set to >=90% of calls answered)	see footnote 1	93.7%	39,792	90.7%	41,443	90.7%	48,914	89.9%
3 Our website will be available 24/7 – (present contract specifies no less than 99.5% downtime)	–	99.47%	–	99.64%	–	99.80%	–	99.95%
4 We will despatch all publications – within 5 working days of request (or payment, if priced)	7030	96%	7,277	99%	7,482	99%	9,349	99%
5 We will make a decision on grants – (see footnote 2) within 40 working days following receipt of a valid application	1014	60%	733	59%	501	59%	668	64%
5a We will make a decision on grants – (£5,000 or less) within 20 working days following receipt of a valid application							365	52%
5b We will make a decision on grants – (more than £4,000) within 40 working days following receipt of a valid application							303	46%
6 We will pay grants – within 30 working days of a valid claim	1671	87%	1,654	85%	702	69%	1,302	79%
7 We will respond to consultations – within statutory or other official time-scales	4784	82%	5,461	86%	5,222	88%	6,046	86%
8 We will respond to requests for information or advice from Owners and Occupiers – within 20 working days	172	87%	164	86%	153	89%	150	93%
9 We will respond to Notices of Intent – within statutory timescales	302	91%	423	90%	255	94%	306	93%
10 We will respond to consultations under the Town and Country Planning Act – within statutory timescales	1547	79%	2,015	83%	1,920	84%	2,070	84%
11 We will respond to Parliamentary Questions and other requests from MPs & MSPs to the required timescales	120	83%	77	96%	84	92%	84	93%
12 We will respond to new licence applications and renewals – within 20 working days	698	100%	876	100%	762	80%	918	100%
13 We will investigate and respond to complaints – within 20 working days of receipt	14	64%	31	81%	24	88%	31	81%
14 We will refer all unresolved scientific representations on SSSI notification to the Advisory Committee on SSSIs – within 9 weeks of consultation closure	56 objectors on 8 SSSIs	100%	1 objector on 1 SSSI	see footnote 3	2 objectors on 1 SSSI	100%	none	–
15 We will respond to requests for environmental information – within 20 days	189	91%	194	94%	260	96%	279	97%
16 We will pay 95% of trade creditors invoices – within 30 days in accord with the better payment practice code	19370	94%	15,953	96%	21,681	76%	21,978	94%

1 Recording system was only available in Q4 of 2001/02

2 Partial data available due to change of database

3 The reported case was on an existing SSSI not a new site, the nine week referral target did not apply as there is no formal consultation closing date

## 2.2 Customer Care: Complaints performance

In order to improve the way in which we deal with complaints, SNH is reviewing our procedures. We hope that this will improve the way in which we serve our customers.

Complaint decision	Customer Satisfaction				Grand Total
	Satisfied	Partially	Dissatisfied	not sure	
Not upheld	6	1	1	9	17
Partially upheld	3	1		4	8
Upheld	3			3	6
<b>Grand Total</b>	<b>12</b>	<b>2</b>	<b>1</b>	<b>16</b>	<b>31</b>

What the complaint related to	Outwith Standards	Within Standards	Grand Total
An SNH response to a consultation		2	2
Licensing	1		1
An SNH grant (including failed applications)		1	1
Renewables		5	5
Other		4	4
Freedom of Information		1	1
Designated Areas		3	3
Access Rights		3	3
Publication		3	3
Contact details		1	1
Role in Planning Process	1		1
Timeliness		1	1
Policy	2	3	5
<b>Grand Total</b>	<b>4</b>	<b>27</b>	<b>31</b>

## 3. SNH responses to Government and other national consultations during the year to 31 March 2005

Sender	Government Yes/No	Topic	Date received	Final Response	paper no
Scottish Coastal Forum	y	A Strategy For Scotland's Coast And Inshore Waters	05/04/2004	06/05/2004	01/04
DEFRA	y	Consultation On The New EU Chemical Strategy (REACH)	05/04/2004	09/06/2004	02/04
Scottish Executive	y	Consultation On Government Report On The Review Of Non-Native Species Policy	05/04/2004	01/07/2004	03/04
Scottish Executive	y	Making Development Plans Deliver	05/04/2004	15/07/2004	04/04
Scottish Executive	y	Rights of Appeal in Planning	05/04/2004	15/07/2004	05/04
DEFRA	y	Review Of Charges For CITES Licences	07/04/2004	28/04/2004	06/04
Scottish Executive	y	Satellite Dishes And Antennas: Consultation Paper On Possible Changes To Planning Regulations	13/04/2004	08/07/2004	07/04
DEFRA	y	Code Of Practice To Prevent The Spread Of Ragwort	13/04/2004	09/06/2004	08/04
Office Of The Deputy Prime Minister	y	Consultation on The Implementation Of The SEA Directive	19/04/2004	01/06/2004	09/04
BTCV Scotland	n	BTCV Draft Strategic Summary	19/04/2004	28/04/2004	10/04
Scottish Executive	y	Consultation On Proposals For A Bathing Water Identification Strategy	19/04/2004	29/04/2004	11/04
Scottish Executive	y	Environmental Information Regulations (EIRs)	19/04/2004	28/06/2004	12/04
Scottish Executive	y	Developing A Strategic Framework For Scotland's Marine Environment	21/04/2004	30/07/2004	13/04
Scottish Executive	y	The Water Environment (Controlled Activities) (Scotland) Regulations 2004	26/04/2004	06/08/2004	14/04
Scottish Executive	y	Taking It On: UK Sustainable Development Strategy Together	23/04/2004	29/06/2004	15//04
Scottish Executive	y	Implementation Of New EC Regulations On GMO's	27/04/2004	15/07/2004	16/04
DEFRA	y	Review Of British Waterways	26/04/2004	15/07/2004	17/04
Department Of Transport	y	Towards A UK Strategy For Biofuels	27/04/2004	08/07/2004	18/04
Scottish Executive	y	Draft Regulations To Restrict The Use Of Lead Shot Over Wetland Areas In Scotland	27/04/2004	25/05/2004	19/04

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(continued)

Sender	Government Yes/No	Topic	Date received	Final Response	paper no
DEFRA	y	Strategy For Non Food Crops	04/05/2004	29/06/2004	20/04
Environmental Audit Committee	y	The Sustainable Development Strategy: Illusion Or Reality	04/05/2004	14/05/2004	21/04
Scottish Executive	y	Cap Reform: National Reserve And Entitlement Trading	04/05/2004	18/06/2004	22/04
Scottish Executive	y	The Water Environment (Controlled Activities) (Scotland) Regulations 2004	04/05/2004	06/08/2004	23/04
Scottish Executive	y	The Water Environment (Controlled Activities) (Scotland) Regulations 2005	10/03/2005	05/04/2005	23A/04
Pesticides Safety Directorate	y	The Revised code Of Practice For The Safe Use Of Plant Protection Products	10/05/2004	26/07/2004	24/04
cancelled					25/04
cancelled		seeB/F125/04			26/04
cancelled		seeB/F126/04			27/04
cancelled					28/04
cancelled					29/04
Scottish Executive	y	Strategic Review Of Inshore Fisheries	28/05/2004	24/08/2004	30/04
Scottish Executive	y	Towards A Green Jobs Strategy:	15/06/2004	23/09/2004	31/04
The National Lottery	y	Big Lottery Fund Consultation	21/06/2004	24/09/2004	32/04
The National Lottery	y	Big Lottery Fund Consultation Phase 2	21/02/2005	13/05/2005	32A/04
Scottish Biodiversity Forum	y	Scottish Biodiversity Implement Plans	21/06/2004	30/09/2004	33/04
Audit Scotland	y	Statutory Performance Indicators	29/06/2004	09/07/2004	34/04
Audit Scotland	y	Future Study Programmes	29/06/2004	20/08/2004	35/04
Scottish Executive	y	Paying For Water Services	21/07/2004	27/10/2004	36/04
Scottish Executive	y	Investing In Water Services	21/07/2004	27/10/2004	37/04
Scottish Executive	y	SEERAD Research Strategy Review. Draft Research Strategy	28/07/2004	14/09/2004	38/04
Scottish Executive	y	Sustainable Development; Statutory Guidance For SEPA	28/07/2004	09/09/2004	39/04
Department Of Work And Pensions	y	The Extension Of The Disability Discrimination Act	28/07/2004	14/10/2004	40/04
Scottish Executive	y	River Basin Management Strategy	21/07/2004	21/07/2004	41/04
Scottish Executive	y	Petrol Vapour Recovery – Phase1 Derogation	30/07/2004	04/10/2004	42/04
Scottish Executive	y	Terms Of Refrence For The 2006 Review Of The Renewables Obligation (Scotland)	04/08/2004	08/09/2004	43/04
Scottish Executive	y	Land Management Contract: Menu Scheme CAP	05/08/2004	01/09/2004	44/04
Office of the Deputy Prime Minister	Y	The Strategic Environmental Assessment Directive (2001/42/EC) Draft Practical Guide	06/08/2004	23/09/2004	45/04
Royal Commission on Environmental Pollution	Y	Royal Commission on Environmental Pollution Study on Pesticides and Bystander Exposure: Invitation to Submit Evidence	05/08/2004	05/11/2004	46/04
Historic Scotland	y	Historic Environment Grants: Delivering For Communities, Making The System Work Better	10/08/2004	01/11/2004	47/04
Scottish Executive	Y	European Commission's Review of the EU Sustainable Development Strategy	16/08/2004	01/10/2004	48/04
Department of Trade & Industry	y	A Carbon Abatement Technologies Strategy for Fossil Fuel Power Generation	17/08/2004	29/10/2004	49/04
Scottish Executive	y	Regulation of Multiple Trawls	18/08/2004	02/11/2004	50/04
Scottish Executive	y	SEA for Development Planning: Environmental Assessment of Plans and Programmes	18/08/2004	09/09/2004	51/04
Scottish Parliament	y	Procedures Committee Inquiry on Private Bill Procedures	19/08/2004	22/09/2004	52/04
Scottish Executive	y	Scottish Planning Policy (SPP) 16: Opencast coal public consultation	08/09/2004	19/11/2004	53/04
Scottish Executive	y	The Renewables Obligation (Scotland) Order 2005	10/09/2004	19/11/2004	54/04
Central Scotland Forest Trust	N	CSFT Business and Operating Plans	13/09/2004	02/02/2005	55/04
Scottish Executive Environment and Rural Affairs	y	European Commission's Proposals for a European Fisheries Fund	30/08/2004	03/09/2004	56/04
Scottish Executive	y	Consultation on Draft Rural Development Regulation	09/09/2004	19/10/2004	57/04
Scottish Executive	Y	Consultation on Draft Rural Development Regulation		05/11/2004	57a/04
Scottish Executive	Y	Environmental Assessment (Scotland) Bill – A Consultation	21/09/2004	29/10/2004	58/04
Scottish Executive	y	Consultation on the revised code of practice for the safe use of plant protection products in Scotland and on public access to information on pesticide use	27/09/2004	Cancelled	59/04
Scottish Executive	y	Consultation on Draft Order: Amendment to Section 7 of the Land Reform (Scotland) Act 2003	28/09/2004	07/12/2004	60/04
Scottish Parliament	y	Gaelic Language (Scotland) Bill – Financial Memorandum	29/09/2004	04/11/2004	61/04
Scottish Executive (SEERAD)	y	Consultation on the revised code of practice for the safe use of plant protection products in Scotland and on public access to information on pesticide use	29/09/2004	17/12/2004	62/04

3. SNH responses to Government and other national consultations during the year to 31 March 2005  
(continued)

Sender	Government Yes/No	Topic	Date received	Final Response	paper no
Scottish Executive	y	One Scotland – One Geography	30/09/2004	05/11/2004	63/04
Scottish Executive	y	Independent Commission on Good Governance in Public Services	07/10/2004	26/10/2004	64/04
Scottish Executive	y	A Draft Code of Practice on Assessment and Control of Odour Nuisance from Waste Water Treatment Works	08/10/2004	02/11/2004	65/04
Department of Trade and Industry	y	SEA5 Environmental Report	07/10/2004	22/12/2004	66/04
Scottish Executive	y	A Strategy for Scotland's Coast and Inshore Waters	12/10/2004	17/12/2004	67/04
Scottish Executive	y	Aberdeen City Council Local Transport Strategy and Possible SEA	15/10/2004	01/11/2004	68/04
Scottish Executive	y	Consultation on Extending Planning Controls to Marine Fish Farming	18/10/2004	12/01/2005	69/04
Scottish Executive	y	Consultation on the offence of possession of any pesticide containing one or more prescribed active ingredient	20/10/2004	24/12/2004	70/04
Scottish Executive	y	SEA – West Dunbartonshire	22/10/2004	No response required.	71/04
Scottish Executive	Yes	SEA – West Dunbartonshire Scoping Report	24/12/2004	21/01/2005	71a/04
Scottish Executive	y	SEA – East Lothian Local Plan	22/10/2004	12/11/2004	72/04
Scottish Executive	y	Consultation paper on the Landfill Allowance Scheme Regulations	25/10/2004	06/12/2004	73/04
DEFRA	y	Consultation on Proposed National Action to Restrict the Use of Perfluorooctane Sulphonate (PFOS) and Substances that degrade to PFOS	25/10/2004	20/12/2004	74/04
Scottish Executive	y	Consultation on Further Shellfish Water Designations under the Shellfish Waters (Classification) (Scotland) Regulations 1997	27/10/2004	19/01/2005	75/04
Scottish Executive	y	Proposed Amendments to the Pollution Prevention and Control (Scotland) Regulations 2000	29/10/2004	19/01/2005	76/04
Scottish Executive	y	Scotland's Transport: Proposals for Statutory Regional Transport Partnerships	01/11/2004	19/01/2005	77/04
Committee on Radioactive Waste Management (CORWM)		Long-term Radioactive Waste management	02/11/2004	13/01/2005	78/04
CORWM	n	Radioactive Waste Management	12/04/2005	09/06/2005	78A/04
Scottish Executive	Y	Glasgow & Clyde Valley Structure Plan 2005 – SEA	02/11/2004	17/11/2004	79/04
Highland & Islands Fire Brigade	n	Highland and Islands Fire Board – Integrated Risk Management Plan	03/11/2004	21/01/2005	80/04
Deer Commission for Scotland	No	Closed Season Consultation Paper	08/11/2004	04/02/2005	81/04
Scottish Executive	Yes	Glasgow City Council	11/11/2004	19/11/2004	82/04
Forestry Commission Scotland		Public Consultation: National Forest Land Scheme: Land for Communities and Affordable Housing	22/11/2004	04/02/2005	83/04
Defence Estates	Yes	MOD: Sustainable Development Stakeholder Relationship: Proposed Method, and Information Gathering	22/11/2004	12/01/2005	84/04
Finance Committee	Yes	Finance Committee of the Scottish Parliament – Charities and Trustee Investment (Scotland) Bill Financial Memo	29/11/2004	14/12/2004	85/04
Scottish Executive	Yes	Review of the Scottish Climate Change Programme	03/12/2004	23/02/2005	86/04
Scottish Executive	Yes	Tree Preservation Orders	09/12/2004	21/02/2005	87/04
Scottish Executive/Falkirk Council	Yes	Falkirk Council Screening	10/12/2004	21/12/2004	88/04
Scottish Executive	Yes	Communities Scotland	13/12/2004	07/01/2005	89/04
Scottish Executive	Yes	East Ayrshire Council – SEA – Screening Request	20/12/2004	07/01/2005	90/04
Cancelled				Cancelled	91/04
Scottish Executive	Yes	First Annual Plan for the Nuclear Decommissioning Authority	20/12/2004	07/02/2005	92/04
Scottish Executive	Yes	Consultation Paper on Producer Responsibility for (Non-packaging) Waste Agricultural Plastics	20/12/2004	07/03/2005	93/04
Scottish Executive	Yes	Plant Health Issues in Scotland etc	20/12/2004	11/03/2005	94/04
Scottish Parliament	Yes	Climate Change Inquiry	23/12/2004	26/01/2005	95/04
Scottish Executive	Yes	Proposed Amendments to the Pollution Prevention and Control (Scotland) Regs 2000	05/01/2005	14/03/2005	96/04
Scottish Parliament	Yes	Scottish Parliament Petitions Committee: Consideration of PE799	05/01/2005	07/02/2005	97/04
Scottish Executive	Yes	West Dumbarton Scoping Report	24/12/2004	21/01/2005	98/04

3. SNH responses to Government and other national consultations during the year to 31 March 2005  
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Sender	Government Yes/No	Topic	Date received	Final Response	paper no
Scottish Executive	Yes	Fees payable by Applicants under the Electricity (Applications for Consent) Scotland Regs 1990	05/01/2005	02/02/2005	99/04
Scottish Executive	Yes	Loch Lomond and The Trossachs Draft National Park Plan – Scoping Report for SEA	06/01/2005	07/02/2005	100/04
Scottish Executive	Yes	Edinburgh Council Screening Request – Granton Waterfront SEA	07/01/2005	12/01/2005	101/04
Fiona MacTaggart, Sniffer		Application of the Precautionary Principle	07/12/2004	19/01/2005	102/04
Scottish Parliament	Yes	Enterprise Committee Calls for Evidence on Sustainable Business Growth	10/01/2005	30/03/2005	103/04
Scottish Parliament	Yes	Green Transport Bill Consultation	17/01/2005	12/04/2005	104/04
DEFRA		European Commission's LIFE+ Proposal	18/01/2005	25/02/2005	105/04
Andrew Kruszewski		Ost Review of Science in DEFRA	24/01/2005	22/04/2005	106/04
Scottish Parliament	Yes	Scottish Parliament Public Petitions Committee – Consideration of PE801	24/01/2005	01/02/2005	107/04
William Roe, Highlands & Islands Enterprise		Highlands and Islands Enterprise Strategy Review Consultation	25/01/2005	18/03/2005	108/04
Scottish Executive		Administration & Enforcement of EC Regulation 1946/2003 on the Transboundary movements of genetically modified organisms (GMOs) in Scotland	28/01/2005	20/04/2005	109/04
Disability Rights Commission	yes	The Duty to Promote Disability Equality Consultation on a New Code of Practice	31/01/2005	12/04/2005	110/04
Scottish Executive	Yes	Fire (Scotland) Bill Consultation	31/01/2005	28/04/2005	111/04
Loch Lomond & The Trossachs National Park		Loch Lomond Byelaw Review /Regulation of Seaplane Operations on Loch Lomond	31/01/2005	06/04/2005	112/04
Deer Commission for Scotland		Deer Commission for Scotland Corporate Plan 2002–2005 – SEA	31/01/2005	17/02/2005	113a/04
Scottish Executive, Finance & Central Dept	yes	Consultation on disposals of Land for less than market price	07/02/2005	No Response	113B/04
Scottish Executive	yes	Consultation on proposals and draft regulations for a revised crofting counties agricultural grants scheme (CCAGS)	07/02/2005	20/04/2005	114/04
SEPA	no	Radioactive Substances Act 1993 (As amended) Hunterston 'B' Power Station: Application for transfer of authorisations by British Energy Generation (UK) Limited and British Energy Generation Limited	09/02/2005	22/02/2005	115/04
SEPA	no	Radioactive Substances Act 1993 (As amended) Torness Power Station: Application for Transfer of Authorisations by British Energy Generation (UK) Limited and British Energy Generation Limited.	10/02/2005	22/02/2005	116/04
The Scottish Parliament	y	Procedures committee inquiry into Private Bills procedure	11/02/2005	04/03/2005	117/04
Scottish Executive	Y	Proposed Amendments to Part IIA of the Environmental Protection Act 1990: Contaminated Land	14/02/2005	28/04/2005	118/04
Scottish Parliament	Y	Scotland's Contribution to the G8 Summit and the UK's EU Presidency Launched	15/02/2005	17/03/2005	119/04
Scottish Executive	Y	Consultation on Public Participation in Environmental Matters	21/02/2005	05/05/2005	120/04
Scottish Parliament	Y	Domestic Energy Efficiency Targets Bill	23/02/2005	20/05/2005	121/04
DEFRA	Y	Review of Part 1 of the Wildlife and Countryside Act 1981	23/02/2005	24/03/2005	122/04
DEFRA	y	Draft Natural Environment and Rural Communities Bill	28/02/2005	11/03/2004	123/04
Scottish Parliament	y	Natural Environment and Rural Communities Bill	02/06/2005	16/06/2005	123a/04
Pesticides Safety Directorate	n	The Sustainable Use of Plant Protection Products – A Draft national strategy	23/02/2005	27/06/2005	124/04
Scottish Executive	y	SEA: Scoping Report from Orkney Council	10/03/2005	Withdrawn	125/04
Scottish Parliament	y	Environmental Assessment (Scotland) Bill – Financial Memorandum	10/03/2005	31/03/2005	126/04
Scottish Parliament	y	Environmental Assessment (Scotland) Bill	10/03/2005	07/04/2005	127/04
Scottish Executive	y	Consultation on proposals for transposition and implementation of Directive 2002/49/EC relating to the assessment and management of environmental noise (The Environmental Noise Directive (END))	14/03/2005	24/05/2005	128/04
Scottish Executive	y	Ecodyn Ltd on behalf of Highlands and Islands Airport Ltd	16/03/2005	07/04/2005	129/04

3. SNH responses to Government and other national consultations during the year to 31 March 2005  
(continued)

Sender	Government Yes/No	Topic	Date received	Final Response	paper no
European Commission		Your views on Aviation and Climate Change	17/03/2005	05/05/2005	130/04
DEFRA	Y	HASS Directive: Consultation on Draft Regulations	21/03/2005	09/06/2005	131/04
Scottish Executive	Y	Cairngorms National Park Plan and Local Plan – SEA	21/03/2005	15/04/2005	132/04
Scottish Executive	y	Consultation on Draft Crofting Reform (Scotland) Bill	29/03/2005	13/06/2005	133/04
Scottish Executive	y	Consultation Paper: "The Draft Private Water Supplies (Scotland) Regulations 2005" and Proposals for a Private Water Supplies Grant Scheme	31/03/2005	15/06/2005	134/04
Scottish Executive	Y	Moray Scoping Report	31/03/2005	22/04/2005	135/04

## 4. Public Access to environmental information under the Environmental Information Regulations 1992 – a statement

### Background

As a government body with responsibilities for the environment, Scottish Natural Heritage is subject to the Environmental Regulations 1992, the UK statutory instrument implementing the EC Directive of Freedom of Access to information on the Environment.

These regulations give the public a general right of access to environmental information held by SNH, unless there are 'substantive reasons for refusing'. SNH is obliged to respond to requests, and give a full written explanation for refusal or restriction of access.

### The SNH Approach

SNH welcomes the regulations, which complement its open and accountable operating style. SNH has developed policies for the application of the Regulations, in liaison with sister agencies in England, Wales and Northern Ireland. These are also consistent with the Scottish Executive's Code of Practice on Access to Information.

There is a presumption in favour of release of information unless the reasons for refusal are compelling – for instance, if disclosing the details about a rare species could endanger them. Enquiries may be referred back to the customer if fulfilling the request is likely to create an unreasonable amount of extra work / or if a charge is likely to be made.

As well as responding to specific requests, SNH publishes an extensive range of information about the Scottish environment in the form of research reports, policy statements, guidance notes, information leaflets and booklets and Annual Reports. Information is also provided on our website.

A catalogue of publications is available free of charge from:

Design and Publications,  
Scottish Natural Heritage,  
Battleby,  
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Publications can also be ordered directly from our website: [www.snh.org.uk](http://www.snh.org.uk).