Factsheet:

What's covered by the Environmental Information Regulations?

A request for environmental information is for information held by the public authority in written, visual, aural, electronic or any material form relating to any of the following:

(a) the state of the elements of the environment (set out below);
(b) factors likely to affect the environment (set out below);
(c) measures and activities affecting or likely to affect the environment such as policies, plans and programmes and environmental agreement;
(d) reports on implementation of environmental legislation;
(e) cost benefit and other economic analyses and assumptions used within the framework of measures and activities in (c);
(f) the state of human health and safety and the state of cultural sites and built structures to the extent that they are or may be affected by the state of the environment.

Elements of the environment that are covered for example (individually and together):

Air and atmosphere – In many circumstances there will be no difference between air and atmosphere, but the reference to both elements suggests that air also refers to air in buildings and structures and other places where it is confined in some way. The gases and indeed solid particles that make up the atmosphere and air will also be included.

Water –This will include water in all its forms – vapour, ice, liquid - and is not limited by scale as long as it can still be said to be an element of the environment. It includes water underground or on the surface and water in natural settings and in man-made systems.

Soil and land – Soil can be taken to be the loose mineral and organic top layer of the earth's surface in which plants could grow. Land is the solid, as contrasted to the liquid or gaseous, parts making up the earth's surface. It may well include land under the surface.
There is a legal definition of land for the purposes of English law, but the regulations are referring to land as an element of the environment, not land as defined in English law.

Landscape – Landscape is an area, as perceived by people, whose character is the result of the action and interaction of natural or human factors or both. Specialist guidance may give more technical definitions, but there is no real need to go beyond a common understanding of what the landscape is, whether urban or natural, rural or marine and whether attractive, every day or degraded.

Natural sites, including wetlands, coastal and marine areas – A site will not need to have been formally designated as requiring protection, for example as a Site of Special Scientific Interest, to qualify as a natural site. All sites that are recognised as examples of the landscape in its natural condition, or as sites supporting natural flora or fauna would qualify, including wetlands, coastal and marine areas.

Biological diversity and its components, including genetically modified organisms – Biological diversity is the variety and variability among living organisms and the ecological complexes in which they occur. A genetically modified organism is one in which the genetic material has been altered in a way that does not occur naturally. As this example of an element of the environment extends to the components of

biological diversity it would suggest that information on individual species can be environmental information, if it is about where they fit into ecosystems. However, not all biological information is environmental information. As an illustration: information on the life cycle of the badger would not fall within the definition; information on the number of badgers in a particular location may do, as information on the state of a component of biological diversity as an element of the environment.

Factors affecting or likely to affect the elements of the environment:

Substances – includes all material or matter, natural or synthetic, and will include chemicals, pharmaceuticals, hormones, antibiotics, oil, particulates, gases and liquids.

Energy – can be expressed in scientific language – thermal, chemical, electrical, kinetic, potential, gravitational. It will also include the more general use of the word, as in heat, solar energy, sunlight, wind power.

Noise – although noise is itself generated by energy, it is included here separately. A simple definition of noise is, "a sound, especially one that is loud, unpleasant, or disturbing".

Radiation – radiation is energy radiated or transmitted as rays, waves, or in the form of particles. It can be natural or man-made.

Waste – waste can be broadly interpreted to mean anything discarded, whether or not intended for further use. This would include household, industrial, agricultural and commercial waste.

Radioactive waste – radioactive materials are widely used in many situations, settings and industries. Radioactive waste is produced in a wide range of establishments and activities such as hospitals, pharmaceutical industry, research, power generation, the weapons industry and warfare.

Emissions, discharges and other releases – these three terms largely overlap. "Emissions" and "discharges" indicate the direct or indirect, accidental or deliberate, release of substances, heat, radiation or noise into the air, water or land. "Release" suggests liberation, or a change of state from confined to unconfined.