

## CHANGES TO ENVIRONMENTAL PERMITTING CHARGING SCHEME

Here at Envireau Water, we have been tracking the Environment Agency's (EA) plans to change their Environmental Permitting Charging Scheme.

Following comments from the consultation period, the EA has now confirmed that the new permit and subsistence charges will take effect from 1<sup>st</sup> April 2018.

As these changes will impact many of our clients, we have summarised some useful key points below.

### WHY THE CHANGES ARE TAKING PLACE

The EA is required by government to cover the costs of their regulatory services. Over the last 6 years, the EA's charges income increased by 1.5% whilst cumulative inflation increased by 15% and the EA's grant aid has been reduced. Charges are being increased to cover the gap.



### WHAT THE CHANGES ARE & HOW THEY WILL IMPACT YOU

New permit application fees and subsistence charges - many costs have increased **substantially**. For example a simple discharge permit application fee has increased from £885 to £4,652

Introduction of supplementary charges - additional charges will be applied if the EA has to complete

extra or unusual regulatory work during a permit application process or after a permit has been issued.

Introduction of additional charges for 'high public interest' applications.

### WHEN SUPPLEMENTARY CHARGES WILL APPLY

For sites of 'high public interest'.

For staged applications.

For the regulation of hydraulic fracturing, for the purpose of recovering oil and gas.

After a permit application, if additional work has to be carried out to assess information provided to meet a permit condition.

Where additional work has to be carried out on an unplanned regulatory activity.

**Please note:** If the EA has to send you 3 or more information notices about the same issue because you have not provided all the information needed on that issue they will recover the extra costs at a fixed charge of £1,200 for each notice.

### HOW SUPPLEMENTARY CHARGES WILL BE APPLIED

Charges will be either fixed cost or calculated on a time and materials basis.

Fixed cost charges will be applied when the EA can accurately predict the time and resources required to complete the additional work.

Costs will be calculated on a time and materials basis when it is hard to predict how much work they will have to do.

## OPTIONAL PLANNING ADVICE SERVICE CHARGES

- Charges for the EA's optional planning advice service will change to £100 per hour from **1<sup>st</sup> April 2018**.

## HIGH-PROFILE SITES & CHARGES

- A high-profile site is one that receives interest over a sustained time period with media interest e.g. hydraulic fracturing.
- It is important to note that charges for high-profile sites will come into force from **1<sup>st</sup> October 2018**.
- A high-profile site will be charged on a time and materials basis at a charge of £100 per hour.
- If the EA has to advertise the application because of the interest received they will recover the charge at £500 per advert.

## FURTHER CHARGES

- If you want to amend your application before it has been determined and more public consultation is required as a result, there is a fixed charge of £1,930 (this is separate to any additional advertising charges.)

## WHAT THIS MEANS

Envireau Water raised concerns about the new charging structure and the significant additional burden that this will place on many of our clients during the public consultation period. We are particularly concerned that the EA is now acting both as statutory consultee and providing fee based "advice" directly to applicants and permit holders. In our opinion this generates a conflict of interest, with limited scope for recourse.

Existing permit holders could experience significant

increases in subsistence charges. It is therefore important that existing permits are reviewed to check they are appropriate for the activities being undertaken and to ensure appropriate charges are being levied. For any new permit applications, it's important that applications are prepared right first time with all the appropriate and relevant supporting information to prevent unnecessary cost and delay.



## HOW CAN ENVIREAU WATER SUPPORT YOU?

With over 20 years of water management and regulation experience, we are renowned for our success with the regulators. Throughout the whole permitting process, we work closely with both our client and the regulator to ensure the right level of information is provided, at the right time, and in the right way. Our reputation, strong relationships and wealth of experience ensures successful environmental permitting outcomes for our clients.

Our expert team of water scientists and permitting specialists can provide a range of support including:

- Provide advice where there is uncertainty on the requirements of new applications or existing permits.
- Guide you through the application process to ensure all critical information is included.
- For high-profile sites, ensure changes to permit applications are avoided where possible to reduce the risk of further public consultation being required.

**Get in touch today on 01332 871 882 to see how Envireau Water can support you.**



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