



Local Authority Recycling Advisory Committee

Nigel Atkinson
Environmental Permitting Consultation
4th Floor, Zone C2
Ashdown House
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5th December 2006

Dear Sir

Consultation Response - Creating a Streamlined Environmental Permitting and Compliance scheme - Second Consultation

Set out below are our detailed comments as requested in the consultation.

I am writing to present the LARAC response to the Environmental Permitting Programme Consultation, which is contained below, and I thank you for the opportunity to respond to the above consultation.

The comments below are sent on behalf of the Local Authority Recycling Advisory Committee, (LARAC). LARAC is an association of well over 400 local authorities across England, Scotland, Wales and Northern Island whose waste management and recycling professionals co-ordinate and operate waste management services. Membership is drawn from all types of authority, including statutory waste collection (WCA), waste disposal (WDA) and Unitary.

LARAC after reading the document, is pleased to see many of the comments to the first consultation incorporated within the proposed permitting programme, especially the fact that technical competence will be one of the judging criteria for the issue of the relevant permit. It is not so clear within section 3 whether the Environment Agency (EA) will require it's own staff to be technically competent, as only training on the new permitting scheme is mentioned. As it was one of those comments made in the first consultation it seems unfortunate that greater emphasis on staff training in waste related subjects has not been included as a must by the EA.

There is concern being expressed by local authority officers that there is to be a standard fee system for permitting, which is far in excess of current local authority charges. This may lead to a reduction in current operations and does not encourage new processing facilities to be established.



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It is assumed that the fees stated are based on EA staff time and costs, which may not be in step with local authority costs. It would be advantageous, if the calculation on which the charges are based, was to be made known, so that it can be seen whether such charges are compatible with local authority costs.

1. To what extent do consultees agree that the written consultation criteria have been adhered to?

Once again the consultation criteria has been complied with.

2. Do consultees have any further views upon the revised proposals?

The revised proposals should give significant improvements to the permitting regime and streamline current procedures. However the adequate training of ALL relevant staff still does not seem to have been fully addressed. LARAC's comments to question 2 in the first consultation document are still relevant.

We have commented above on the charging structure and would wish to see transparency on what costs the proposed charges are based.

3. Do consultees agree that the use of standard rules with it's focus on outcomes rather than detailed requirements is a good approach for many Environment Agency regulated business?

Standard rules used across all relevant processes requiring permitting are to be welcomed as a means of streamlining the licensing process. The focus on outcomes will be of greater benefit if also linked to "carbon emissions" and their reduction where relevant.

4. Do consultees consider that the EPP Regulations described in this chapter and Annex 1 deliver the policy proposals in Chapter 2?

In principle the regulations deliver the policy proposals. However in spite of offering "simplified regulation", the Draft Environmental Permitting Programme (Annex 1) is not user friendly and still reads like a standard piece of legislation. The regulations make too much reference back to existing legislation and minor amendments and usage thereof. Most professionals within the waste industry are familiar with existing legislation and to keep quoting the phrase "*section x of these regulations must be read as having the same meanings as those given*"



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there” detracts from the actual benefit of simplified regulation and useful guidance.

5. Do consultees agree this proposed model for guidance? If not, why not, and what alternative options are suggested which might increase simplification or otherwise improve the guidance?

The proposed model for guidance is welcomed as a means of strengthening current guidance. It is to be hoped that any guidance required will be delivered in a timely fashion by the relevant bodies. It is also to be hoped that guidance will be available in advance of EU or UK legislative changes and changes arising out of new technological advances.

6. Do consultees agree with the forecasts of the costs and benefits given in the partial RIA, and with the way in which those forecasts were arrived at?

It is considered that LARAC is not qualified to determine whether the EA has got its detailed costings right. We do consider that option Cii is the right option to use.

As previously stated we do have concerns over the actual cost of permits and would wish to see those costs applicable to local authorities based on local authority costs rather than EA costs for which no breakdown of what makes up these charges is shown. We would wish to see transparency of charging and on what basis charges are determined.

7. Do consultees have any other relevant observations upon this consultation?

Although not requested in the consultation, the illustrative examples of guidance detailed in Annex II are to be welcomed as a means of making compliance to the permitting programme easier for operators to undertake.

If you have any queries on this response or would like to discuss the matter further then please contact me on (phone) or (email).

Yours faithfully,

Ian MacKenzie
LARAC Policy Team



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