Defra Regulatory Triage Assessment (and Policy Appraisal Statement)

Name to be given to potential policy Reduction in the requirements for the Public Registration of Environmental Permits. **Driver for policy:** **Domestic issue** ✔ **Policy competency:** **England** ✔ **Wales** ✔	**Policy Area or Agency:** Environmental Permitting

1. **Summary: Rationale for Intervention and Options**

Summary of the problem.

The Environmental Permitting (England and Wales) Regulations 2010 provide a risk-based, streamlined framework, drawing together a number of formerly separate consenting regimes. As part of the better regulation agenda, continuous improvements are being sought to further reduce burdens while not compromising environmental protection.

These regulations require local authorities to maintain a duplicate of the Environment Agency's public information relevant to their area on their own public register. They also require the Environment Agency to provide relevant local authorities with the information necessary for it to comply with this duty. The cost of providing this service and supplying data are disproportionate to the level of benefit being derived by the Public and Businesses alike.

This proposal seeks to remove this obligation with compensatory measures taken to ensure that such information remains available to those who request it in a less costly, more targeted way.

What are the policy objectives and the desired effects as well as outcomes? Why is Government intervention necessary?

The policy objective is to improve the Environmental Permitting process by reducing costs and burdens on regulators without any reduction in environmental protection. We propose to stop regulators from having to maintain twin systems of public registers containing information connected with permit determinations as presently required under the Environmental Permitting Regulations 2010. As permitting is a regulatory based framework any proposed changes need to be underpinned in law to bring them into effect. A move to a single register will result in savings both within the Environment Agency and Local Authorities.

Cost to Business:

Based on figures provided by Local Authorities, there is a low number of visits to local authorities to view public registers (approximately 20 visits per year across England and Wales), it is estimated that the additional cost to business of having to travel to an Environment Agency office, rather to a local authority office, incurring a 50 mile round trip at 50p per mile, would be approximately £500 per annum.

For this proposal to be implemented fully the Environment Agency will take compensatory measures to ensure that such information remains available to those who request it in a less costly, more targeted way, namely:

- Increase the provision of information on the internet; free access to which is now available in libraries. This is in line with the Government's "digital by default" agenda;
- Send out hard copy or emailed documents to members of public/ businesses who request them. This information is free of charge unless a copyright licence is requested where a charge of £50 + VAT would apply.
- In keeping with its commitment to the Environment Agency's Public Participation Statement, the Environment Agency will provide enhanced opportunities for engagement and access to information in the case of sites of high public interest, through libraries, surgeries, exhibitions, public meetings etc.

The consultation will seek to test that the proposed alternatives are acceptable and provide reassurance as to the low numbers of people potentially impacted.

2. **Potential Policy Options**

i) **Do nothing (Is "doing nothing" an option at all?):**

Option 0 is 'do nothing'. Maintain the status quo, not introducing the proposed change. This is not in keeping with the government initiative to reduce costs and burdens on regulators and/or businesses.

ii) **Non regulatory options (Outline details of potential non regulatory options):**

A non regulatory approach cannot be considered as this is a regulatory based requirement and the proposed change needs to be underpinned in law to be brought into effect.

iii) **Regulatory options (Considering the current regulatory landscape):**

Option 1 - Introduce the proposed change.

Would these options result in additional costs to business?   Yes ✔ No ☐
Could such costs exceed £1m per year?   Yes ☐ No ✔

iv) **Options that have been ruled out (Why have these been ruled out?):**

None.

3. Initial data to be transferred to the Regulatory Management Tool

Unique policy identification number	**1461(b)**
An Impact Assessment will be required	Yes ☐ No ✔
A formal consultation will be required	Yes ✔ No ☐
The type of legislation will be	**Primary** ☐ **Secondary** ✔ **Affirmative** ☐ **Negative** ✔
The impact on existing statute will be	**New** ☐ **Amending** ✔ **Deregulatory** ✔ **Repealing** ☐
Proposal under OIOO will be	**In Scope** ✔ **IN** ✔ **Low Cost** ✔
Fast track Policy clearance is available	Yes ✔ No ☐
Target date for call for evidence consultation	**N/A**
Target date for call for consultation on proposals	**Early 2013**
Target date for Implementation [or to finalise policy options/IA?]	**SNR 6**
Estimated FTEs required to develop policy to clearance	**0.1 FTE**

ANNEX B – Evidence Appraisal supporting the Rationale

Environment Agency costs to send data to local authorities comprise:

Stationery costs

- based on a study done in North West Region of the Environment Agency the paper cost is approximately £800 per annum. Extrapolated across all Environment Agency areas leads to an estimated cost of £16,800 per year. In addition, the Environment Agency's National Permitting Service (NPS) receives over 10,000 pieces of correspondence a year, all of which needs to be sent to the local authorities, half of which are sent as letters and half as CDs. Estimated NPS stationery costs are £13.500 per year. Total stationery costs are approximately £30,000 per year.

Postage costs

- the North West Region of the Environment Agency posts around 2,000 pieces of correspondence per annum. Postage costs are based on weight & size and some assumptions have been made on most of the hard copy data fitting in a large letter or packet but some will be larger. The overall postage cost in North Area is approximately £1,550 per annum. Extrapolated across all Environment Agency areas leads to an estimated cost of £32,600 per year. In addition, the Environment Agency's National Permitting Service (NPS) post approximately 15090 CDs and 5030 pieces of correspondence (hard copy) at a cost of approximately £11,500 per year. Total postage costs are approximately £44,000 per year.

Staff time

- based on information supplied by the Environment Agency, the average time spent on sending information to Local Authority public registers is 0.2 FTE per year, predominantly at AO level but with some supervisory oversight, amounting to an area cost of £10.900. Extrapolated across all Environment Agency areas leads to an estimated cost of £229,000 per year. In addition, the National Permitting Service estimates that about 1.6 FTE is dedicated to providing this service, amounting to £70,500 per year. Total staff costs are approximately £300,000 per year

The overall total cost to the Environment Agency is therefore approximately **£374,000** per year

Local Authority costs for storing and maintaining data comprise:

The Local Authority cost in storing and maintaining the information provided by the Environment Agency and the associated staff time dedicated to it and providing access to registers was on average £594 per year per authority. Extrapolated across all 340 local authorities leads to an estimated overall cost of **£204,000** per year

The overall annual saving to the Environment Agency and local authorities is therefore approximately £0.57m, with a low estimate of £0.43m and a high estimate of £0.71m, giving a 10 year NPV of between £3.6m and £5.9m (best estimate £4.7m).

One-in, One-out status

This proposal falls within scope of OIOO and represents an IN due to the small cost to Business. The proposal qualifies for the fast track process.