

Business Engagement Assessment

<i>Title of Proposal</i>	White-clawed crayfish class licence for undertaking maintenance of waterways
Lead Regulator	Natural England
Contact for enquiries	Julie Eaton

Date of assessment	01/08/2015	Stage of assessment	Draft
Net Cost to Business (EANCB):	Unquantified savings. No costs	Commencement date	01/01/2016
Which area of the UK will be affected by the change(s)?	England	Price and Present value base years	2014
Does this include implementation of Red Tape Challenge commitments?	Yes	Is this directly applicable EU or other international legislation?	No

Brief outline of proposed change in regulatory action:

Natural England proposes to move away from issuing individual licences in response to licence applications to take white-clawed crayfish when undertaking waterway maintenance activities to enabling eligible users to register to use a published Class Licence. It is an offence under the Wildlife and Countryside Act 1981 to take white-clawed crayfish from the wild, and this licence allows white-clawed crayfish to be moved away from areas where maintenance activities are being carried out. Due to concerns for this native species as a result of its severely declining populations it is imperative that all activities that would result in harm or death of white-clawed crayfish are avoided where possible.

The Class Licence will also include the Environment Agency's permit to fish for white clawed crayfish under the Salmon and Freshwater Fisheries Act 1975 using hand, hand net and drop net techniques. If an organisation wishes to trap white clawed crayfish a separate permit will need to be obtained from the Environment Agency.

Why is the change proposed?

We issue about 50 individual licences per year to enable operators to take white-clawed crayfish when undertaking waterway maintenance operations. The Class Licence will remove the need to apply for individual licences allowing eligible persons to register to use it, saving business time and costs.

Which types of business will be affected?

A broad range of organisations and businesses will be affected, including the Environment Agency, Internal Drainage Boards, Highways Agency, water supply companies, local authorities, rail companies, utility companies, farmers and landowners.

How will the change impact these businesses?

There will be a positive impact for the businesses that require a licence to take white-clawed crayfish, saving time and money as the need to apply for an individual licence is removed for those operations that can operate under the Class Licence. There will be a registration requirement for the class licence but the total estimate costs for this is the same as the costs of applying for an individual licence under the current system (details provided below). The recording and reporting requirement under the Class Licence is the same as required under an individual licence. Therefore there will be no additional cost to businesses, but a saving for organisations that will be able to make multiple uses of a Class Licence instead of repeatedly applying for individual licences under the current system.

The level of savings is dependent on the number of organisations that will make multiple uses of the Class Licence and the number of times that they each make use it. Savings to an individual organisation will increase with repeated use. The number of organisations that will benefit and their level of repeated use of the Class Licence is not known, so the benefits cannot be quantified.

Further details of the cost of the proposed Class Licence and of the current system of individual licences:

The Class Licence will result in the following impacts and costs:

Registration will be a one-off procedure.

An appropriate person within the organisation will need to register to use the Class Licence, and will be responsible for authorising other employees and contractors who have appropriate training, experience and instruction to act under the licence.

An annual report will be required; receipt of this report will automatically trigger the renewal of the Licence provided that conditions of the licence have not been breached.

Financial Costs

These are estimated using a cost to businesses of £21.10/hour, based on the Defra Standard Cost Model for customers

The licence will be free of charge.

One-off costs for registration:

Estimate 1 hour to register for the Class licence = £21.10

Organisations may need to update their internal guidance to reflect the conditions of the Class licence (estimate 3 hours) = £63.30

Annual costs: Estimate 3 hours to produce the annual report = £63.30

An individual licence (which the Class Licence will replace) has the following impacts and costs:

The licence is free of charge.

Estimate that each licence application takes 4 hours to complete and submit = £84.40

Estimate 3 hours to produce the annual report = £63.30

As explained above, there is no additional cost to business; the Class Licence will only result in savings.

Regulatory uncertainty (e.g. whilst awaiting regulator's decision): There will be less regulatory uncertainty where operators have registered to use the Class Licence. Under an individual licence process there is a delay whilst Natural England processes the application and makes its decision.

Impact on access to markets (e.g. consistent approach with other EU regulators): n/a

Impact on business confidence/perceptions: The introduction of the Class Licence should have a positive impact on business confidence and perceptions as it is a more streamlined licensing process, and reduces delay in obtaining a licensing decision.

Impact on small businesses

Please briefly describe any special impact the change will have on small businesses – especially those with fewer than about 25 staff, where the owner/manager is often responsible for regulatory matters. Please consider for instance the implications for management time; the significance to a small business of the effort involved in understanding and implementing the change.

The Class Licence will benefit small businesses as the application process to obtain an individual licence has been removed, hence there will be a time and cost saving, and there will be less regulatory uncertainty.