

## Business Engagement Assessment

<b>Title of Proposal</b>	<b>Class licence for maintenance of waterbodies inhabited by White-clawed (Atlantic Stream) crayfish</b>
Lead Regulator	Natural England
Contact for enquiries	Mel Sherwood

Date of assessment	01/08/2015
Net Cost to Business (EANCB):	Unquantified savings. No costs
Which area of the UK will be affected by the change(s)?	England
Does this include implementation of Red Tape Challenge commitments?	Yes

Stage of assessment	Final
Commencement date	01/01/2016
Price and Present value base years	2014
Is this directly applicable EU or other international legislation?	No

***Brief outline of proposed change in regulatory action:***

The proposal is to move away from issuing individual licences to permit operators to take white-clawed crayfish when undertaking waterbody maintenance activities to enabling eligible users to register to use a published Class licence.

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 and hand net techniques. If an operator wishes to trap white-clawed crayfish a separate permit will need to be obtained from the Environment Agency.

***Why is the change proposed?***

It is an offence under the Wildlife and Countryside Act 1981 to take white-clawed crayfish from the wild. As the government's wildlife licensing authority, Natural England is responsible for issuing any licences to allow white-clawed crayfish to be taken. 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 allow white-clawed crayfish to be moved away from areas where maintenance activities are being carried out.

We issue about 50 individual licences per year to enable operators to take white-clawed crayfish when undertaking waterbody maintenance operations. The Class licence will remove the need for an individual licence application each time a licence is required. Instead eligible persons can register to use the Class licence resulting in time and monetary savings.

***Which types of business will be affected?***

A broad range of organisations and businesses will be affected, including 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 operators that will be able to make multiple uses of the Class licence instead of applying for individual licences.

The level of savings is dependent on the number of operators that will make multiple uses of the Class licence and the number of times that they each make use it. Savings to an individual operator will increase with repeated use. The number of operators 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 applying for individual licences:**

##### The Class licence will result in the following impacts and costs:

Registration is a one-off procedure.

The operator or an appropriate person within an 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 registration 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 is 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

##### Comparison

It is estimated that the first use of the Class Licence in year one would not result in any savings compared to the alternative of an individual licence but any subsequent use would result in a saving of £147.70. The first use of the Class Licence in subsequent years would save £84.40 and every subsequent use of the Class Licence in any year would save a further £147.70.

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

Regulatory uncertainty (eg whilst awaiting the regulator's decision): Once registered there will be no regulatory uncertainty if the terms and conditions of the licence can be met. Under an individual licence process there is a delay whilst Natural England processes the application and makes its decision.

There is still the option of applying for an individual licence for operations that fall outside the terms and conditions of the Class licence.

Impact on access to markets (eg 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 will result in time and monetary savings.

#### ***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 time and cost savings, and there will be less regulatory uncertainty.