

Intentional disturbance of water voles and damage/destruction of water vole burrows by means of 'displacement' (to facilitate the activities of Internal Drainage Boards)

Natural England

RPC rating: validated

Description of proposal

Water voles are intentionally displaced from their burrows by Internal Drainage Boards (IDBs) when they are at risk of harm during water body maintenance or drainage activity. As part of a new licensing scheme for this activity (which had not previously been licensed) Natural England (NE) intends to offer a Class licence aimed at small businesses to allow displacement to be undertaken by suitably experienced persons at multiple locations within England. Any experienced and competent ecologist employed by an IDB can apply to be a registered person under the Class licence. The Class licence is aligned to best practice guidance for mitigation for water voles in respect of drainage works and is designed to be applicable to the majority of IDB situations. Where greater flexibility is required, IDBs have the option of applying for an Individual licence. Individual licences are limited to a particular location and a particular place; an assessment by the regulator suggests that the cost of one Individual licence application is similar to the cost of a Class licence application.

Impacts of proposal

There are currently 113 IDBs in England that will be affected by the change. All of them will require a licence before undertaking works that affect water voles. Licences are free of charge so the costs are based on the time needed to register for the licence and to provide references. At an hourly rate of £21.10 for an IDB ecologist, the maximum estimated total cost for the first year registration for a Class licence is £189.90 (1 hour registering, 2 hours to gather and provide suitable references, 3 hours of updating the IDB's internal guidance to reflect the licensing conditions, and 3 hours of producing an annual report on licensed activity to the regulator, which is a condition of renewal of the licence). If all 113 IDBs experienced the maximum costs, the total in the first year would be £21,459. The RPC verifies the estimated equivalent annual net direct cost to business (EANDCB) of £0.0 million. This will be a qualifying regulatory provision that will score under the Business Impact Target.

Quality of submission

Natural England does not explain why it now feels it necessary to license disturbance of water voles, given that it has not done so in the past. The IA would be considerably improved by offering a very brief description of the rationale for licensing – including the wider impacts of the scheme - and a reference to the IA for the development of the new scheme as a whole. In addition, the RPC notes that NE presents each element of the licensing scheme as a separate QRP. It might have been more straightforward both for NE and for the reader if the overall impacts of licensing for disturbance of water voles – including mitigation schemes – had been assessed in a single IA.

The assessment does not specify whether the hourly costs cited for ecologists are uprated for non-wage costs. As uprating would not materially alter the result in this context, the RPC is able to validate the zero EANDCB cited. However, NE should note that it is standard practice to use uprated costs and to specify the approach used clearly in the assessment.

However, the submission is clear and proportionate, and provides enough information to support its estimate of the cost to business of the measure. The regulator considers the impact on small businesses; indeed the proposed scheme is effectively an approach to mitigate the impacts on small businesses of licensing for disturbance of water voles.

Departmental assessment

Classification	Qualifying regulatory provision
Equivalent annual net cost to business (EANCB)	£0.0 million
Business net present value	£0.0 million

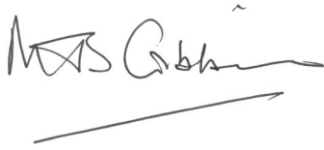
RPC assessment

Classification	Qualifying regulatory provision
EANDCB – RPC validated ¹	£0.0 million
Business Impact Target (BIT) Score ¹	£0.0 million

¹ For reporting purposes, the RPC validates EANDCB and BIT score figures to the nearest £100,000.

Opinion: EANDCB validation
Origin: domestic
RPC reference number: RPC17-DEFRA-NE-3902
Date of implementation: 1 January 2016

Small and micro business assessment	Not required
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