

Response ID ANON-RENP-JUZ2-Z

Submitted to Environment Agency charge proposals for April 2025: Reducing waste crime and updating time and materials charges
Submitted on 2025-01-20 22:30:32

Introduction

How we will use your information

What is your email address?

Email:
ian.moodie@ada.org.uk

Can we publish your response?

If you answered no, please tell us why.:

Yes

About you or your organisation

Are you providing an individual or personal response, or a response on behalf of an organisation?

b) responding on behalf of an organisation, group or trade association

If you chose (b) what is the name of the organisation, group or trade association?:
ADA (Association of Drainage Authorities)

If you chose (c) please specify.:

If you are responding on behalf of an organisation how many people work there?

Not Answered

What is your main area of business?

other

If you selected 'other' please specify.:

Flood and water level management.

How did you find out about this consultation?

from another organisation

If you selected 'other,' please tell us how you found out about the consultation. :

ADA was not informed of this consultation by the Environment Agency.

Please click 'continue' or select which of the following consultation questions you would like to view next.

Waste exemptions

Waste exemptions: background and registration charge proposal

Question 1: Do you agree or disagree with our proposed charge for the registration of waste exemptions?

strongly disagree

Do you agree or disagree with our proposed charge for the registration of waste exemptions?:

ADA disagrees with the proposed charge for the registration of waste exemptions given the impact that these additional charges will place on the operational costs of our member public authorities, particularly in relation to the management of watercourses to enhance the environment, retain water safely, and reduce the risk from flooding. ADA is concerned that insufficient assessment has been undertaken by the Environment Agency to consider the impacts upon rural businesses and services outside of those termed to be farms within this consultation.

Specifically, ADA is not aware of any engagement with public flood risk management authorities (other than within the Environment Agency itself), or other public bodies (e.g. Canal & Rivers Trust, and Broads Authority) that undertake essential maintenance operations to watercourses across England and will now be expected to pay for the exemptions necessary for their public works. ADA was only made aware about these charging changes late in

December 2024 by the National Farmers' Union.

It appears that the Environment Agency consider that the cost of these exemptions to be burdensome for land and water management works given the bundled reduction in fees charged proposed for farm businesses, and the consultation question about reducing or exempting charitable bodies from such fees.

ADA requests that the Environment Agency engage in detail with ADA regarding the impact upon smaller internal drainage boards before making these changes to charging, and clarifying what exemptions are necessary in pursuance of their public works. Furthermore, there is a need to engage with Parish Councils where they undertake public works within their community that require the management of waste.

Waste exemptions: proposed 'common on-farm' compliance charge

Question 2: Do you agree or disagree with the waste exemptions included within our proposed 'common on-farm' compliance charge?

neither agree nor disagree

Why do you think this? (If relevant, please comment on any additional exemptions you would include in this list, or any exemptions you think should not be included.):

These seem to cover the broad suite of exemptions needed. However consideration may be needed around whether the following also need to be including: S1 waste exemption: store waste in secure containers, and S2 waste exemption: storing waste in a secure place.

Question 3: Do you agree or disagree with our proposed 'common on-farm' compliance charge?

strongly disagree

Why do you think this?:

ADA considers that other organisations such as charities and those providing public works and benefits could also be subject to reduced or zero rate for exemptions given that these organisations could also enable the Environment Agency to integrate waste exemption compliance activity with other compliance and engagement activities.

It is noteworthy that such a reduced fee scale is considered necessary for the waste exemptions needed for landscape based activities such as those on a farm. This suggests that the intrinsic charging mechanism for these exemptions may not be proportionate to land and water management based businesses and organisations.

Further analysis is therefore needed before these exemption charges should be introduced. Analysis to look at what impact this might have on those managing and maintaining stretches of watercourse for both the environment and for flood and water level management. These considerations do not appear to have been made and farmers are not the only group who undertake such works. ADA recommends looking at the appropriate exemption fees charged for organisations working within land and water management, including farmers, reserve managers, internal drainage boards etc, as well as other private riparian owners.

Waste exemptions: proposed compliance charge banding

Question 4: Do you agree or disagree with the waste exemptions included within the proposed band 1 (see table 2) for waste exemptions?

neither agree nor disagree

Why do you think this? (If relevant, please indicate what if you would prefer.):

Question 5: Do you agree or disagree with the waste exemptions included within the proposed band 2 (see table 3) for waste exemptions?

strongly disagree

Why do you think this? (If relevant, please indicate what you would prefer.):

If charging bands are to be introduced ADA considers that D1 exemption should be included in band 3 (lowest charge).

Question 6: Do you agree or disagree with the waste exemptions included within the proposed band 3 (see table 4) for waste exemptions?

strongly disagree

Why do you think this? (If relevant, please indicate what you would prefer.):

If charging bands are to be introduced ADA considers that D1 exemption should be included in band 3 (lowest charge).

Waste exemptions: proposed upper band activity

Question 7: Do you agree or disagree with the waste exemptions included within the proposed upper band (see table 5) for waste exemptions?

not applicable

Why do you think this? (If relevant, please indicate what you would prefer.):

Waste exemptions: proposed charges for the compliance bands

Question 8: Do you agree or disagree with our proposed compliance charges for waste exemptions, as shown in table 6?

strongly disagree

Why do you think this? (If relevant, please indicate what you would prefer.):

ADA does not consider there to be a clear rationale for such charges or the inclusion of certain exemptions within band 2, namely D1.

Question 9: Do you agree or disagree with our proposed additional compliance charges for multiple waste exemptions, as shown in table 7?

strongly disagree

Why do you think this? (If relevant, please indicate what if you would prefer.):

ADA does not consider there to be a clear rationale for such charges or the inclusion of certain exemptions within band 2, namely D1.

Waste exemptions: affordability

Question 10: Do you agree or disagree with our view on affordability?

strongly disagree

Why do you think this? If relevant, please provide evidence to support your response.:

There is no clear assessment of the impacts of these charges on different types of work that businesses undertaken (e.g. landscape management) other than a consideration by organisation type, which is insufficient to identify those organisations facing undue burdens.

ADA is concerned about the impact of these additional charges on smaller public authorities such as IDBs undertaking watercourse maintenance works and whether this provides further regulatory disincentive to riparian owners to carefully maintain and manage watercourses for conservation and flood risk management purposes.

Further analysis is therefore needed before these exemption charges should be introduced. Analysis to look at what impact this might have on those managing and maintaining stretches of watercourse for both the environment and for flood and water level management. These considerations do not appear to have been made and farmers are not the only group who undertake such works. ADA recommends looking at the appropriate exemption fees charged for organisations working within land and water management, including farmers, reserve managers, internal drainage boards etc, as well as other private riparian owners.

Question 11: Some waste exemptions are registered by charities or trusts. Do you think operators using exemptions for charitable purposes should pay for them?

disagree

Why do you think this?:

Currently the Environment Agency has not provided sufficient analysis of the affordability of these proposals on different types of business or organisations. Therefore, there is insufficient information to judge whether charitable bodies should be exempt or should receive reduced fees. In principal the fees charged should be structured to be proportionate and affordable to all organisation types. The question being raised suggests that insufficient analysis of the burden placed on landscape managers (including charities and smaller public authorities) has not been sufficiently undertaken by the Environment Agency.

ADA considers that a similar question should be asked regarding public authorities as to whether operators using exemptions for public goods/services should pay for them. In principal the decision taken on charging for public bodies (especially smaller ones such as IDBs, parish councils, Broads Authority etc) should be consistent with those for charitable bodies.

Are there any other options you would suggest?:

A better structuring of fees related to affordability across different types of organisation and business.

Waste exemptions: other questions

Question 12: Do you agree or disagree with our proposal to offer operators who transition to an environmental permit a partial refund of the compliance element of the charge?

neither agree nor disagree

Why do you think this?:

If you think there are any other circumstances where the Environment Agency should refund waste exemption charges, please explain.:

Question 13: Please share any additional comments that you think may help us improve our current proposals for waste exemptions.

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Please click 'continue' or select which of the following consultation questions you would like to view next.

Go to end (if you don't want to view any more consultation questions)

Waste crime: priority areas and additional comments

Question 31: In your opinion, which of the following strategic waste crime themes should be prioritised? Select up to three themes in order of importance.

First priority:

serious and organised crime

Second priority:

illegal dumping

Third priority:

illegal carriers, brokers and dealers

Why do you think this? If you responded with 'other', please explain what you consider to be the priority.:

Question 32: Please share any additional comments that you think may help us improve our current proposals or future consultations.

Question 27: Please share any additional comments that you think may help us improve our current proposals or future consultations.: