

Environment Agency charge proposals for materials facilities

Consultation response form

Date: April 2024

# Introduction

The Environment Agency carries out a wide range of regulatory services. They are fundamental to how we protect the environment. These include flood and coastal erosion risk management, regulation of water quality and abstraction, waste, pollution prevention and navigation.

We know it works - England is a much cleaner, greener place because of our activities.

We charge the businesses we regulate for the work we do to regulate them. We are committed to making sure our charges are fair and transparent. We want them to reflect the full cost of the chargeable services we provide.

To achieve this, we propose to amend the additional subsistence charge for materials facilities operations at waste permitted sites to make sure we fully cover the cost of our activities.

We would like you to share your views on our proposed updates to the additional subsistence charge for materials facilities. The consultation is made up of the consultation document setting out proposed updates to our charging scheme, and supporting documentation including a guide to explain how we calculate our charges. These documents are available on our consultation website, Citizen Space.

## What we are consulting on

We have reviewed our charges against the need to fulfil our current and new regulatory duties. We know our charges can affect those we regulate so we have considered our proposals carefully. We are always interested to hear how you think we can regulate more fairly, while safeguarding the environment more effectively.

Our aim is to achieve a consistent and transparent approach in how we charge for regulating materials facility operations at waste permitted sites.

This consultation sets out our charges proposals for materials facilities operations at waste permitted sites and invites you to share your views.

We seek to recover the full cost of our services through charges. We have reviewed our charges to address changes in the cost of delivering our services, inflationary pressures and incorporating the cost of our duties under the new regulations for materials facilities which are due to come into force on 1 October 2024.

The new regulations for materials facilities will:

* better meet recyclable material quality objectives
* explore connections between materials facility data reporting and extended producer responsibility for packaging

### How to respond to this consultation

This consultation runs for 8 weeks, from 10 April 2024 to 5 June 2024. You can view the consultation document, questions and all supporting documents using the [Citizen Space online consultation tool](https://consult.environment-agency.gov.uk/environment-and-business/ea-charge-proposals-for-mf).

**Please use this form if you are responding by email rather than online.** Complete the questions, and where there are text boxes, give as much information as possible to support your answer.

To provide you with background information needed to complete the questions about our charge proposals for materials facilities, we refer you to specific sections in the consultation document.

To return the completed response form, please email the form to enquiries@environment-agency.gov.uk using the heading ‘Charge consultation: materials facilities’*.*

The consultation will close at midnight on Wednesday 5 June 2024. We will consider all responses received by this date before finalising our proposals to submit for approval by government.

**Ask for a copy of the consultation document**

Please contact us if you need a copy of the consultation document to be sent to you. You can do this by contacting our:

National Customer Contact Centre

Telephone: 03708 506 506

Minicom for the hard of hearing: 03702 422 549

Monday to Friday, 8am to 6pm

### Consultation principles

We’re running this consultation in line with the guidance set out in the government's [Consultation Principles](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/691383/Consultation_Principles__1_.pdf).

If you have any questions or complaint about the way this consultation has been carried out, please email Consultation.enquiries@environment-agency.gov.uk

### How we will use your information

We will take into consideration the feedback we receive and summarise this in a consultation response document and make this publicly available on GOV.UK after the consultation closes. We may include comments or quotes, unless you specifically request that we keep your response confidential.

We will not publish names of individuals or personal data, but we will publish the name of the organisation for those responses made on behalf of organisations. We will not respond individually to responses. If you have asked to be notified, we will contact you to let you know when the consultation response document is published.

We will circulate a link to our response to all consultees and other interested parties who have asked to be kept informed. We will not respond individually to consultees.

Please answer the following questions.

**Privacy**

We would like to keep you informed about the outcomes of this consultation.

#### If you would like to receive emails acknowledging your response and or telling you when we have published the summary of responses, please tick the relevant boxes below.

☐ yes, I would like to receive an email acknowledging my response

☐ yes, I would like to receive an email to let me know the consultation response document is published

If you have ticked either of the boxes above, please tell us your email address:

Email:

By giving us your email address, you consent for us to email you about the consultation. We will keep your details until we have notified you of the response document publication.

We will not share your details with any other third party without your explicit consent unless required to by law.

You can withdraw your consent to receive these emails at any time by contacting us at enquiries@environment-agency.gov.uk.

The Environment Agency is the data controller for the personal data you provide. For further information on how we deal with your personal data please see our [Personal Information Charter](https://www.gov.uk/government/organisations/environment-agency/about/personal-information-charter) on GOV.UK. You can email our Data Protection team: dataprotection@environment-agency.gov.uk.

#### Can we publish your response?

In accordance with the Freedom of Information Act 2000, we may be required to publish your response to this consultation but will not include any personal information. If you have requested your response to be kept confidential, we may still be required to provide a summary of it. For more information see our [Personal Information Charter](https://www.gov.uk/government/organisations/environment-agency/about/personal-information-charter).

This is a required question, please tick one of the following:

☐ yes

☐ no

If you answered no, please tell us why.

To help us analyse and assess the consultation responses, we would like you to answer a few questions about:

* you or your organisation
* your business

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

This is a required question, please tick one of the following:

☐ (a) responding as an individual

☐ (b) responding on behalf of an organisation or group

☐ (c) other

If you selected (b), what is the name of the organisation or group?

This is a required question, if you selected (b), please specify which one of the following options is applicable

☐ you are responding as an existing materials facility

☐ you believe your organisation will be a materials facility under the new regulations for materials facilities which are due to come into force on 1 October 2024

☐ other

☐ not applicable

#### How did you find out about this consultation?

Please tick one of the following:

☐ from us

☐ from another organisation

☐ through an organisation, group, or trade association you are a member of

☐ press article

☐ social media, for example, Facebook, X

☐ through a meeting you attended

☐ other

If you selected *other,* please tell us how you found out about this consultation.

## Proposal to increase the annual additional subsistence charge for a materials facilities operations

The existing annual subsistence charge for materials facility notifications is set too low to fully recover the costs of regulation. When the new regulations for materials facilities come into effect, we will also be required to carry out additional work on compliance and data checks. The enhanced sampling and reporting requirements in the new materials facilities regulations are set out in the amending [Statutory Instrument](https://www.legislation.gov.uk/uksi/2023/1156/contents/made) and [associated guidance](https://www.gov.uk/guidance/materials-facilities-waste-sampling-and-reporting-from-october-2024).

*Please refer to section 2 of the consultation document*

#### Q1: To what extent do you agree or disagree with the proposed change to the additional annual subsistence charge for a materials facility operation?

Please tick one of the following:

☐ strongly agree

☐ agree

☐ neither agree nor disagree

☐ disagree

☐ strongly disagree

☐ do not know

☐ not applicable

Why do you think this?

## Proposal to change the billing approach for the additional subsistence charge for a materials facilities operation

*Please refer to section 3 of the consultation document*

#### Q2: To what extent do you agree or disagree with the proposed change to our approach to billing for the additional subsistence charge for operators of materials facilities?

Please tick one of the following:

☐ strongly agree

☐ agree

☐ neither agree nor disagree

☐ disagree

☐ strongly disagree

☐ do not know

☐ not applicable

Why do you think this?

## Economic impact

*Please refer to sections 4 of the consultation document.*

#### Q3: To what extent do you agree or disagree with our view of the economic impact?

Please tick one of the following:

☐ strongly agree

☐ agree

☐ neither agree nor disagree

☐ disagree

☐ strongly disagree

☐ do not know

☐ not applicable

Why do you think this?

Finally, we would like to give you the opportunity to provide us with any additional comments or thoughts about our proposals.

**Q4: Do you have any comments about our proposals for additional subsistence charges for materials facility operations.**

End of the consultation

### Publishing our consultation response

Thank you for completing this consultation. We will publish our response on both GOV.UK and Citizen Space within 12 weeks of this consultation closing and before we implement any changes. It will include a summary of the comments and queries we received.

We will include a list of organisations that responded but will not include individual comments. We will outline our recommendations which take these into account.

We will circulate a link to our response to all consultees and other interested parties who have asked to be kept informed. We will not respond individually to consultees.

# **Would you like to find out more about us or your environment?**

Then call us on

03708 506 506 (Monday to Friday, 8am to 6pm)

Email: enquiries@environment-agency.gov.uk

Or visit our website

www.gov.uk/environment-agency

## **incident hotline**

0800 807060 **(24 hours)**

## **floodline**

0345 988 1188 **(24 hours)**

Find out about call charges (<https://www.gov.uk/call-charges>)

## **Environment first**

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