

Environment Agency charge proposals for simpler recycling

May 2025

We are the Environment Agency. We protect and improve the environment.

We help people and wildlife adapt to climate change and reduce its impacts, including flooding, drought, sea level rise and coastal erosion.

We improve the quality of our water, land and air by tackling pollution. We work with businesses to help them comply with environmental regulations. A healthy and diverse environment enhances people's lives and contributes to economic growth.

We cannot do this alone. We work as part of the Defra group (Department for Environment, Food & Rural Affairs), with the rest of government, local councils, businesses, civil society groups and local communities to create a better place for people and wildlife.

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# Summary

Government policy on delivering [simpler recycling in England](https://www.gov.uk/government/publications/simpler-recycling-in-england-policy-update/simpler-recycling-in-england-policy-update) requires dry recyclable waste to be collected separately from food waste and residual waste. This applies for waste collected from businesses and relevant non-domestic premises from 31 March 2025 (except micro-firms with less than 10 full time equivalent employees, who are exempt until 31 March 2027).

From 31 March 2025, simpler recycling requires businesses and occupiers of relevant non-domestic premises in England to present dry recyclable waste (paper and card, plastic, metal, glass), food waste and residual (non-recyclable) waste, separated from each other in accordance with the arrangements made with their waste collector. The requirement also exists for waste collectors to collect recyclable waste separately from other relevant (residual) waste for recycling or composting. Refer to the glossary at the end of this document for definitions of terms used in this document, such as relevant non-domestic premises.

The simpler recycling requirements will be a significant step towards meeting the government’s ambition to recycle 65% of municipal waste by 2035. Failure to regulate would have a detrimental effect on the environment and reduce the chances of this target being met. Our new regulatory service will help us achieve increased recycling rates and protect the environment by reducing greenhouse gas emissions from landfill.

We propose to introduce a new charge at an hourly rate of £118 per hour. This will allow us to recover the costs of our regulatory activities where businesses and relevant non-domestic premises do not comply with the rules of simpler recycling.

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.

## Overview of consultation

This document outlines our proposal to introduce a new hourly rate (time and materials charge) for businesses or occupiers of relevant non-domestic premises that are not complying with the requirements of [simpler recycling: workplace recycling in England](https://www.gov.uk/guidance/simpler-recycling-workplace-recycling-in-england) (simpler recycling). This includes micro-businesses who will not come into scope of simpler recycling until 31 March 2027.

We invite you to share your views*.* We would like to know if you agree with our proposals and your suggestions on whether we can make them fairer in any way.

### The principles we follow

Our aim is to make the environment a better place for people and wildlife while facilitating sustainable development and supporting economic growth.

The proposals we have outlined in this consultation ensure that:

* people only pay for the regulatory service they receive
* we will recover our costs of regulation
* we will not need to use additional taxpayer funds to support our regulatory work

In this consultation our considerations include the need to:

* make sure our costs are reflected in our charges and align with HM Treasury rules in [managing public money](https://www.gov.uk/government/publications/managing-public-money) guidance
* have regard to the desirability of promoting economic growth (under s108 of the [Deregulation Act 2015](https://www.legislation.gov.uk/ukpga/2015/20/contents/enacted)) when we carry out our regulatory activities
* make sure our regulatory activities are transparent, accountable, proportionate, consistent and targeted only at cases where action is needed (in accordance with the [Legislative and Regulatory Reform Act 2006](https://www.legislation.gov.uk/ukpga/2006/51/introduction))
* make sure we follow the Regulator's Code (as required under section 22 of the [Legislative and Regulatory Reform Act 2006](https://www.legislation.gov.uk/ukpga/2006/51/introduction))

### Our powers to charge

We have powers under legislation to recover the cost of some of our regulatory activities from people and organisations that require environmental regulation. This is to make sure these activities are not funded by the taxpayer. We are exercising our charging powers under section 41 and 41a of the [Environment Act 1995](https://www.legislation.gov.uk/ukpga/1995/25/contents).

Under HM Treasury guidelines, [managing public money](https://www.gov.uk/government/publications/managing-public-money), we have a responsibility to recover the costs of our regulatory activity by setting charges at the appropriate level wherever applicable.

### What we aim to achieve

We have considered our charges against the need to deliver our regulatory duties.

Our aim is to achieve a consistent and transparent approach in how we charge for activity to regulate businesses and occupiers of relevant non-domestic premises that are not complying with the [simpler recycling](https://www.gov.uk/guidance/simpler-recycling-workplace-recycling-in-england) requirements.

The proposed charge represents the cost of our regulatory staff completing this work and it is in line with the hourly rates we charge for other technical services. We model the hourly rates for recovering our costs in a consistent manner across all of our major regimes. Guidance is provided in [how the Environment Agency calculates its charges](https://www.gov.uk/government/publications/how-the-environment-agency-calculates-its-charges/how-the-environment-agency-calculates-its-charges), to help you understand what we include when we develop or review a charge.

Any compliance or enforcement action would take into account the individual circumstances and steps taken by a business to achieve compliance. In line with the Regulator’s Code, we are required to support growth, engage with business, take a risk-based and proportionate approach to regulation, and help those we regulate get it right.

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.

## What we are consulting on

We would like your views on the proposed introduction of an hourly rate (time and materials charge) of £118 for businesses or occupiers of relevant non-domestic premises that are not complying with the requirements for [simpler recycling](https://www.gov.uk/guidance/simpler-recycling-workplace-recycling-in-england).

Where non-compliance is found, the business or occupier of a relevant non-domestic premises would have to pay us for the time taken to:

* identify the breach
* provide advice
* serve a compliance notice
* any further compliance assessment

The consultation includes a consultation document laying out our proposal to update the charging scheme, the draft charging scheme, and consultation response form. These documents are available on the [Environment Agency’s consultation website, Citizen Space](https://consult.environment-agency.gov.uk/environment-and-business/ea-charge-proposals-for-simpler-recycling).

### Why we are consulting

Amendments made to the [Environmental Protection Act 1990](https://www.legislation.gov.uk/ukpga/1990/43/contents) by the [Environment Act 2021](https://www.legislation.gov.uk/ukpga/2021/30/contents) require a consistent set of core recyclable materials to be collected from households and businesses in England as set out in [simpler recycling in England](https://www.gov.uk/government/publications/simpler-recycling-in-england-policy-update/simpler-recycling-in-england-policy-update). The purpose of this legislation change is to improve the quality of recycling and increase recycling rates.

Our charge proposal will make sure the costs of compliance assessment activities are met by non-compliant businesses and occupiers of relevant non-domestic premises rather than those who comply with the regulations. This is in line with the polluter pays principle.

### The regulation we need to deliver

Paper and card must be collected separately from plastic, metal, and glass (unless the collector has completed a written assessment which demonstrates it is not practicable).

If there is a reasonable suspicion of non-compliance, we will carry out compliance assessments of businesses and occupiers of relevant non-domestic premises which produce relevant waste (waste producers) and waste collectors. We will do this through an intelligence led approach, acting on information received from external sources or our own regulatory regimes. We can serve compliance notices on finding non-compliance.

The proposed charge will allow us to recover the cost of our regulatory work for delivering this new service.

# Charge proposal: hourly rate for non-compliant businesses or occupiers of relevant non-domestic premises

We are proposing a new hourly rate (time and materials charge) of £118 per hour. This will only apply to businesses or occupiers of relevant non-domestic premises who do not comply with the rules of [simpler recycling](https://www.gov.uk/guidance/simpler-recycling-workplace-recycling-in-england). Businesses and occupiers of relevant non-domestic premises who are compliant will not pay this proposed new charge.

With the proposed new hourly rate, the total cost will depend on how many hours we spend on regulatory work. If the work is more complicated or has a higher environmental risk, it will take us longer and cost more.

This will allow us to recover the costs of delivering our regulatory duties for non-compliant businesses and occupiers of relevant non-domestic premises in compliance with [managing public money](https://www.gov.uk/government/publications/managing-public-money).

Although a large number of businesses and occupiers of relevant non-domestic premises are potentially in scope for regulation, the charge only applies to those who do not comply. We do not expect businesses and occupiers of relevant non-domestic premises to be significantly affected by the proposed charge. The proposed charge reflects the cost of the number of hours of regulatory input required.

### Question 1: To what extent do you agree or disagree with the proposed introduction of an hourly rate charge for businesses or occupiers of relevant non-domestic premises who do not comply with the rules of simpler recycling?

Please choose one of the following:

* strongly agree
* agree
* neither agree nor disagree
* disagree
* strongly disagree
* do not know
* not applicable

Why do you think this?

## Additional questions

We would like to keep you informed about the outcomes of this consultation. For further information on privacy and how we will use your information please refer to the ‘Responding to this consultation’ section at the end of this consultation document.

### If you would like to receive emails acknowledging your response and or telling you when we have published the summary of responses, please select from:

* 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 selected any of the above, please tell us your email address:

### Can we publish your response?

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

* yes
* no

If you answered no, please tell us why as we will need to understand this when responding to any Freedom of Information requests.

### Please tell us if you are responding as an individual or on behalf of an organisation or group.

Select one answer only from the following options:

1. responding as an individual
2. responding on behalf of an organisation or group
3. other

If you selected (b) ‘responding on behalf of an organisation or group’, please tell us the name of your organisation or group:

If you selected (c) 'other' please specify:

### If you are responding on behalf of an organisation, how many employees work there?

* 0 to 10 (or sole trader)
* 11 to 50
* 51 to 100
* 101 to 250
* More than 250

### Are you a waste collector or waste producer?

* waste collector and producer
* waste collector only
* waste producer
* not applicable

### How you found out about this consultation?

* from the Environment Agency
* from another organisation
* through an organisation, group or trade association you are a member of
* press article
* social media, for example, Facebook, LinkedIn
* through a meeting you attended
* other (please specify below)

If you selected “other” please tell us how you found out about the consultation.

# Responding to this consultation

This consultation runs for 2 months from 15 May 2025 until midnight on 15 July 2025.

## Respond online

You can view the consultation and supporting documents on [Citizen Space](https://consult.environment-agency.gov.uk/environment-and-business/ea-charge-proposals-for-simpler-recycling/start_preview?token=c80a8809d82b370a0da77a6fe57ec1dcbeeb3041), which is the Environment Agency’s consultation website.

The consultation will close on 15 July 2025. We will consider all responses received by this date before finalising our proposals to submit for approval by government.

Please submit your response on Citizen Space, as this provides an easy and efficient way to respond. It will also help us to:

* gather all responses in one place
* summarise responses quickly and accurately
* reduce the cost of the consultation

## Respond by email

If you prefer, you can submit your response by email using the response form, which you will find under the ‘Related’ section of the consultation on Citizen Space.

Please email your response form with the subject header of ‘charges consultation: simpler recycling’ to [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk?subject=Charges%20consultation:%20simpler%20recycling).

### Ask for a copy of the consultation document

Please contact us if you would like a copy of the consultation document sent to you.

You can do this by contacting our general enquiries helpdesk:

National Customer Contact Centre  
Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk?subject=Charges%20consultation:%20simpler%20recycling)  
Telephone: 03708 506 506   
Minicom for the hard of hearing: 03702 422 549   
Monday to Friday, 8am to 6pm

## How we will use your information

After the consultation has closed, the Environment Agency will summarise responses in a consultation response document and make this publicly available on GOV.UK. We may include comments or quotes, unless you specifically request that we keep your response confidential.

We will not publish names of individuals who respond, 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.

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.

### Privacy notice

The Environment Agency would like to keep you informed about the outcomes of this consultation. If you would like to receive an email acknowledging your response and telling you when we have published the consultation response document, please provide your email address with your response.

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 clear and full 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](mailto:enquiries@environment-agency.gov.uk?subject=Charges%20consultation:%20simpler%20recycling).

The Environment Agency is the data controller for the personal data you provide. For more 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](mailto:dataprotection@environment-agency.gov.uk?subject=Charges%20consultation:%20simpler%20recycling).

### Publishing our consultation response

We aim to publish our response to the consultation on GOV.UK 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. A link to this document will be added to the consultation page of Citizen Space.

### Consultation principles

We are running this consultation in accordance with the guidance set out in the government's [consultation principles](https://www.gov.uk/government/publications/consultation-principles-guidance).

If you believe the consultation has not been run in accordance with these principles, please email [consultation.enquiries@environment-agency.gov.uk](mailto:consultation.enquiries@environment-agency.gov.uk?subject=Charge%20consultation:simpler%20recycling).

Otherwise, for all other queries or complaints relating to this consultation please email [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk?subject=Charge%20consultation:simpler%20recycling).

# Glossary

## Dry recyclable waste

Includes:

* glass – such as drinks bottles and rinsed empty food jars
* metal – such as drinks cans and rinsed empty food tins, empty aerosols, aluminium foil, aluminium food trays and tubes
* plastic – such as rinsed empty food containers and bottles
* paper and cardboard – such as old newspapers, envelopes, delivery boxes and packaging

## Food waste

Includes:

* food leftovers
* waste generated by preparing food (of any volume, including if the workplace does not serve food or have a canteen)

Micro-firms

Workplaces with less than 10 full-time equivalent employees in total.

## Relevant non-domestic premises

This is specified in the Environmental Protection Act 1990 and The Separation of Waste (England) Regulations 2024. The [simpler recycling: workplace recycling in England](https://www.gov.uk/guidance/simpler-recycling-workplace-recycling-in-england) guidance provides further examples of the business types that need to follow the rules for waste collected from their workplace.

Relevant non-domestic premises generate waste that is similar in nature and composition to household waste. They include:

* offices
* retail and wholesale
* transport and storage
* hospitality, such as cafes, restaurants, and hotels
* places of education, such as schools, colleges, and universities
* healthcare places, such as GP surgeries and hospitals
* care homes
* charities and those registered as charities
* places of worship
* penal institutes
* charity shops selling donated goods that came from a domestic property
* residential hostels that provide accommodation to people with no other permanent address or who are unable to live at their permanent address only
* premises used only or mainly for public meetings

## Residual or black bin bag waste

Non-recyclable waste such as:

* absorbent hygiene products such as nappies
* highly contaminated materials like food packaging that cannot be washed

Schedule 1 of [The Separation of Waste (England) Regulations 2024](https://www.legislation.gov.uk/uksi/2024/666/made) specifies the full list of waste types which are in scope of simpler recycling.

## Waste collector

Refers to private waste collectors. We do not regulate local authorities as we cannot serve compliance notices on waste collection authorities.