



Statutory guidance

Waste (Miscellaneous) (England) Charging Scheme 2018

Updated 2 April 2024

Applies to England

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Consolidated version including all amendments up to and including April 2024.

The Environment Agency in exercise of its powers under section 41 of the Environment Act 1995, and with the approval of the Secretary of State and the consent of the Treasury, makes the following Charging Scheme.

Part 1

General

Commencement, extent and citation

1. This charging scheme shall:

- (a) be referred to as the Waste (Miscellaneous) (England) Charging Scheme 2018 ("this Scheme"),
- (b) extend only to England,
- (c) come into force on 1st April 2018, and
- (d) remain in force until revoked.

Interpretation: general

2. In this Scheme:

"the 2007 Regulations" means the Transfrontier Shipment of Waste Regulations 2007;

"the 2013 Regulations" means the Waste Electrical and Electronic Equipment Regulations 2013;

"Agency" means Environment Agency;

"application" means an application or request to the Agency for approval, authorisation, consent or registration, made under any of the legislation referred to in this Scheme;

compliance period" has the meaning given in the 2013 Regulations;

Liability to pay charges

3. The persons set out below shall be liable to pay the charges under this Scheme:

(a) in respect of a charge relating to an application, the person making the application;

(b) in respect of a charge relating to a notification under the 2007 Regulations, the person making the notification;

(c) in respect of any other charge in this scheme, the person to whom approval, authorisation or registration, has been granted.

Time of payment

4. Charges payable under this Scheme shall be due and payable in full at the following times on or after the 1st April 2018:

(a) every charge in this Scheme which relates to an application or request is payable on the making of that application or request to the Agency;

(b) every other charge in this Scheme is payable on demand.

Abatement of charges

5. The Agency may, by notice, waive or reduce any charge specified in this Scheme if it considers it to be significantly disproportionate in a particular case, having regard to the actual costs and expenses incurred or to be incurred by the Agency in relation to a particular application, request or decision.

Revocation

6. (1) Paragraphs 4, 5, 7 and 8 of the Environmental Permitting Charging Scheme 2014 (as amended) which came into effect on 1st April 2014 are revoked for any period on or after 1st April 2018.

(2) Paragraph 6 of the Environmental Permitting Charging Scheme 2014 (as amended) which came into effect on 1st April 2014 is revoked so far as it applies to any application made or requirement to be met under the 2013 Regulations in respect of the compliance period commencing on 1st

January 2019 and any subsequent compliance period.

Part 2

Waste electrical and electronic equipment

Interpretation and when the charges apply

7. In this Part:

- (a) references to regulations are to those in the 2013 Regulations and expressions used in this Part have the same meaning as in those Regulations;
- (b) the charges and related provisions specified in this scheme supersede those set out in regulations 59 and 65;
- (c) the charges set out in this Part shall not apply to any application made or requirement to be met under the 2013 Regulations in respect of the compliance period ending 31st December 2018.

Charges relating to schemes

8. (1) The application charge referred to in regulation 59(1), is £12,150.

(2) Subject to sub-paragraphs (3) and (4), the annual producer charge referred to in regulation 59(2), is the total of:

- (a) £12,500,
- (b) £30 for each member of the scheme who is a small producer,
- (c) £100 for each member of a scheme who is not a small producer and is not or is not required to be registered under the Value Added Tax Act 1994,
- (d) £100 for each member of a scheme who is established outside the United Kingdom, is not a small producer and is not or is not required to be registered under the Value Added Tax Act 1994,
- (e) £375 for each member of a scheme who is established outside the United Kingdom, is not a small producer and is or is required to be registered under the Value Added Tax Act 1994, and
- (f) £750 for every other scheme member.

(3) Where an operator of a scheme does not provide the Agency with evidence to support a claim that a scheme member is eligible for the charge specified in paragraphs 8(2)(b), (c), (d) or (e) that scheme member will be deemed to be eligible for the charge specified in paragraph 8(2)(f).

(4) Where an application is refused or withdrawn, the Agency is not under any obligation to refund the whole or any part of the application charge.

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Charge relating to small producers

9. Where a small producer has submitted an application under regulation 16 for registration as a small producer in a particular compliance period, the annual producer charge will be £30.

Charges relating to authorised treatment facilities and exporters

10. (1) The application charge referred to in regulation 65(1)(a) is £600.

(2) The application charge referred to in regulation 65(1)(b) is £3,500.

(3) The extension of approval charge referred to in regulation 65(2) is £150.

(4) Where a small treatment operator or small export operator exceeds its undertaking given under regulation 61(1)(c)(i)(aa), an additional charge of £2,900, is payable.

(5) Where approval is refused, suspended or cancelled the Agency is not under any obligation to refund the whole or any part of the application charge.

Part 3

Waste batteries and accumulators

Interpretation

11. In this Part references to regulations means those in the Waste Batteries and Accumulators Regulations 2009 and expressions used in this Part have the same meaning as in those Regulations.

Charges relating to waste batteries and accumulators

12. (1) The scheme application charge referred to in regulation 55(2)(a), is £17,000.

(2) The scheme subsistence charge referred to in regulation 55(2)(b), is the total of-

(a) £90,000, and

(b) £600 for each member of the battery compliance scheme.

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(3) The extension of approval charge in relation to an exporter, referred to in regulation 65(2)(b), is £110 for each additional site.

(4) The treatment, recycling and export application charge is:

(a) where the undertaking referred to in regulation 65(4) has been given, £500; or

(b) in any other case, £2,570.

(5) Where the circumstances described in regulation 65(5) apply, an additional charge of £2,070 is payable.

(6) Where an application to register as a small producer under regulation 26(2) is made, a charge of £30 is payable.

Part 4

Waste carriers, brokers and dealers

Charges relating to carriers, brokers and dealers of waste

13. (1) Where an application is made to register as a carrier of waste under the Control of Pollution (Amendment) Act 1989, or as a broker or dealer of waste under the Waste Regulations 2011, a charge of £154 is payable.

(2) Where an application is made to renew such a registration, a charge of £105 is payable.

(3) Where an application is made to add another type of registration to an existing registration, a charge of £40 is payable.

Part 5

International Waste Shipments

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Interpretation

14. (1) In this Part:

"amendment" means any change made to a single notification requested by any person other than a competent authority;

"the Regulation" means Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste;

"single shipment" means a shipment consisting of:

- (a) one shipping container,
- (b) one lorry trailer,
- (c) a bulk shipment, where the waste is transported in a ship (and the waste is not in shipping containers or in lorry trailers while on the ship or at any point during the shipment while in the United Kingdom),
- (d) one ship (where the waste is a ship), or
- (e) one offshore installation, or part of an offshore installation (where the waste is an offshore installation or part of an offshore installation);

"tables" means tables 1 and 2 in this Part.

(2) Expressions used in this Part that are also used in the 2007 Regulations have the same meaning that they have in the 2007 Regulations.

Charges relating to international waste shipments

14A. (1) Subject to sub-paragraphs (2) to (4), where a notification is made under the 2007 Regulations the following charges are payable:

- (a) in the case of a notification relating to a single shipment which consists of a ship, an offshore installation or part of an offshore installation, the sum of £8,188, or
- (b) in the case of any other notification, the charge is determined by the type of activity and the number of single shipments included in the notification, in accordance with the tables.

(2) The following additional charges are payable:

- (a) where an application is made as provided for in article 14 of the Regulation for pre-consent of a recovery facility to allow a notification to be

given for up to three years, the sum of £819;

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(b) where a notification is amended after it has been transmitted to the overseas competent authority for approval under article 7 of the Regulation, the sum of £82 for each amendment, including an amendment to the number of shipments under paragraph 3(b), other than an amendment referred to in paragraph (d) below;

(c) where a notification is amended after acknowledgement by the Environment Agency under article 8(2) of the Regulation, the sum of £82 for each amendment, including an amendment to the number of shipments under paragraph 3(b), other than an amendment referred to in paragraph (d) below;

(d) where a notification is amended by adding carriers to the notification, the sum of:

(i) £82 for the addition of 1-5 carriers; and

(ii) a further £82 for each subsequent additional 1- 5 carriers;

(e) where a financial guarantee that has been approved under article 6(4) of the Regulation is amended, the sum of £82.

(3) The following additional charges are also payable other than where a notification relates to a ship, an offshore installation or part of an offshore installation:

(a) where a notification relates to a waste that includes mercury, ozone-depleting substances, fluorinated gases or naturally occurring radioactive materials, the sum of £287 for each such substance;

(b) where a notification with 'X' number of shipments is amended to include an additional 'Y' number of shipments, the sum is the difference between the charge payable for X+Y shipments calculated in accordance with the tables and the charge previously paid to the Environment Agency for the X shipments (not including any other charges paid under paragraph (2) or (3));

(c) where:

(i) the Agency cannot give consent to a notification because of an objection, or

(ii) the notification is withdrawn within 12 months of consent being given, and no shipments have yet been made under that notification,

a charge equivalent to the charge for 1 to 5 single shipments of the same notification type.

(4) Where a charge is payable under paragraph 3(c) and it is less than the charge that has already been paid under paragraph 1(b), the difference between the charge paid under paragraph 1(b) and the charge payable under paragraph 3(c) will be refunded.

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Table 1: Notification charges for the export of waste

Single shipments per notification	1 to 5	6 to 20	21 to 100	101 to 300	301 to 500	501 to 1,000	More than 1,000
Export for recovery charge	£3,227	£3,636	£4,560	£6,597	£9,557	£11,962	£11,962 plus £1,196 for each additional 100 or part of 100 single shipments
Export for disposal charge	£3,610	£4,067	£5,101	£7,380	£10,690	£13,381	£13,381 plus £1,338 for each additional 100 or part of 100 single shipments

Table 2: Notification charges for the import of waste

Single shipments per notification	1 to 5	6 to 20	21 to 100	101 to 300	301 to 500	501 to 1,000	More than 1,000
Import for recovery charge	£3,330	£3,739	£4,663	£6,700	£9,660	£12,065	£12,065 plus £1,207 for each additional 100 or part of 100 single shipments
Import for disposal charge	£3,330	£3,739	£4,663	£6,700	£9,660	£12,065	£12,065 plus £1,207 for each additional 100 or part of 100 single shipments

Annual increases

14B. Charges under this Part will increase annually on 1 April in each year after 2024, by a sum not exceeding any increase in the Consumer Prices Index published by the Office for National Statistics as at 30 September in the immediately preceding year.



Part 6

Transfrontier shipment of radioactive waste and spent fuel

Charges relating to transfrontier shipment of radioactive waste and spent fuel

15. (1) In this Part:

"2008 Regulations" means the Transfrontier Shipment of Radioactive Waste and Spent Fuel Regulations 2008;

"relevant time and materials costs" means those costs and expenses incurred by the Agency in relation to the matters described in this Part, based on an hourly rate of £125.

(2) A charge consisting of the relevant time and materials costs is payable in respect of:

(a) an application for authorisation under the 2008 Regulations;

(b) a request to the Agency for consent to an application from the competent authority of another member state of the European Community, made under the 2008 Regulations.

Part 7

Simpler Recycling

16. (1) In this Part, "relevant time and materials costs" means those costs and expenses incurred by the Agency in relation to the matters described in this Part, based on an hourly rate of £118.

(2) A fee is payable consisting of the relevant time and materials costs incurred by the Agency in the exercise of regulatory functions relating to arrangements which the Agency reasonably suspects are contrary to section 45AZA and / or section 45 AZB of the Environmental Protection Act 1990.

(3) If the Agency decides at any time that the arrangements referred to in sub-paragraph (2) are not being carried on contrary to the provisions referred to in that sub-paragraph, any fee already paid will be refunded.

(4) Charges under this Part will increase annually on 1 April in each year after 2025, by a sum not exceeding any increase in the Consumer Prices Index published by the Office for National Statistics as at 30 September in the immediately preceding year