

Mineral Products Association Ltd

Gillingham House
38 - 44 Gillingham Street
London SW1V 1HU
Tel 020 7963 8000
Fax 020 7963 8001
info@mineralproducts.org
www.mineralproducts.org

Date: 9th November 2012

Sent via email to: eacharges_consultations@environment-agency.gov.uk.

Dear Sirs,

MPA response to the “Consultation on our charges from 2013”

Thank you for informing the Minerals Products Association of the document- “Consultation on our charges from 2013”

The Mineral Products Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries. With the recent addition of The British Precast Concrete Federation (BPCF) and the British Association of Reinforcement (BAR), it has a growing membership of 450 companies and is the sectoral voice for mineral products. MPA membership is made up of the vast majority of independent SME companies throughout the UK, as well as the 9 major international and global companies. It covers 100% of GB cement production, 90% of aggregates production and 95% of asphalt and ready-mixed concrete production and 70% of precast concrete production. Each year the industry supplies £9 billion of materials and services to the £120 billion construction and other sectors. Industry production represents the largest materials flow in the UK economy and is also one of the largest manufacturing sectors.

Our members operate under numerous environmental regulations and many of the areas in the charges consultation are relevant to our industry. We are also interested in the proposals to introduce voluntary agreements for planning pre-application services and charges. We have closely followed and engaged with Natural England and their recently introduced voluntary charges scheme and find it interesting that the EA are following a similar route.

We welcome any proposals which may assist in streamlining the planning and permitting process and have engaged with the various consultations issued by the Sustainable Places team. However, we are uncertain if a voluntary charges scheme, such as the one proposed, will assist with this.

Regulative Burden

MPA recently commissioned an assessment of the cumulative impact of planning and environment related regulations which identified the burden placed on industry by the cumulative impact of regulations and costs arising from various regulators. We consider that Government needs to take radical action to recognise, assess and better manage the

cumulative impact of regulation and the costs arising from various regulators. A copy of the full report can be provided on request.

The EA are statutory consultee in the planning process and must respond in a timely and consistent manner. There should be no need for an additional charge to operators to provide this service.

General Comment

MPA members receive a large number of invoices as a result of being regulated under different regimes. It would be very useful for each regulated site to receive a single invoice that clearly sets out all the Environment Agency charges for that site.

IED/ EU-ETS

We agree with the proposals under both IED and EU ETS.

Proposals for voluntary chargeable agreements for planning pre-applications for complex developments

We would consider that in most situations the development of a quarry would be a “complex development” under the criteria established in the consultation document. Quarries could be classed as large scale (some being greater than 10hectares) and will also, in most circumstances, require an Environmental Impact Assessment under Schedule 1 of the Town and Country Planning (EIA) Regulations 2011.

We have responded to various consultations provided by the EA Sustainable Places team on the streamlining of planning and permitting. We can understand how the introduction of a scheme such as this may improve the twin-tracking approach to planning and permitting applications for some operators. However, minerals developments can require many different permits through out its’ life cycle. A waste permit may be required to import waste and restore the site to a beneficial after-use after it has been worked, water discharge permits may be needed to manage water within the quarry, a recycling permit may be required if the site plans to produce recycled aggregate or similar. Many other Standard Rules Permits and also Part B permits are applicable to a quarry development. Twin tracking the application for the various permits required on a quarry with the planning application would be incredibly complex and the majority of operators would only apply for the planning consent first. The cost involved of twin-tracking planning and permitting applications is also extensive and operators will often not consider twin-tracking because of this. It is not clear if the voluntary charges scheme would apply to the EA as a statutory consultee in the planning process or for applicants’ twin tracking applications. We would consider that as twin-tracking is not used by the industry in the majority of cases that the use of the proposed voluntary charges scheme would be limited.

In terms of detail it is difficult to understand what extra the scheme proposes to provide. During the initial pre-planning application statutory consultees should respond to the planning authorities in a timely and consistent manner. It is not clear what the additional service beyond this will be.

We agree that the charge for the proposed voluntary scheme should be the same as that for the pre-application advice. We would also consider that there should be a set number of “free” hours of pre-planning application advice. As with other regulators the EA have duty to discuss permitting requirements with operators and in no way should this service replace this. More clarity on where the EA duties as regulator and competent authority stop and where the extra service provided by this scheme starts is required. At this point we would want to see more details on the proposed scheme before commenting further. We would very much like to discuss these proposals with the Sustainable Places team and we have contacted the Team as recommended in the consultation document.

Finally, any scheme should be worked up with industry first- it is difficult to understand why it is being consulted on within a charges consultation when the detail is yet unknown.

I hope you find our comments useful and informative, please do let me know if I can be of further assistance.

Yours sincerely,

Nicola Owen
Environment and Waste Policy Executive
Mineral Products Association