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**Northern Ireland Environment Agency  
Regulatory Charging Policy**  
*from 1st April 2023*

*Sustainability at the heart of a living, working, active landscape valued by everyone.*

 An Agency within the Department of  
**Agriculture, Environment  
and Rural Affairs**  
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## FOREWORD

I am pleased to present the Northern Ireland Environment Agency's (NIEA) Regulatory Charging Policy that will come into effect on the 1 April 2023. This policy presents NIEA's approach in fully recovering the cost of its regulatory activities in processing applications and compliance monitoring across the range of regulatory regimes presented in Appendix A. It provides the facility to apply annual inflationary rises.

NIEA has initiated a strategic review of its fees and charges. A new regulatory charging policy and scheme is under development to align with the development and implementation of a new Environmental Regulatory System (ERS). In the meantime, this Regulatory Charging policy will continue operating until it is superseded by the charging scheme introduced by the new Environmental Regulatory System.

Mark Cherry

**Head of Regulation Unit**

## BACKGROUND

It is widely recognised that our environment is fundamental to a successful economy. That is why it is important that corporate compliance with environmental standards should be the aim of every business in Northern Ireland. NIEA is committed to delivering an effective and supportive regulatory system to protect the environment and promote sustainable growth, which is fair and proportionate to those we regulate, including the level of charges we apply.

Income from regulatory fees and charges, to cover the costs associated with the regulation of environmental activities is a key revenue stream for NIEA. The Agency is forecast to generate £9.0m for 2022/23 from all existing Resource Efficiency Division (RED) income sources including the regulatory charging streams in 2022/23, based on the income received in 2021/22 which directly contributes to the Agency's budget. This income is generated from charging schemes which are regulated by the Agency and can be found in Appendix A.

NIEA's fees and charges are set in accordance with statutory requirements presented in Department of Finance (DoF) and Treasury guidance and in NIEA's Regulatory Charging Policy. One of the key aspects of DoF and Treasury guidance is the maintenance of full cost recovery whereby the income generated from the charging schemes covers the cost of the resources in delivering NIEA's regulatory activities and service.

The current Regulatory Charging Policy 2021 – 2023, will expire on 31<sup>st</sup> March 2023 and this is an extension of that charging policy which sets out the charging arrangements for 2023/24 and thereafter.

This Regulatory Charging Policy covers those fees and charges associated with waste, water, pollution prevention control regulations and radioactive substances as presented in Appendix A.

## SCOPE

This policy covers NIEA regulatory charges listed at Appendix A. All other charges, including charges across the wider Environment, Marine and Fisheries Group (EMFG) and those charges which are derived from wider UK legislation are outside the scope of this policy.

## NIEA's ENVIRONMENTAL REGULATION CHARGES

NIEA discharges its regulatory functions for those regimes listed in Appendix A through the application of fees and charges on companies and operators. The Agency's regulatory fees and charges are designed to recover costs from regulated operators, based on the polluter pays principle and in accordance with Department of Finance and treasury guidance.

The Agency generally applies two types of charges, designed to recover the cost of associated regulatory activities and the services needed to support them. These include:

- **Application fees:** includes the receipt and processing of applications for permits/authorisations, modifications/transfers, and surrenders. This covers consultation with applicants/stakeholders, as applicable, and the assessment of potential impacts on people and the environment.
- **Subsistence fees or annual charges:** covers inspections, sampling and analysis, compliance monitoring, review, the issue of warning letters and notices.

Associated costs for these activities include regulatory staff salaries, accommodation, office services, IT, process management, finance, Human Resources, etc.

# NIEA REGULATORY CHARGING POLICY

## **Adjustment for inflation - GDP Deflator**

In line with the previous charging policies, regulatory fees and charges will be increased by the GDP (Gross Domestic Product) deflator rate forecast for the financial year in the December Quarterly National Accounts publish by the Office for National Statistics.

## **Choice of inflationary measure**

The GDP deflator was selected as the most suitable measure of inflation as it is stable and is less subject to fluctuations than the Customer Price Index or the Retail Price Index. The GDP deflator will continue to be used for the new charging policy period.

## **NEXT STEPS**

NIEA is currently undertaking a strategic review of its fees and charging schemes. This will provide for public consultations associated with new regulatory charging policy and scheme in support of the new Environmental Regulatory System being developed under its Regulatory Transformation Programme.

This revised charging policy and associated scheme will need to come into operation at the same time as the Environmental Permitting Regime. This will ensure costs for regulatory activities are met by regulated business and align with the principles of:

- full cost recovery.
- the 'polluter pays'; and
- maximising public value from public recourse.

## **APPENDIX A - NIEA REGULATORY FEES AND CHARGES**

- 1.** Pollution Prevention and Control (Industrial Emissions) Charging Scheme (Northern Ireland).
- 2.** The Pollution Prevention and Control (District Councils) Charging Scheme (Northern Ireland).
- 3.** Radioactive Substances (Fees & Charges) Scheme (Northern Ireland).
- 4.** The Greenhouse Gas Emissions Charging Scheme (Northern Ireland).
- 5.** Fees and Charges in respect of Costs associated with the regulation of Discharges made by Northern Ireland Water – Scheme No 1.
- 6.** Discharge of Effluent into Waterways and Underground Strata (Fees & Charges) Scheme (Northern Ireland).
- 7.** Water Abstraction and Impoundment Licensing Fees & Charges Scheme.
- 8.** Waste Management Charging (Northern Ireland) Scheme.



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