

## **Consultation on Environment Agency charges for 2012 to 2015 – response from Micro Hydro Association – draft 11 November 2011**

<https://consult.environment-agency.gov.uk/portal/ho/finance/charges2012>

Open from 28/09/11 09:00 to 21/12/11 23:59

### **PROPOSITION**

#### **Pre application charges**

**Our Environmental Permitting (EP) charges have a provision for charging for pre application advice, in the case of bespoke permits, after 15 hours of free advice. This is subject to agreement in advance with the applicant. We propose to introduce a similar facility in our Abstraction charging scheme. The application charge for an abstraction licence is £135 which only covers the administrative aspects of the application. However some applications require substantial effort to process, particularly those for hydropower permits. Furthermore most hydropower permits do not attract a subsistence charge.**

**We believe such an approach is fairer to general charge payers in that costs are more closely linked to those benefiting from our services. It also helps harmonise our charging arrangements across all our schemes. Operators are able to obtain such advice from other service providers.**

### **MHA RESPONSE**

I agree that some free advice at the pre-application stage is appropriate and that a direct charge could be made for more detailed advice on designing and implementing ecologically sound hydro schemes, providing that:

it can be demonstrated that the costs of so doing do not outweigh the benefits to the EA, the applicant, or to the tax payer

there is provision for allowing private sector competition in delivering such advice.

This could be an opportunity to improve the perception of the EA's role as supporting renewable energy generation by demonstrating the value of application assessment work.

However there seems to me to be a risk that the 15 hours free advice may be used up in correspondence concerned with navigating the guidance, standards and other regulations rather than on technically critical design issues. This can be guarded against by a proper account being given of the time spent by EA staff on technically useful assistance during the "free" period.

There is also a risk that the EA will be incentivised to charge for time on raising and advising on matters to an extent which is disproportionate to the risks involved. This is likely to apply in particular to the pre-application assessment of micro hydro schemes unless guidance is given to EA staff on applying the pre-application procedures flexibly (this concern also relates to the current work on updating General Practice Guidance For Small Hydro Schemes – please cross-refer).

It should be made clear that any limit to free pre-application advice will be applied only after at least one site visit by an EA officer trained in assessing hydro abstraction and impoundment ecology issues and the issue of a report to the applicant indicating any issues which may need further investigation so that specialist advice can be sought from competing sources.

One particular issue to address, particularly for small scale schemes, is the use of public domain river catchment data which is now accessible for processing only via privately supplied, and relatively expensive, software (LowFlows 2 and Hydra 2). I think it would be fair to make the data, processed using this software by the EA, available as a matter of course to designers of hydro schemes free of charge. Some developers already use this software either purchased or as a service from Wallingford or other means for their design work, but the EA will typically make their own calculations and this can lead to unnecessary argument which could be avoided if the data were always supplied by the EA. This would typically be at the pre-application stage where options for differing locations and levels of abstraction may have to be considered.

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