

# **Working Together Agreement between Environment Agency and LACORS Environmental Permitting Regulations (England & Wales) 2007**

## **What do we want to achieve by working together on permitting decisions**

- Protection of the environment and the general public in relation to activities prescribed under the Environmental Permitting Regulations
- A risk based approach to permitting and to requests for further information
- Better public awareness of the relationship between the Environment Agency and Local Authorities

## **Roles and Responsibilities (of each participating organisation)**

- The Environment Agency is one of the regulators under the Environmental Permitting Regulations in England and Wales and has responsibility for the permitting of certain industrial and waste management activities specified in the Regulations
- Under the Environmental Permitting Regulations, the Environment Agency has responsibility for regulatory measures contributing to the implementation of European Directives, listed in Annex 1
- Local Authorities are the other regulators under the Environmental Permitting Regulations in England and Wales and have responsibility for the permitting of certain industrial activities and some ancillary waste management activities where directed by the Secretary of State. For the purposes of this working together agreement, local authorities means any local authority where environmental protection work is carried out (i.e. District Councils, Borough Councils, Metropolitan District Councils, Welsh County Boroughs, London Boroughs and other unitary authorities)
- Under the Environmental Permitting Regulations, Local Authorities have responsibility for regulatory measures contributing to the implementation of specified aspects European Directives, listed in Annex 2
- LACORS represents Local Authorities in England and Wales and will liaise with the Environment Agency with respect to the activities permitted under the Environmental Permitting Regulations

## **How we will work together**

### **Generally we will:**

- Work to the principles described in the Memorandum of Understanding between the Environment Agency and LACORS
- Share information where appropriate

### **Specifically the Environment Agency will:**

- Consult with Local Authorities through LACORS when developing the risk criteria and rules to be complied with for standard permits

- Provide LACORS with a list of standard permits issued on a six monthly basis, to be made available on the LACORS website until such time as they are routinely available on the Environment Agency website
- Consult Local Authorities on applications for bespoke permits
- Consult Local Authorities on all applications from operators and regulator initiated variations which entail a substantial change<sup>1</sup>, or where we otherwise consider there should be consultation
- Take account of comments that are received within the agreed timescale
- Alert a Local Authority where further information is submitted which we consider pertinent to their interests
- Where regulatory responsibility for an activity is transferred from the Environment Agency to a Local Authority (by Secretary of State Direction), the Environment Agency will as soon as possible, and normally within 15 working days, provide the Local Authority all relevant details and records, and agree other necessary handover arrangements, in order to allow the new regulator to carry out its functions full
- Seek to improve the current joint working agreements based on experience

**Specifically Local Authorities will:**

- Respond on matters within their remit with clear, concise views concluding whether, in their opinion, this application should be approved, approved with specific changes or rejected
- Respond within 20 working days
- Where a direction is issued transferring responsibility to the Environment Agency for regulating a Part B activity, Local Authorities will as soon as possible, and normally within 15 working days:
  - a) provide the relevant EA officer with all appropriate papers held relating to the regulation of that activity, and
  - b) agree other necessary handover arrangements, which could amount to a face-to-face or telephone briefing, or a joint site visit

**Specifically LACORS will:**

- Provide Local Authorities with a list of standard permits issued in their area, on a six monthly basis via the LACORS web site.

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<sup>1</sup>A substantial change is one which could have significant negative effects on the environment or the general public

## **Annex 1**

### **Directives which are implemented through the EP Regulations 2007 which are regulated solely or in part by the Environment Agency**

The IPPC Directive (96/61/EC), The Waste Framework Directive (1975/442/EC), Waste Incineration Directive (2000/76/EC), The Waste Electrical and Electronic Directive (2002/96/EC), Landfill Directive (99/31/EC), The End of Life Vehicle Directive (2000/53/EC), Large Combustion Plants Directive (2001/80/EC), Solvent Emissions Directive (99/13/EC); Habitats Directive (92/43/EC), The Asbestos Directive (2003/18/EC), The Titanium Dioxide Directive (92/112/EEC)

## **Annex 2**

### **Directives which are implemented through the EP Regulations 2007 which are regulated in part by local authorities in England and Wales**

The IPPC Directive (96/61/EC), Waste Incineration Directive (2000/76/EC), Solvent Emissions Directive (99/13/EC)