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22 December 2021

Energy UK Cover Letter on moving abstraction and impounding licensing into EPR

Thank you for your engagement with Energy UK thus far and for the opportunity to respond to the Consultation on moving abstraction and impounding licensing into the Environmental Permitting Regulations regime. As a sector we have engaged at all levels during the development of the proposals, including the two workshops on the 3 November and 26 November. We would like to thank Defra and the Environment Agency (EA) for the opportunity at these workshops to outline our concerns and contribute towards the development of these proposals.

We have detailed these concerns and our views in the attached response to the consultation, but in addition to responding to the questions in the consultation itself we have also highlighted some points on the draft proposals which we urge Defra and the EA to consider as part of the consultation process:

Consultation format

Page 17 of the consultation document includes the following sentence:

'Consultation questions are included where there is the opportunity for you to shape the proposed approach.'

As written, this suggests that only areas that have questions associated with them are open to consultation, and all other proposals have already been decided upon. We do not believe this to be the case as there are many areas that are of concern to us which are not covered by the questions in the consultation

As a result, many of our consultation responses cover a much wider and more detailed response to ensure our views are fully represented.

Statutory Instrument

We are very disappointed that legal drafting of the Statutory Instrument (SI) associated with the transition into EPR has not been made available for consultation at this time. Energy UK has continually lobbied for this to be made available alongside the current consultation to get absolute clarity on what is being proposed for the SI and what would be included in associated guidance documents.

Consultation Principles

We feel it necessary to raise a wider concern regarding the growing trend for consultations documents and associated questions to focus on limited aspects of the proposal. We acknowledge that this is following government guidance that includes the requirement that consultations should be clear and concise. However, we believe there is a need to ensure that there is sufficient transparency in the consultation process and all important aspects of a proposal are consulted on.

Next Steps



The voice of the energy industry

We would like to thank you again for your engagement with Energy UK so far and would welcome the opportunity to hold further calls to discuss the matters detailed in this letter and our consultation response.

Yours sincerely

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