
DRAFT STATUTORY INSTRUMENTS

2007 No.

**The Environmental Permitting
(England and Wales) Regulations 2007**

PART 6

Powers and functions of the regulator and the appropriate authority

Fees and charges in relation to local authorities

65.—(1) An appropriate authority may make, and from time to time revise, a scheme prescribing—

- (a) fees payable in respect of applications—
 - (i) for the grant of an environmental permit,
 - (ii) to vary an environmental permit,
 - (iii) to transfer an environmental permit in whole or in part,
 - (iv) to surrender an environmental permit in whole or in part;
- (b) fees payable in respect of a variation on the initiative of the regulator under regulation 20(1); and
- (c) charges payable in respect of the subsistence of an environmental permit.

(2) A scheme may in particular—

- (a) prescribe specific fees and charges or the methods by which they are to be calculated;
- (b) make different provision for different cases, including different provision in relation to different persons, circumstances or localities;
- (c) subject to the requirements of these Regulations, provide for the time when, and the manner in which, payments required by the scheme are to be made; and
- (d) make such incidental, supplementary and transitional provision as appears necessary or expedient to the appropriate authority.

(3) In making or revising a scheme, so far as practicable the appropriate authority must ensure that the fees and charges payable are sufficient to cover expenditure by local authorities—

- (a) in exercising their functions under these Regulations;
- (b) in making payment to the Agency in relation to the exercise of its functions under regulation 58;
- (c) in making payment to any person who prepares guidance in relation to regulated facilities and regulated activities for which those authorities are the regulator.

(4) A scheme must provide for the payment of sums by a local authority to the Agency where those sums are related to expenditure by the Agency under regulation 58 or in preparing guidance referred to in paragraph (3)(c).

(5) If a regulator considers that an operator has failed to pay a charge specified in a scheme in respect of the subsistence of the operator's permit, the regulator may revoke the permit.