

## **CHARGING SCHEME FOR LOCAL AUTHORITIES**

### **The Local Authority Permits for Part B Installations and Mobile Plant and Solvent Emission Activities (Fees and Charges) (Wales) Scheme 2026**

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The Welsh Ministers make this Scheme in exercise of the powers conferred by regulation 66(1) of the Environmental Permitting (England and Wales) Regulations 2016<sup>(1)</sup>.

## PART 1

### Introduction

#### Title, coming into force and application

1.—(1) The title of this Scheme is the Local Authority Permits for Part B Installations and Mobile Plant and Solvent Emission Activities (Fees and Charges) (Wales) Scheme 2026 and it comes into force on [XXX].

(2) This Scheme applies in relation to Wales.

#### Interpretation

2.—(1) In this Scheme—

“the 2016 Regulations” (“*Rheoliadau 2016*”) means the Environmental Permitting (England and Wales) Regulations 2016;

“the 2006 EC Regulation” (“*Rheoliad CE 2006*”) means Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning the establishment of a European Pollutant Release and Transfer Register<sup>(2)</sup>;

“activity” (“*gweithgaredd*”) means one of the following—

(a) a Part B activity, other than the operation of a small waste incineration plant,

(b) a solvent emission activity, or

(c) a combined activity, as described in article 3;

“dry cleaning” (“*sychlanhau*”) means an industrial or commercial activity using volatile organic compounds to clean garments, furnishing and similar consumer goods, excluding the manual removal of stains and spots in the textile or clothing industry;

“financial year” (“*blwyddyn ariannol*”) means a year ending with 31 March;

“installation” (“*gweithfa*”) means one of the following—

(a) a Part B installation, other than an installation where the operation of a small waste incineration plant is carried on, or

(b) an installation, not being a Part A(1) installation, Part A(2) installation or Part B installation, where one or more solvent emission activities are, or will be, carried on;

“local authority” (“*awdurdod lleol*”) means a county council or county borough council in Wales;

“motor vehicle” (“*cerbyd modur*”) means any power-driven vehicle which is moved by its own means, having at least four wheels, being complete, completed or incomplete, with a maximum design speed exceeding 25 km/h;

“Natural Resources Wales” (“*Cyfoeth Naturiol Cymru*”) means the Natural Resources Body for Wales;

“Part A activity” (“*gweithgaredd Rhan A*”) means either a Part A(1) activity or a Part A(2) activity;

“permit” (“*trwydded*”) means an environmental permit granted by a local authority under regulation 13 of the 2016 Regulations and, unless otherwise stated, is a permit authorising the operation of an installation or a mobile plant;

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(1) S.I. 2016/1154, as amended.

(2) EUR 2006/166, as amended.

“PVR I” has the meaning given in paragraph (b) of “reduced fee activity”;

“PVR II” has the meaning given in paragraph (c) of “reduced fee activity”;

“reduced fee activity” (“*gweithgaredd ffi ostyngol*”) means one of the following—

(a) dry cleaning;

(b) unloading of petrol into stationary storage tanks at a service station (paragraph (b) of Part B of Section 1.2 of Part 2 of Schedule 1 to the 2016 Regulations) (gasification, liquefaction and refining activities) (“PVR I”);

(c) motor vehicle refuelling activities at new and existing service stations (paragraphs (d) to (f) of Part B of Section 1.2 of Part 2 of Schedule 1 to the 2016 Regulations) (gasification, liquefaction and refining activities) (“PVR II”);

(d) any activity in Part B of Section 1.1 of Part 2 of Schedule 1 to the 2016 Regulations using a waste oil burning appliance with a net rated thermal input not exceeding 0.4 megawatts;

(e) the coating of all, or any part of, a vehicle that—

(i) is carried on as part of vehicle repair, conservation or decoration, other than in a manufacturing installation, and

(ii) falls within paragraph (b) of Part B of Section 6.4 of Part 2 of Schedule 1 to the 2016 Regulations;

(f) activities specified in Annex 1 of this Scheme;

“substantial change” (“*newid sylweddol*”) means a change in operation of an installation which in the regulator’s opinion may have significant negative effects on human beings or the environment and includes—

(a) in relation to a Part A installation, a change in operation which in itself meets the thresholds, if any, set out in Part 2 of Schedule 1 to the 2016 Regulations, and

(b) in relation to a waste incineration plant or waste co-incineration plant for non-hazardous waste.

“trailer” (“*ôl-gerbyd*”) means any non-self propelled vehicle on wheels which is designed and constructed to be towed by a motor vehicle;

“vehicle” (“*cerbyd*”) means any motor vehicle or its trailer.

(2) Expressions in this Scheme, including “mobile plant”, “net rated thermal input”, “non-hazardous waste”, “operator”, “Part A(1) activity”, “Part A(2) activity”, “Part B activity”, “small waste incineration plant”, “solvent emission activity”, “waste co-incineration plant”, “waste incineration plant” “waste oil” and “waste operations” have the meanings given in regulation 2(1) of the 2016 Regulations.

### **Combined activities**

**3.** The following are to be treated as one activity for the purposes of this Scheme—

(a) Part B activities falling within the same Section of Part 2 of Schedule 1 to the 2016 Regulations that are, or will be, carried on at the same installation or by the same mobile plant;

(b) solvent emission activities that are, or will be, carried on at the same installation or by the same mobile plant;

(c) one or more solvent emission activities that are, or will be, carried on at the same installation or by the same mobile plant as one or more Part B activities falling within the following Sections of Part 2 of Schedule 1 to the 2016 Regulations—

(i) Section 2.1 (ferrous metals);

(ii) Section 2.2 (non-ferrous metals);

(iii) Section 2.3 (surface treating metals and plastic materials);

(iv) Section 6.4 (coating activities, printing and textile treatments);

(v) Section 6.5 (the manufacture of dyestuffs, printing ink and coating materials);

(vi) Section 6.7 (activities involving rubber);

(vii) Section 6.8 (treatment of animal and vegetable matter and food industries);

- (d) any Part B activity in column 1 of Table 1 carried on at the same installation or by the same mobile plant as any corresponding Part B activity in column 2 of Table 1.

**Table 1**

<b>Part B activity</b>	<b>Corresponding Part B activity</b>
One or more activities falling within Section 2.1 (ferrous metals)	One or more activities falling within Section 2.2 (non-ferrous metals)
One or more activities falling within Section 3.1 (production of cement and lime)	One or more activities falling within Section 3.5 (other mineral activities)
One or more activities falling within Section 3.6 (ceramic production)	One or more activities falling within Section 3.5 (other mineral activities)
One or more activities falling within Section 6.4 (coating activities, printing and textile treatments)	One or more activities falling within Section 6.5 (the manufacture of dyestuffs, printing ink and coating materials)

**Fee recipient**

4. Where an operator makes an application in respect of a permit under the 2016 Regulations, the operator must submit the fees and charges payable under this Scheme to the local authority in whose area the Part B installation or mobile plant or solvent emission activity is or will be operated.

**PART 2****Fees and advertising costs in relation to permit applications****Application fee for the grant of a permit to operate an installation**

5. The fee for an application for the grant of a permit to operate an installation is the sum of the fees payable for each activity to be carried on at that installation, as set out in Table 2.

**Table 2**

<b>Activity</b>	<b>Fee payable for each activity</b>
(a) Dry cleaning, PVR I, PVR II or any activity in Part B of Section 1.1 of Part 2 of Schedule 1 to the 2016 Regulations burning any waste oil in an appliance with a net rated thermal input of 0.4 megawatts or less	£219
(b) PVR I and PVR II activities carried on at the same service station <b>(1)</b>	£364
(c) Any reduced fee activity other than an activity listed in (a) and (b) of this Table	£512
(d) Any other activity	£2,350

<sup>(1)</sup> The total fee payable for those applying for PVR I at the same time as PVR II is £364.

**Application fee for the grant of a permit for a mobile plant**

6.—(1) The fee for an application for the grant of a permit to operate a mobile plant is set out in Table 3.

**Table 3**

<b>Fee payable for each permit to operate a mobile plant</b>
£2,350 for a 1 <sup>st</sup> permit
£2,350 for a 2 <sup>nd</sup> permit
£1,402 for a 3 <sup>rd</sup> permit
£1,402 for a 4 <sup>th</sup> permit
£1,402 for a 5 <sup>th</sup> permit
£1,402 for a 6 <sup>th</sup> permit
£1,402 for a 7 <sup>th</sup> permit
£710 for an 8 <sup>th</sup> permit and each permit after

(2) But the fee for an application for the grant of a permit to operate a mobile plant for each reduced fee activity specified in Annex 1 is £512.

#### **Additional fee when a direction is given**

7. Where the Welsh Ministers give a direction under regulation 33 of the 2016 Regulations, directing a local authority to exercise Natural Resources Wales functions in respect of a single permit covering—

- (a) Part B activities and waste operations,
- (b) solvent emission activities and waste operations, or
- (c) Part B activities, solvent emission activities and waste operations,

then for each activity falling within (c) or (d) of the first column in Table 2, the operator must pay an additional £395.

#### **Application fee for a variation of a permit**

8.—(1) The fee for an application for a variation of a permit under regulation 20 of the 2016 Regulations which the local authority considers, if granted, would involve a substantial change, is—

- (a) £146, in respect of a permit authorising a reduced fee activity;
- (b) £1,496, in respect of a permit authorising any other Part B activity or any other solvent emission activity.

(2) If the local authority considers that, if granted, an application to vary a permit under regulation 20 will authorise a substantial change in the operation of an installation which in itself meets any of the thresholds specified for a Part B activity or a solvent emission activity, the fee is £2,350.

#### **Application fee for the transfer of a permit**

9. The fee for an application for the transfer of a permit from the operator to another person is set out in Table 4.

**Table 4**

<b>Application</b>	<b>Fee payable</b>
Transfer of a permit authorising a reduced fee activity	£66 for a transfer in part (No fee payable for a transfer in whole)
Transfer of a permit authorising any other activity	£708 for a transfer in part £241 for a transfer in whole

#### **Application for the surrender of a permit**

10. No fee is payable for an application for the surrender of a permit, in whole or in part.

## Reimbursement of advertising costs

11. An operator who has made an application in respect of a permit under the 2016 Regulations must, following a request from the local authority, reimburse the local authority any costs incurred by the local authority in advertising the application to inform the public consultees of the application under paragraph 6(1)(a) of Part 1 of Schedule 5 to the 2016 Regulations.

## PART 3

### Subsistence charges

#### Payment of subsistence charge

12.—(1) The operator of a Part B installation or a mobile plant must pay an annual charge to the local authority in whose area the Part B installation or a mobile plant is or will be operated in respect of the subsistence of each permit held by the operator (the “subsistence charge”).

(2) The subsistence charge is payable in full despite the partial or total suspension or cessation of any activity at the installation or by the mobile plant to which the permit relates during the financial year in respect of which the annual charge relates.

#### Amount of subsistence charge: installations

13. The subsistence charge in respect of each permit for an installation is the sum of—

- (a) the charge for each activity authorised by the permit, as set out in Table 5, where “low regulatory effort”, “medium regulatory effort” and “high regulatory effort” are categories determined in accordance with the methodology and have the meanings given in the document “LAPPC Risk Method March 2009 (revised July 2013)”,
- (b) £147, where the operator carries on an operation that falls within the reporting obligations of the 2006 EC Regulation, in respect of any costs incurred by the local authority such as costs of collection, quality assurance checking and processing the reported data on pollutants and off-site waste transfers, and
- (c) where the Welsh Ministers give a direction under regulation 33 of the 2016 Regulations, directing a local authority to exercise the Natural Resources Wales functions in respect of a single permit covering—
  - (i) Part B activities and waste operations,
  - (ii) solvent emission activities and waste operations, or
  - (iii) Part B activities, solvent emission activities and waste operations,£147 if the activity is a “low regulatory effort” activity, £221 if the activity is a “medium regulatory effort” activity, and £293 if the activity is a “high regulatory effort” activity.

Table 5

Authorised activity	Charge for each activity <sup>(1) (2)</sup>		
	Low regulatory effort	Medium regulatory effort	High regulatory effort
(a) Dry cleaning, PVR I, PVR II or any activity in Part B of Section 1.1 of Part 2 of Schedule 1 to the 2016 Regulations	£110	£224	£335



burning any waste oil in an appliance with a net rated thermal input of 0.4 megawatts or less			
(b) PVR I and PVR II activities carried on at same service station	£160	£320	£480
(c) Any reduced fee activity other than an activity listed in (a) and (b) of this Table	£322	£518	£782
(d) Any other activity	£1,099	£1,652	£2,486

<sup>(1)</sup> On 1 April in any financial year, if there has been a change of operator of a reduced fee activity classified as “low regulatory effort”, the operator must pay an additional fee of £110 to cover the costs of an additional local authority visit to check whether the activity remains a “low regulatory effort” activity.

<sup>(2)</sup> Where an operator has made a payment of the subsistence charge for a Part A activity that has become a Part B activity to be carried on at a Part B installation, the portion of the amount paid that relates to the period between the date the Part B permit is granted and the end of the financial year must be deducted from the Part B subsistence charge. At the date the Part B permit is granted any instalment due in respect of that Part A activity ceases to be payable and the new subsistence charge shall be payable in accordance with article 15(2).

#### Amount of subsistence charge payable: mobile plants

14.—(1) The subsistence charge in respect of each permit for a mobile plant is as set out in Table 6.

**Table 6**

Number of permits	Subsistence charge for each permit		
	Low regulatory effort	Medium regulatory effort	High regulatory effort
1 <sup>st</sup> permit	£919	£1472	£2208
2 <sup>nd</sup> permit	£919	£1472	£2208
3 <sup>rd</sup> permit	£550	£880	£1319
4 <sup>th</sup> permit	£550	£880	£1319
5 <sup>th</sup> permit	£550	£880	£1319
6 <sup>th</sup> permit	£550	£880	£1319
7 <sup>th</sup> permit	£550	£880	£1319
8 <sup>th</sup> and each permit after	£281	£449	£674

(2) The subsistence charge in respect of each permit for a mobile plant for any reduced fee activity (specified in Annex 1) is the lower amount of the charge set out in Table 6 and the charge that would be payable under article 12 if that activity were carried on at an installation.

### **Timing of payment of subsistence charge**

**15.**—(1) Subject to article 15 and 16, a subsistence charge is payable—

- (a) in full by 1 April in the financial year in which the permit is held, or
- (b) in four equal instalments by 1 April, 1 July, 1 October and 1 January of that financial year.

(2) If a subsistence charge is paid in instalments, the total amount of the subsistence charge payable in that financial year is increased by £53.

### **Payment of subsistence charge in respect of the year the permit is granted**

**16.**—(1) In the financial year in which a permit is granted, the subsistence charge in respect of that permit is payable for that permit —

- (a) in full on the date the permit is granted, or
- (b) in equal instalments by 1 April, 1 July, 1 October and 1 January of that financial year.

(2) Notwithstanding articles 12 and 13, the amount of subsistence charge payable in the financial year in which the permit is granted is calculated by multiplying the number of complete calendar months remaining in that financial year at the date the permit is granted by one twelfth of the annual subsistence charge, as set out in this Part of the Scheme.

(3) If a subsistence charge in respect of the financial year in which the permit is granted is paid in instalments, the total amount of subsistence charge payable in that financial year is increased by £53.

### **Late payment charge**

**17.** Where—

- (a) a local authority has issued an invoice to an operator for the payment of a subsistence charge or an instalment of the subsistence charge, and
- (b) payment of a subsistence charge, or an instalment of a subsistence charge, is not received within eight weeks beginning with the date of the invoice,

the operator must pay a late payment charge of £74.

## **PART 4**

### **Refunds of fees and subsistence charges**

#### **Refund of application fee for the grant of a permit**

**18.**—(1) The local authority must, as soon as practicable, refund in full any application fee paid under article 4 or 5 if, before a permit has been granted—

- (a) the Welsh Ministers give a direction under regulation 33 of the 2016 Regulations directing Natural Resources Wales to exercise the local authority functions in respect of installations or a mobile plant, or
- (b) the Part B activity or solvent emission activity for which the permit is sought—
  - (i) ceases to be regulated under the 2016 Regulations, or
  - (ii) is reclassified under the 2016 Regulations so that it falls under the control of Natural Resources Wales.

(2) Where an application for the grant of a permit relates to—

- (a) more than one Part B activity,
- (b) more than one solvent emission activity, or
- (c) one or more Part B activities and one or more solvent emission activities,

a refund must be paid in respect of each Part B activity and each solvent emission activity that ceases to be regulated under the 2016 Regulations or is reclassified under the 2016 Regulations so that it falls under the control of Natural Resources Wales, in accordance with paragraph (1).

#### **Refund of application fee for a variation of a permit**

**19.** The local authority must, as soon as practicable, refund in full any application fee paid under article 7 if, before a variation is made—

- (a) the Welsh Ministers give a direction under regulation 33 of the 2016 Regulations, directing Natural Resources Wales to exercise the local authority functions in respect of installations or mobile plant, or
- (b) the Part B activity authorised by the permit—
  - (i) ceases to be regulated under the 2016 Regulations, or
  - (ii) is reclassified under the 2016 Regulations so that it falls under the control of Natural Resources Wales.

#### **Refund of subsistence charge**

**20.—(1)** The local authority must, as soon as practicable, refund a subsistence charge paid by the operator under Part 3 if—

- (a) the Welsh Ministers give a direction under regulation 33 of the 2016 Regulations, directing Natural Resources Wales to exercise the local authority functions in respect of installations or a mobile plant, or
- (b) the activity authorised by the permit in respect of which a subsistence charge has been paid—
  - (i) ceases to be regulated under the 2016 Regulations, or
  - (ii) is reclassified under the 2016 Regulations so that it falls under the control of Natural Resources Wales.

(2) Where a subsistence charge is made up of charges for more than one activity, a refund must be paid in respect of each activity that ceases to be regulated under the 2016 Regulations or is reclassified under the 2016 Regulations so that it falls under the control of Natural Resources Wales.

(3) The amount of refund payable is calculated as follows—

- (a) the total annual subsistence charge minus one twelfth of the total charge multiplied by every complete calendar month remaining from 1 April in each financial year to the relevant date, or
- (b) where the subsistence charge is being paid in instalments, the amount of the most recent instalment minus one third of that amount for every complete calendar month from the date that instalment was due, to the relevant date.

(4) An instalment of the subsistence charge that has not become payable before the relevant date ceases to be payable.

(5) In this article, the “relevant date” means the date on which—

- (a) the Welsh Ministers give a direction under regulation 33 of the 2016 Regulations,
- (b) the activity ceases to be regulated under the 2016 Regulations, or
- (c) the activity is reclassified under the 2016 Regulations so that it falls under the control of Natural Resources Wales.

#### **Other refunds**

**21.** The local authority must not refund any subsistence charge or fee other than in accordance with the provisions of this Part.

**Revocation**

**22.** The Local Authority Permits for Part B Installations and Mobile Plant and Solvent Emission Activities (Fees and Charges) (Wales) Scheme 2016 is revoked.

## ANNEX 1 – REDUCED FEE ACTIVITIES INTRODUCED IN 2015

The following activities under Part 2 of Schedule 1 to the 2016 Regulations are considered reduced fee activities. For installations, when deciding the regulatory effort category for these activities for the purpose of assigning subsistence charges, Part 1 rather than Part 2 of the LAPPCC Risk Method should continue to be applied. However, the estimated hours per year in Table A1.9 of the Risk Method no longer apply to these activities, and should read instead as 4.4, 7.1 and 10.7 hours per year for low, medium and high regulatory effort respectively.

- (a) Manufacture of heavy clay goods (Part B of Section 3.6)
- (b) Exfoliation of vermiculite and expansion of perlite (paragraph (a) of Part B of Section 3.5)
- (c) Roadstone coating processes (paragraph (e) of Part B of Section 3.5) other than any activity involving the processing of recycled asphalt products
- (d) Crushing and screening (paragraphs (c) and (d) of Part B of Section 3.5)
- (e) China and ball clay processes including spray drying of ceramics (paragraph (a) of Part B of Section 3.5)
- (f) Manufacture of timber and wood-based products (Part B of Section 6.6)
- (g) Blending, packing, loading, unloading and use of cement (paragraphs (a) and (b) of Part B of Section 3.1 and paragraph (f) of Part B of Section 3.5) at an installation, other than an activity that is, or will be, carried on at an installation which has a silo with a design capacity exceeding 500 tonnes
- (h) Coal, coke, coal product and petroleum coke processes (paragraph (b) of Part B of Section 3.5) at an installation, other than an activity in which the throughput of coal exceeds, or is likely to exceed, 250,000 tonnes over any 12-month period
- (i) Quarry processes (paragraph (a) of Part B of Section 3.5) at an installation, other than an activity where the mass of processed material exceeds, or is likely to exceed, 100,000 tonnes
- (j) Mineral drying and cooling (paragraph (a) of Part B of Section 3.5) at an installation
- (k) Powder coating (including sherardizing and vitreous enamelling) which is likely to involve the use in any 12-month period of 20 or more tonnes of paint or other coating material which is applied in solid form (paragraph (a) of Part B of Section 6.4)
- (l) Breeding maggots in any case where five or more kilograms of animal matter, vegetable matter or both in aggregate are introduced into the process in any week (paragraph (b) of Part B of Section 6.8)
- (m) The production of natural sausage casings, tripe, chitterlings and other green offal (paragraph (a) of Part B of Section 6.8)
- (n) Fish meal and fish oil processes (paragraph (a) of Part B of Section 6.8)
- (o) The manufacture of pet food (paragraph (a) of Part B of Section 6.8)
- (p) The compounding of animal feed (paragraph (a) of Part B of Section 6.8)
- (q) Tobacco processes (paragraph (a) of Part B of Section 6.8)
- (r) Bitumen processes (paragraph (a) of Part B of Section 6.3), other than
  - (i) any activity involving oxidising bitumen,
  - (ii) any activity involving incinerating bitumen fumes,
  - (iii) any activity involving the manufacture of refractory products, or
  - (iv) any activity that is carried on at mobile plant,
- (s) Any activity for the polymerisation or co-polymerisation of any pre-formulated resin or pre-formulated gel coat which contains any unsaturated hydrocarbon, where the activity is likely to involve, in any 12-month period, the polymerisation or co-polymerisation of 100 or more tonnes of unsaturated hydrocarbon (paragraph (c) of Part B of Section 4.1), other than
  - (i) any activity involving the use of dicyclopentadiene,

- (ii) any activity involving the use of abatement plant for styrene emissions, or
- (iii) any activity involving the recycling of acetone by distilling it on site.

Any activity of type (g), (h), (i) or (j) that is, or will be, carried on at mobile plant, must not be treated as a reduced fee activity.