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## Wildlife Licence Charges Consultation

The NFU represents 55,000 members in England and Wales, involved in 46,000 farming businesses. In addition, we have 55,000 countryside members with an interest in farming and the countryside. The NFU welcomes the opportunity to respond to the Natural England consultation on wildlife licence charges.

### Summary

Natural England has [consulted](#) on the introduction of charges in some circumstances for wildlife licences. Natural England's charging proposal aims to improve the licensing service for customers by enabling investment in line with changes in customer demand and recover some costs from users.

The proposals provide an exemption for the prevention of serious damage to property, including crops, or the spread of disease. The NFU welcomes the proposed exemptions to deal with serious damage to property and crops and to prevent the spread of disease. This will help farmers to maintain the farmed landscape which delivers high quality, safe food alongside iconic accessible landscapes and high quality habitats.

There does need to be a clear appeal mechanism to challenge Natural England's decision as to whether or not an exemption applies for a particular licence. There should also be a review, say after a year, to ensure the licence exemption is working as anticipated.

It is imperative that activities farmers undertake to increase the resilience of their land and others to flooding is not double charged through both the Environment Agency's Environment Permitting Regulations and Natural England's wildlife licence charges.

### NFU response

In the consultation Natural England ask the following questions:

- Do you have any comment on the proposal to introduce charges to improve delivery of the licensing service?
- Do you have any comments on the proposed charge structure?
- Do think that the proposed exemptions from charging are reasonable?

These are answered below

### Do you have any comment on the proposal to introduce charges to improve delivery of the licensing service?

The NFU appreciates that Natural England is under budgetary pressure and needs to find alternative ways of funding its activities, this consultation being part of that work.

NFU members are concerned about more costs being imposed on the industry for activities that require licences. The NFU views the introduction of charges being the 'thin end of the wedge'. Whilst farming benefits from the proposed exemption there is concern that in the longer term charges will be imposed on all.



**Do you have any comments on the proposed charge structure?**

Natural England will need to demonstrate that these costs are fair, proportionate and competitive. Natural England must also show that it is efficient in its processes and doing everything it can to keep these costs to a minimum. There needs to be clarity about how the charges have been arrived at, including the element that contributes towards compliance.

**Do think that the proposed exemptions from charging are reasonable?**

The NFU welcomes the proposed exemptions to deal with serious damage to property and crops and to prevent the spread of disease. This will help farmers to maintain the farmed landscape which delivers high quality, safe food alongside iconic accessible landscapes and high quality habitats.

The overall approach is new and the 'tipping points' at which exemptions will apply are not clearly understood. For example, we assume, but it's not clear, where a protected species undermines a farm track that the applicant would be exempt from charges due to health and safety. It's not clear where a building needs maintenance (e.g. a rotten roof) and hosts a protected species whether the health and safety exemption would apply. Therefore, there does need to be a clear appeal mechanism to challenge Natural England's decision as to whether or not an exemption applies for a particular licence. There should also be a review, say after a year, to ensure the licence exemption is working as anticipated.

Our interpretation of the rules, and in particular exemption for '*Licences for preventing serious damage to property, including crops and fisheries*', is that flood risk management activities undertaken by farmers to improve the resilience of their land to flooding or to increase the efficacy of land drainage, would be exempt from wildlife licencing, for example, where a water vole is affected. If this is not the case, the NFU would like confirmation on how Natural England is working with the Environment Agency to prevent double charging with the Environment Permitting Regulations (EPR) regime. Under EPR, many works carried out on a 'main' river require a permit from the Environment Agency. There are currently proposals by the Environment Agency to significantly increase the costs of permits to cover these activities. Therefore, it is imperative that activities farmers undertake to increase the resilience of their land and others to flooding is not double charged. Examples of activities which could potentially be double charged include:

- Works to re-profile and stabilise river banks with an associated need to displace water vole burrows;
- Works to dredge or desilt a river channel with associated need to survey grey crested newt populations.

If these activities would be regulated and charged by both regimes, the NFU would welcome a full explanation about how Natural England and the Environment Agency are working together to streamline the permission application and compliance costs incurred.