

# Compliance Rating

For waste and installation permits only

April 2019

**We use compliance ratings to help assess the risks from a regulated facility. It helps us identify the operators and facilities that pose a higher risk to the environment and where we will need to spend more time regulating and carrying out compliance assessments.**

## Compliance and charges

The Environment Agency covers the cost of regulating an activity through annual subsistence charges. We set base subsistence charges for different activities. You can find out more about subsistence charges in the [Environmental permitting charges guidance](#).

An operator's compliance record will affect whether they pay a subsistence charge that is higher or lower than the base charge. We will calculate a compliance rating for an operator based on their compliance record.

We calculate a compliance rating after a permit has been issued and use a standard approach called the Compliance Classification Scheme ([CCS](#)) to classify permit breaches.

A compliance rating only applies to a permit for a waste operation or installation.

It does not apply to farming installations operated by members of the Pig and Poultry Assurance Scheme, or waste mobile plant.

A regulatory officer will look at whether an operator has kept to the conditions of their permit. They will also look at the consequences of them failing to meet those conditions, for example:

- what might happen to the environment
- any work we would need to do to deal with a breach or to make a site compliant

Under the new charging scheme introduced in April 2018, an operator may be charged for time and materials over and above their annual subsistence charge if we have to carry out work that will cost more than their annual charge.

## Compliance year

We identify and record any non-compliances in the course of a calendar year – January to December. We use this information to work out a compliance rating based on a points system. For permits that cover more than one activity, the compliance rating will apply to the whole permit.

We will adjust a yearly subsistence charge based on the compliance rating.

For the first year of a permit, the compliance rating will be based on any non-compliances from the date we issued a permit, until 31 December of that year.

## Converting CCS Points into a compliance rating band

We convert permit breaches into a points system. We add the points from each breach to calculate an annual total of non-compliance points.

We allocate points based on the amount of extra work we usually have to do when dealing with different types of permit breaches.

For category 1 breaches we recover some of our costs through subsequent legal action, for example, costs awarded after a prosecution. We take this into account when calculating the points score.

CCS category breach	CCS points per breach
1	60
2	31
3	4
4	0.1

## How a compliance rating affects a subsistence charge

Based on the cumulative score over a calendar year, we place each site into one of six compliance bands A to F.

Compliance band	CCS Scores	Impact on charge
A	0	Discount of 5%
B	0.1 - 10	No impact
C	10.1 - 30	10% increase
D	30.1 - 60	25% increase
E	60.1 - 149.9	50% increase
F	150+	200% increase (3 x baseline charge)

We will change your following year's subsistence charge to reflect your compliance band.

The base subsistence charge will be reduced if operators achieve a band A compliance rating. This reflects the reduction in risk posed by well-managed sites.

If an operator has an occasional minor breach of a permit condition we will not change their overall charge.

If an operator has more non-compliances and is in bands C to F, the subsistence charge will increase. This is because of the higher workload associated with a higher compliance banding (that is, one with a poorer compliance record).

## Transfer of a permit to another operator

If a permit has been transferred from a previous operator, the compliance rating for the previous operator will continue to apply to the new operator. This is because the previous compliance record at a site continues to be a good indicator of the amount of regulatory work we will need to do.

If the previous compliance rating was band C to F, we will reset the compliance rating band to a band B if they have strong evidence that.

- you operate in a very different way to the old operator
- the previous non-compliance issues have been dealt with or can be quickly sorted out

If a permit has been partially transferred to another operator, we will decide on a case by case basis which operator will receive the compliance rating associated with the pre-transfer permit. This will be based on their knowledge of the site and the operators concerned.

## Compliance band F

Operators with the poorest level of compliance are in compliance band F. If a waste facility or installation has 150 (or more) CCS points in a calendar year, they will be placed in compliance band F. We will adjust their annual subsistence charge to 300% of the charge in the [tables of charges](#).

We want operators with a band F compliance rating to improve their performance.

We will review a band F operator's compliance 6 months into the following compliance year (30 June). At that point, we may adjust the annual subsistence charge to band E (150%) provided the operator has:

- significantly improved compliance with their permit requirements
- less than 50 non-compliance points at that mid-year point

## How often is this dataset produced?

We publish this dataset annually.

## The data

The dataset contains the following fields in an excel spreadsheet:

- Original permit reference
- Operator
- Site name
- Site address and postcode
- Regulatory sector
- Regulatory sub sector
- Compliance rating

It includes sites with effective permits only. It does not include sites that have had their permits surrendered or revoked.

## Get more help and advice

### General enquiries

- ☎ National Customer Contact Centre on 03708 506 506
- ✉ [Enquiries@environment-agency.gov.uk](mailto:Enquiries@environment-agency.gov.uk)

### Enquiries about the data

- ✉ [Datainfo@environment-agency.gov.uk](mailto:Datainfo@environment-agency.gov.uk)
- ✉ [csti@environment-agency.gov.uk](mailto:csti@environment-agency.gov.uk)