

THE WORSHIPFUL COMPANY OF WATER CONSERVATORS

RESPONSE TO THE DEFRA CONSULTATION ON MODERNISING INDUSTRIAL EMISSION PERMITTING

OCTOBER 2025

1 The Worshipful Company of Water Conservators ('WCWC') is a City of London Livery Company focussed on the long-term health of our water resources and the broader environment. Our members include senior professionals from water, environmental and related industries and regulators, along with others who share our concern for water and the environment. Our experience and knowledge ranges from the complexities of environmental sciences, through the application of engineering to deliver the goals identified by those sciences, and the subsequent management of the assets created. The WCWC's purpose is *promoting a diverse and sustainable environment*.

2 As part of that purpose, the WCWC has been responding to relevant consultations particularly on matters relating to water conservation. These are archived on its website over the last three years.

<https://waterconservators.org/policies-and-practices/>

PROLOGUE

3 There is widespread acceptance that regulation must be effective and efficient and that its administrative practice must not be an impediment to environmental successes. Streamlining must not compromise the intended output. This is the driver for smart regulation, particularly in matters related to environmental conservation.

4 Defra is consulting on modernising environmental permitting for emissions from industry.

<https://consult.defra.gov.uk/industrial-emissions-team/consultation-on-modernising-environmental-permitti/>

5 Permits are granted for all activities under the Regulations from 2016, the Environmental Permitting (England and Wales) Regulations 2016 (EPRs)

Environmental permitting: Core guidance

6 The Consultation only covers the permitting of 'industrial' activities which are taken to include installations, medium combustion plant and specified generators, small waste incineration plant, solvent emission activities, Part B mobile plant and mobile medium combustion plant. The Consultation does not cover waste operations, mining waste operations, radioactive substances activities, water discharge activities, groundwater activities or flood risk activities. The latter matters being of principal interest to the WCWC.

7 Whilst water activities are very largely excluded (trade effluents from prescribed premises are included), the WCWC is concerned about the broader perspective of permitting and uses the experience of its members in water management to address those perspectives.

8 The WCWC has made several contributions to past Consultations on the evolution of policy on environmental regulation with special focus on water, with constant support for the need of streamlining without compromise to environmental conservation; for example:

- Thinkpiece for Defra on streamlining of regulation, March 2023
- Response to House of Lords Inquiry on Regulators, June 2023
- Response to DBT consultations on Regulators and Smart Regulation, January 2024
- Response to water commission, April 2025

The theme also underlies many other responses to consultations on matter such as permitting of sewage effluents and the evolution of policy on specific regulation of controlled water.

SUMMARY

9 The WCWC supports the proposals with a caveat. It does not offer any detailed comment on them. It urges Defra very strongly to take a closer look at the often confusing and complex context behind the specific proposals. This response by the WCWC takes its experiences of the context of water conservation to make observations of relevant permitting.

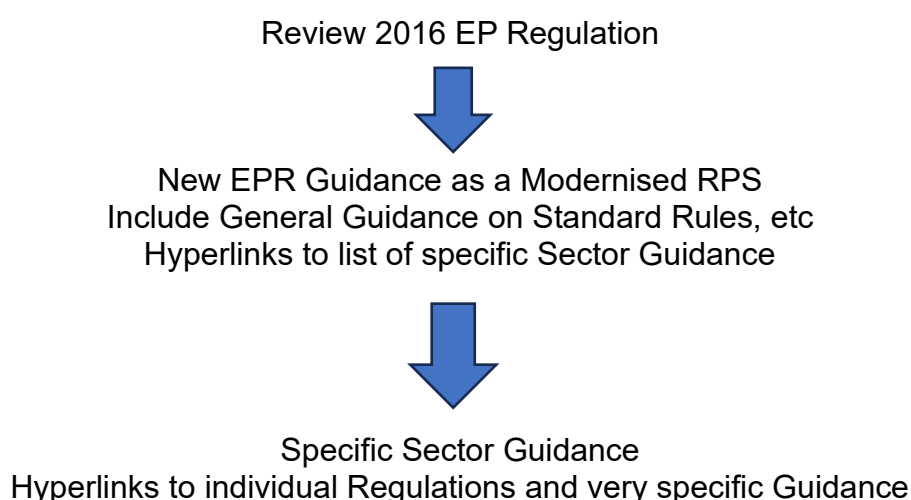
10 It offers some thoughts as ‘starters for ten’ on what a more integrated ‘customer focussed’ framework could look like.

11 The WCWC considers that there is sufficient evidence that that a more holistic approach must be pursued for environmental permitting. Using its insights from water conservation, it offers the insight that an urgent review is needed on permitting, in general.

12 The WCWC suggests a new hierarchy of Guidance is needed. In fact, any review must start with bringing together all aspects starting with the relevant Regulatory Position Statements (RPS). The steps in creating that could be:

- a. Review the Environmental Permitting Regulations 2016 to ensure that they meet the contemporary needs of streamlining
- b. Review the 2016 Guidance to incorporate a simple clear explanation of the differences between the execution of Bespoke and Standard Rules permits, incorporating the principles of the 2014 Guidance updated in 2025

- c. Consider how the specific foci for permits could be split by sector and in doing so identify gaps in controls. Each sector guidance will address its specific differences between Bespoke and Standard Rules Permits. This could result in some Rules being repeated in different sector guidance, but the overwhelming advantage is that it would provide clarity of focus for regulator and regulated permittee and reduce fragmentation. It would create a one stop shop. However, the sectors are defined. they could be put in as hyperlink connections in updated guidance described above
- d. The sectors could be defined using the Industrial Strategy, which would feed into the growth drivers behind this Consultation. They could represent activity sectors, for example water management, agriculture, construction, waste management, but this is open to debate for practicality. It would create a one stop shop for each sector. This will require a major overhaul of Regulatory Position Statements.
- e. However, there could be a further step in the hyperlink hierarchy to specific regulations and guidance which would avoid having to consult with the entire sector guidance when a specific issue needs changing on a particular aspect.



13 The WCWC offers some aspects of water conservation to demonstrate the suggestion but recognises that not even these are a comprehensive list but are given by way of example. It is sure that if this suggestion is progressed there will be much debate.

14 It offers the expertise of its members to take this suggestion forward and it recognizes that its suggestions may take some time to implement, and the Consultation Proposals could be implemented pro-tem and then incorporated into a more holistic approach.

15 The WCWC response also asks the broader question of how the use of digital services could be made more explicit in this process of modernisation and refers to the launch by the Environment Agency launch earlier this year of the Accelerated Permitting Transformation (APT) Programme to modernise the entire permitting system, working closely with the Defra.

<https://environmentagency.blog.gov.uk/2025/07/02/improving-our-environmental-permitting-service/>

RESPONSE TO THE CONSULTATION

The current miscellany of regulation

16 The problem often arises because a permit is issued within the context of regulation of the environment into which the discharge is made; and that regulation might come simultaneously from different directions, even different government departments, which may result in overlaps, sometimes not fitting together well and in other instances with unregulated gaps. These can be piecemeal in execution, affecting the nature of the criteria defined in permits. A further problem can occur in which the criteria used to derive permit conditions are different to those used in monitoring the discharge to assess compliance.

17 Whilst the introduction of digital services is not strictly relevant to this Consultation, per se, it does form an important element of the broader context of modernising permitting. and it refers to the process of modernisation and refers to the launch by the Environment Agency launch earlier this year of the Accelerated Permitting Transformation (APT) Programme to modernise the entire permitting system, working closely with the Defra.

18 However, it is very important that a distinction is made between the introduction of digitisation for improving the efficiency of administration and that of permit content .And in particular the WCWC draws attention to the importance of having the same basis of permitting for monitoring For example using AI-based monitoring systems to monitor non AI-based permits may give misleading answers. An AI- based permit will look very different to a non-AI permit.

19 A key element of the background is that of Regulatory Position Statements issued by environmental regulatory bodies and outline specific circumstances under which certain activities, which would require a permit, can be carried out without one. Operating under an RPS does not remove the requirement for a permit, but a regulator won't take enforcement action for not having a permit where the conditions of a current RPS are met. This needs a major overhaul.

<https://thecompliancepeople.co.uk/updates/news/understanding-regulatory-position-statements-rps-in-the-uk/>

These were initiated in 2014 and updated in August 2025

<https://www.gov.uk/government/collections/basic-rules-environmental-permitting-regulatory-positions>

20 And for completeness in this response the current RPS in England are

1. [Chemicals](#)
2. [Combustion plants and specified generators](#)
3. [Disposing of waste](#)

4. Extended Producer Responsibility for Packaging
5. Fisheries
6. Flood risk activities
7. Groundwater discharges
8. International waste shipments
9. Onshore oil and gas
10. Storing waste
11. Surface water discharges
12. Treating waste
13. Using waste
14. Using water
15. Waste

Bespoke versus Standard Rules Permits

21 From this is the emergence of the concept of the twin track approach of Standard Rules and Bespoke Permits. A Standard Rules Permit is a predefined permit issued by the Environment Agency or Natural Resources Wales, covering common waste management activities with standardised conditions. These Permits are designed for operations that fall within certain parameters. *Making them typically faster and more cost-effective to obtain than bespoke permits. If your activities align with the criteria of a Standard Rules Permit, this option can streamline the permitting process. Allowing you to start or continue operations without unnecessary delays.*

1. Anaerobic digestion including use of the resultant gas and storing digestate
2. Car and vehicle dismantling
3. Car and vehicle dismantling - unavailable for new applications
4. Composting, sewage or sludge treatment, biogas
5. Composting, sewage or sludge treatment, biogas - unavailable for new applications
6. Deposit for recovery
7. Deposit for recovery - unavailable for new applications
8. Electrical insulating oil storage
9. Flood risk activities
10. Medium combustion plant and specified generators
11. Metal recycling, scrap metal and WEEE - not cars or vehicles
12. Metal recycling, scrap metal and WEEE - not cars or vehicles - unavailable for new applications
13. Mining, oil and gas
14. Mobile plant for land-spreading or treatment
15. Radioactive substances for non-nuclear sites
16. Research and development
17. Storage or treatment of waste - recycling, dredging, clinical, soil, tyre shred or wood treatment
18. Storage or treatment of waste - recycling, dredging, clinical, soil or wood treatment - unavailable for new applications
19. Waste transfer station or amenity site with or without treatment
20. Water discharges

22 This Consultation refers mostly to non-water emissions not qualifying for Standard Permits. Using the definitions specified originally in the 2016 Guidance for the Permitting Regulations, it refers to

- Part A1 installations – includes refineries, steelworks and large combustion plant – regulated by EA with approximately 3,847 sites in England
- Part A2 installations – includes glass manufacturing and foundries – regulated by local authorities with approximately 330 sites in England
- Part B installations – includes animal processing sectors and various mineral processing activities – regulated by local authorities with approximately 10,698 sites in England
- Medium combustion plant (MCP) and specified generators – regulated by EA with estimates suggesting ~23,400 will fall within regulation in England by 2030
- Solvent emission activities (SEAs) – generally regulated by local authorities (although some are also listed as Part A or Part B installations) with approximately 2,236 sites in England
- Small waste incineration plant (SWIPs) – regulated by local authorities with approximately 35 sites in England

The only cross reference in this Consultation to Standard Rules was the [July 2025 SR2024 No 1: research and development at a Part A\(1\) installation - GOV.UK](#)

23 However there is a complication overlooked. Part A installations, as set out in the 2020 Industrial Emission Directive, are required to apply integrated pollution control, covering BAT for emissions to air, water (including discharges to sewer) and land, plus a range of other environmental effects (for example, waste, heat, noise, vibrations, energy and resource efficiency). Discharges to sewers are significant factors in the treatment of sewage and the subsequent management of bioresources [Thinkpiece](#) September 2025.

24 Water companies are obliged to take trade effluents (subject to appeal) and there is extensive legislation for the control of those effluents. It would be easy, for example, for the government to add new substances of concern, such as PFAS, and some microplastics to prescribed processes to the schedules in the Trade Effluents (Prescribed Processes and Substances) Regulations 1989. This will ultimately have consequences for permits issued for Part A Installations and is another example of the complex jigsaw of regulations which need streamlining as quickly as possible.

A WAY FORWARD

25 The WCWC considers that there is sufficient evidence that that a more holistic approach must be pursued for environmental permitting. Using its insights from water conservation, it offers the insight that an urgent review is needed

on permitting in general with subsequent revisions. The WCWC is not alone in making such suggestions. Regulatory change was advocated by the Independent Commission on Water in July (the Cunliffe Commission).

An integrated approach

26 The WCWC suggests a hierarchy of Guidance is needed. In fact, any review must start with bringing together all aspects starting with the relevant RPS. The steps in creating that could be:

- a) Review the Environmental Permitting Regulations 2016 to ensure that they meet the contemporary needs of streamlining
- b) Review the 2016 Guidance to incorporate a simple clear explanation of the differences between the execution of Bespoke and Standard Rules permit incorporating the principles of the 2014 guidance updated in 2025
- c) Consider how the specific foci for permits could be split by sector and in doing so identify gaps in controls. Each sector guidance will address its specific differences between Bespoke and Standard Rules Permits. This could result in some Rules being repeated in different sectors, but the overwhelming advantage is that it would provide clarity of focus for regulator and regulated permittee and reduce fragmentation. It would create a one stop shop. However, the sectors are defined. they could be put in as hyperlink connections in updated guidance described above. And this definition must be reflected in the sector RPS. This needs a major overhaul.
- d) The sectors could be defined using the Industrial Strategy, which would feed into the growth drivers behind this Consultation. They could represent activity sectors, for example water management, agriculture, construction, waste management, this is open to debate for practicality. It would create a one stop shop for each sector. There could be a further step in the hyperlink hierarchy to specific regulations which would avoid having to consult with the entire sector guidance when a specific issue needs changing on a particular aspect.

27 The Summary includes a simple diagram to explain this suggestion.

Water conservation as a sector to demonstrate the suggestion for a new approach to Sector Guidance with a modernised Integrated RPS for Water

28 The opening could be hyperlinked reference to all regulations concerning the requirements for the management of controlled water which impact on the issue of discharge Permits and abstraction. And this might be reference to any future water strategy and to regulations concerning the management of river basins as per the 2017 Water Framework Directive Regulations or whatever emerges from the implementation of the Cunliffe Commission recommendations. This could then lead on neatly in further hyperlink hierarchy to specific regulations such as those concerning bathing waters and nutrients.

<https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits>

For example the context of catchment management in the Thinkpiece for Defra on catchments in July 2024; and in particular the examples of bathing waters, Response to Defra consultation December 2024 and on nutrients in controlled waters, Response to Ministry of Housing, Communities and Local Government and Defra consultation on nature recovery January 2025.

29 It could embrace the specific approaches to the definition of when Bespoke Permits should apply. The approach to the 'non bespoke' permitting of water discharges is quite complicated. The 'standard approach' is split between 'Standard' non permitted General Binding Rules and permitted Standard Rules for prescribed small sewage discharges and these terms can get confused. In effect the General Binding Rules are in themselves a Standard Rule. After that, somewhat larger works must have a Standard Rules Permit and still larger works must have a Bespoke Permit.

Small sewage discharges in England: the general binding rules – GOV.UK
<https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-the-ground>

LIT 8381 Standard rules SR2010No3 – discharge to surface water: secondary treated domestic sewage with a maximum daily volume between 5 and 20 cubic metres per day

30 But as a note of completion, the WCWC notes that the Defra is consulting separately to extend the distinction to which the WCWC will respond

<https://www.gov.uk/government/consultations/environmental-permitting-standard-rules-consultation-32> (but which does not use the term General Binding Rules)

The new Guidance for Permitting of Water Discharges could have a better distinction in this hierarchy. The Consultation itself is not as clear as it could be in this hierarchy of distinction. It seeks to alter the boundary between Bespoke and Standard Rules Permitting for defined conditions. The WCWC will respond separately to that

31 Include Hyperlink specific regulations and legal commitments, such as the 1994 Urban Waste-Water Treatment Regulations, the Storm Overflow Reduction Plan, monitoring and reporting

<https://www.gov.uk/government/publications/waste-water-treatment-works-treatment-monitoring-and-compliance-limits/waste-water-treatment-works-treatment-monitoring-and-compliance-limits>

<https://www.legislation.gov.uk/uksi/1994/2841/contents>

[https://assets.publishing.service.gov.uk/media/6537e1c55e47a50014989910/Expanded Storm Overflows Discharge Reduction Plan.pdf](https://assets.publishing.service.gov.uk/media/6537e1c55e47a50014989910/Expanded_Storm_Overflows_Discharge_Reduction_Plan.pdf)

<https://www.gov.uk/government/publications/water-companies-operator-self-monitoring-osm-environmental-permits>

32 Standard Rules are already applied to several biowaste activities, and the EA is seeking an extension to embrace several examples of bioresource management including the use of biosolids in agriculture. The WCWC has urged Defra to take a more integrated holistic view of the way forward Thinkpiece in September 2025 on bioresources.

33 It would seem reasonable to include specific regulations concerning the control of trade effluents discharged to sewer.