

THE ENVIRONMENTAL REGULATION (SCOTLAND) CHARGING SCHEME

AMENDMENT (No.1) 2022

The Scottish Environment Protection Agency in exercise of its powers under section 41 of the Environment Act 1995, and regulations 11 and 18(4)(b) of, and Schedule 5 to, the Water Environment (Controlled Activities) (Scotland) Regulations 2011, and with the approval of the Scottish Ministers, makes the following amendment to the Environmental Regulation (Scotland) Charging Scheme 2018 as previously amended.

Commencement and citation

1. This charging scheme amendment shall -

(a) be referred to as the Environmental Regulation (Scotland) Charging Scheme

Amendment (No. 1) 2022;

(b) come into force on 1st April 2022; and

(c) remain in force until revoked.

Amendment to the Environmental Regulation (Scotland) Charging Scheme 2018 as amended.

2. (1) The Environmental Regulation (Scotland) Charging Scheme 2018 as amended is further amended in accordance with this paragraph.

(a) At paragraph 9, replace the definition of “environmental component” with the following:

““environmental component” means:

(i) in relation to each environmental category attributable to the authorised activities (except for authorised activities associated with hydropower schemes greater than 2MW generation capacity), the environmental score multiplied by the financial factor,

(ii) in relation to each environmental category attributable to authorised activities associated with hydropower schemes greater than 2MW generation capacity, the environmental score multiplied by the product of (a) the financial factor and (b) the factor identified in Table 2 below in column 2 based on the Impact Category as determined by SEPA before the time the charge is due or, failing such determination, based on an Impact Category of “Large”.

Table 2

Impact Category	Factor used to Multiply the Original Environmental Score Used under current charging scheme
Minor	0.66
Moderate	1.0
Large	1.3

(b) At paragraph 10(4), after sub-paragraph (e), insert

(f) there is no environmental component where –

(i) there is a “N” in column 8 of Tables 1 and 2 in the Schedule in relation to every activity type which the authorised activities fall within,

(ii) the environmental score is less than 1,

(iii) in the case of the abstraction of water, the abstraction rate is less than 2,000 cubic metres per day, or

(iv) in the case of the impounding of water, the volume impounded is less than 25,000 cubic metres;

(b) in Table 1 of the Schedule –

(i) remove rows 10480 and 10481

(ii) after row 13430, insert

SEPA Reference Number	KEY SECTOR	SECTOR	REGULATORY SECTOR	LEGAL DESCRIPTION	Activity Application Charge (Band)	Activity (Subsistence) Charge (£/yr)	Environmental Component
13450	Energy	Renewable Energy	Hydropower	Hydropower Scheme with large impact: with generating capacity greater than 0.1 but less than or equal to 0.5 megawatts, all abstractions from inland waters (less than or equal to 2,000 cubic metres) and associated impoundments (less than or equal to 25,000 cubic metres).	£3,472 (Band 11)	£ 625.21	N
13460	Energy	Renewable Energy	Hydropower	Hydropower Scheme with moderate impact: with generating capacity greater than 0.1 but less than or equal to 0.5 megawatts all abstractions from inland waters (less than or equal to 2,000 cubic metres) and associated impoundments (less than or equal to 25,000 cubic metres).	£3,472 (Band 11)	£ 228.66	N
13470	Energy	Renewable Energy	Hydropower	Hydropower Scheme with minor impact: with generating capacity greater than 0.1 but less than or equal to 0.5 megawatts, all abstractions from inland waters (less than or equal to 2,000 cubic metres) and associated impoundments (less than or equal to 25,000 cubic metres).	£3,472 (Band 11)	£ 208.06	N
13480	Energy	Renewable Energy	Hydropower	Hydropower Scheme with large impact: with generating capacity greater than 0.5 but less than or equal to 1.0 megawatts, all abstractions from inland waters (less than or equal to 2,000 cubic metres) and associated impoundments (less than or equal to 25,000 cubic metres).	£3,472 (Band 11)	£ 2,187.72	N

SEPA Reference Number	KEY SECTOR	SECTOR	REGULATORY SECTOR	LEGAL DESCRIPTION	Activity Application Charge (Band)	Activity (Subsistence) Charge (£/yr)	Environmental Component
13490	Energy	Renewable Energy	Hydropower	Hydropower Scheme with moderate impact: with generating capacity greater than 0.5 but less than or equal to 1.0 megawatts, all abstractions from inland waters (less than or equal to 2,000 cubic metres) and associated impoundments (less than or equal to 25,000 cubic metres).	£3,472 (Band 11)	£ 1,041.33	N
13500	Energy	Renewable Energy	Hydropower	Hydropower Scheme with minor impact: with generating capacity greater than 0.5 but less than or equal to 1.0 megawatts, all abstractions from inland waters (less than or equal to 2,000 cubic metres) and associated impoundments (less than or equal to 25,000 cubic metres).	£3,472 (Band 11)	£ 521.18	N
13510	Energy	Renewable Energy	Hydropower	Hydropower Scheme with large impact: with generating capacity greater than 1.0 but less than or equal to 1.5 megawatts, all abstractions from inland waters (less than or equal to 2,000 cubic metres) and associated impoundments (less than or equal to 25,000 cubic metres).	£3,472 (Band 11)	£ 3,333.08	N
13520	Energy	Renewable Energy	Hydropower	Hydropower Scheme with moderate impact: with generating capacity greater than 1.0 but less than or equal to 1.5 megawatts, all abstractions from inland waters (less than or equal to 2,000 cubic metres) and associated impoundments (less than or equal to 25,000 cubic metres).	£3,472 (Band 11)	£ 1,562.51	N
13530	Energy	Renewable Energy	Hydropower	Hydropower Scheme with minor impact: with generating capacity greater than 1.0 but less than or equal to 1.5 megawatts, all abstractions from inland waters (less than or equal to 2,000 cubic metres) and associated impoundments (less than or equal to 25,000 cubic metres).	£3,472 (Band 11)	£ 1,041.33	N

SEPA Reference Number	KEY SECTOR	SECTOR	REGULATORY SECTOR	LEGAL DESCRIPTION	Activity Application Charge (Band)	Activity (Subsistence) Charge (£/yr)	Environmental Component
13540	Energy	Renewable Energy	Hydropower	Hydropower Scheme with large impact: with generating capacity greater than 1.5 but less than or equal to 2.0 megawatts, all abstractions from inland waters (less than or equal to 2,000 cubic metres) and associated impoundments (less than or equal to 25,000 cubic metres).	£3,472 (Band 11)	£ 4,687.53	N
13550	Energy	Renewable Energy	Hydropower	Hydropower Scheme with moderate impact: with generating capacity greater than 1.5 but less than or equal to 2.0 megawatts, all abstractions from inland waters (less than or equal to 2,000 cubic metres) and associated impoundments (less than or equal to 25,000 cubic metres).	£3,472 (Band 11)	£ 2,291.75	N
13560	Energy	Renewable Energy	Hydropower	Hydropower Scheme with minor impact: with generating capacity greater than 1.5 but less than or equal to 2.0 megawatts, all abstractions from inland waters (less than or equal to 2,000 cubic metres) and associated impoundments (less than or equal to 25,000 cubic metres).	£3,472 (Band 11)	£ 1,562.51	N

IN WITNESS WHERE OF these presents typewritten on this and the five preceding pages are executed for and on behalf of SEPA by Ian Buchanan (subscribing electronically their usual signature Ian Buchanan), acting Chief Executive, at Edinburgh on the 25 March Two Thousand and Twenty Two, in the presence of Laura Hamilton.