

## **Appendix A:**

### **EXPLORATORY INTERVIEW TRANSCRIPT**

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# **Transcript of an interview carried out with an Environment Agency license officer**

## **Introduction:**

The carried out the following interview at an Environment Agency office in Bedfordshire for exploring issues associated with group risk-based regulation and the brokering of scientific evidence and knowledge.

*Italic* text refers to the author contributions, normal text refers to the interviewee's contributions and bold text refers to a junior regulatory waste management officer's contributions, who introduced the author to the interviewee.

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*By adopting the new approach agency staff and their expertise are being indirectly farmed out to industry – new licences succeed in streamlining the process and saving money but are they able to*  
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Transcript:

So what exactly are you're doing?

*I've just started the Ph.D. I'm looking into regulatory decision-making; I'm trying to take account of attitudes and organize structures, and trying to understand this by looking at the situation today and how these contribute towards policy development.*

*To do this I will look at one particular process and model this in agent based simulation environment. But these decisions seem to be complex processes.*

Complexity of regulatory decisions:

Well yes they are, especially if you look at our decision-making process the way we rely on other people in the organization or indeed even outside of it. There's only so much we can do but then I inevitably find that you are getting along quite happily and then it goes off to planning or HSE of the Environmental Health officer or Natural England who drops a complete bomb because of something you did not think was necessarily need to consider that somebody else's goes 'oh well we will object if you don't consider this', and you think ah alright okay.

*Do you take your case back then and reconsidering it?*

Regulatory decision process: (Internal and external networks):

You might reconsider it. Its usually part of the process. For example, with a new license you have four months in which to do, it statutory period, and within that there is 28 day consultation pperiod. Planners, which is normally the county as the waste planner and HSE who are statutory consultee's, but you would normally you look at the EMT which are the inspecting team who would inspect the license once it's issued, possibly water quality if are any issues there with discharged consent. And then you basically go as wide as you want consultation wise, sometimes to Environmental Health, sometimes you have to go to district level for the planners, you might go to specific bodies like Huntington against X Y landfill, don't normally go to individuals and then again depending on the location of the site you might go to Natural England or you might go back to district council because it might be a countryside a sort of non SSSI or a European site, it might just be a county site of interest.

*Okay, so It's quite complex then? Going back and froths...*

Complexity of regulatory decision processes:

It can a can't I mean often you do just stick to the planners HSE and probably some internal colleagues, but yeah sometimes it might come back if the county council say well no we are not the planning authority in this instance for whatever reason. Historically it might've been at the district level or an inspecting officer suddenly turns round and say oh no there is a problem here or I know this site its been an illegal site for twelve years and it's always had this problem so it might be something in terms of risk something you would look at in a lot more detail than perhaps you would have done before because it's a known problem or because there is a different type of receptor that you might have to take into account. I mean noise is a big one, it is disputed quite a lot as to who it is who should look at it, is it the agency roll is its planner's role or is it the environmental health and therefore it tends to slip sometimes between all three we don't tend to look at it too much if it's been looked at by the planners, but the planners tend to only think about, well maybe we want some acoustic barrier, you know a fence or a tree but nobody actually puts any specific levels, so when a complaint comes, should it go to the environmental health as a statutory nuisance or because it's a license activity should it come to us? So sometimes you know it goes round and round, but because of that is often that no one really is a specialist on it, certainly not with us so it can be quite difficult.

A couple of times I have had to do anything very detailed about noise has caused quite a lot of problem because who do you go to nobody that specializes in then you try to ask for help from environmental health officers and they like well it's a license site is your problem mate, which is not particularly handy. In which case you have to do the best you can, you have to look at operating hours and experience obviously tells you a certain amount, you tend to know the type of equipment these sites have, you tend to know the levels of noise and obviously if they say they want to operate for 24 hours and they're right next to a housing estate then you are more likely going to focus in on that a great deal more than you are if, you know some of our sites are in the middle of nowhere or indeed in the middle of an industrial site anyway .....

*So there still being regulated by the same law then are they?*

Yeah all under the same law but .....

*So it comes down to discretion?*

PROCESSING: Discretion of the individual officer (trust, motivation, locational factors):

I think it does quite a bit I mean we have some with these fixed condition licenses, set risk assessment which has been done by head office, which I wouldn't really say was a true risk assessment in the sense that they just look at the hazard pathway receptor linkage and look at sites in general and think 'ohh well nobody has died therefore they probably are lower risk'. But you do need to look at the locational things because you might have identical sites but if the location is different, technically under the fixed the site license wouldn't be altered. I do think you do have to use common sense sometimes and indeed license conditions are obviously designed for but they are trying to appease the legal system, which doesn't necessarily mean it works in the real world. Therefore, I think discretion does come into it a lot.

I've licensed composting sites to transfer stations through to community sites and then maybe digestion plants but at the end of the day..... or if you can't do it through the license conditions you've obviously got the associated licenses well they used to be called working plans now they are called management plans so you might keep a standard condition, you might work more with the applicant on their management plan which is what I've done recently, because we now have these fixed licenses they made it quite a bit conditions so it really shouldn't be altered unless it needs to be, e.g. Is it a certain distance from a SSSI a SAC or a SPAR, is there discharge from farm via a discharge consent or is it going into a sewer? So we try not to alter conditions as much but instead we end putting a lot more work into the management plan whereas before I would have spent a lot more time trying to get the conditions right, being a lot more prescriptive in the license.

*Okay so the work hasn't reduced but more just shifted?*

PROCESSING: Workload / distribution (trust, uncertainty, future):

Well at the moment we are in this sort of grey period. A year ago, it would have been quite prescriptive licenses, you may have received a working plan or management plan, you would

have looked at it and you may have referenced some sections of it in the license. So normally, you would have expected to have a prescriptive license but now I would say you haven't got a very prescriptive license at all and it relies on the management plan. I mean in this grey period our team is still looking at those but technically, and when it moves to these national centres come April, although management plans or management systems may be required they won't be required as part of the actual application process. It will be for the inspecting team to ask for those but they won't really have the expertise to deal with it, which was one of the biggest issues we had when we first saw these fixed licenses. Now our team has just been told that these national centres are starting up definitely in April and we are sort of redeployed, which essentially means after the 2<sup>nd</sup> of April we will have three months and then that's it for the team.

There is the possibility of some people being seconded or assigned to these national teams, although probably still based in area but essentially I think the expertise will be lost because already in the past few years since I've been here people have left and I'm just about to leave. That leaves Kemi on a temporary contract and that leaves David and George in our team who are both going to be looking externally because they don't particularly want to go into the inspecting side. Yet, that's the sort of employees that the inspecting teams could do with because they could say 'oh yeah a management plan, fine I can help you with that'. Whereas, I am sure these inspecting teams will learn it and get use to it in time, these next years are probably going to be very good for the industry but not necessarily very good for the regulator.

*Do you think it will last long? I mean because it's obviously going to have a few left around with that open knowledge but with the years to come I mean I suppose as the employees pass out the knowledge will all pass out?*

PROCESSING: Knowledge retention (loss of tacit knowledge, loss of communication, loss of networking, time constraints):

This is the problem, certainly with the inspecting team once a Grade 5, the highest grade in the team, passes out you tend to find there is quite a lag period while someone has a sort of baptism of fire trying to get the knowledge, because there is no formalized way of passing on your knowledge and it's very difficult. I mentor to Kemi but it's very difficult because without sitting there for weeks on end trying to impart what knowledge you may or may not

have it is very difficult especially with the time this takes. In the team everyone has their own specialist. In our team there is someone who does a lot of hazardous waste stuff I do a lot of composting work other team members one does a lot of more PPC landfill. Kemi's new so she's been doing a lot more of the fixed style licensing. For example, before we have got an application in and a working plan and we would have spent a good couple of weeks on its just going through it trying to put together a letter back to them saying what's wrong what's missing what else you might want whether it be additional risk assessments or just additional information. However, now with a fixed style licence if the operator meets the few criteria there are, and most sites will unless they are slap bang on top of a SSSI or a SAC or a SPAR, the criteria are pretty easy to get around. We don't ask for a management plan and we don't need an additional risk assessment because supposedly the agency have already done it, so it's just a case of writing the name on the front and sending out for consultation. But a consultation letter now say 'these are a new fixed style licenses the conditions cannot be changed so unless someone (e.g. HSE or planners) turns around with something very specific (e.g. waste type or indeed if there was no planning permission, which you shouldn't have gone as far as to the consultation) almost anyone can do it with very little knowledge. I think now as long as someone can use a computer they could issue a license because there is very little technical knowledge required. There is only some knowledge required at the moment because we are forcing the issue of getting a management plan.

The inspecting teams are very worried because the new fixed license conditions are very vague and more open to interpretation, so the inspecting officer will not have any knowledge of how the site intends to address specific issues. E.g. the new licenses will not say don't cause noise or don't cause of odour like the old bespoke style licenses, instead these fixed style licenses do not provide any means of knowing how the operator is going to actually deal with such issues.

*Or interpret it?*

Ambiguity of new licenses (greater uncertainty, more trust, more regulation):

Well yes indeed the wording does say you will not cause noise as far as is practicable, and we might not take enforcement if you do something to kind of combat any issues that may or may not arise, whereas previously you would've had specific condition. For example, for a composting site there would have been turning or monitoring regimes with acceptable

temperature and moisture levels that could be monitored to help address problems before they arose. Now it just says 'don't cause odour as far as is practicable' So before you could say 'you've not done this' or 'this should not done' because it was clearly stated in the license. But now there will be a lot more towing and throwing unless you can get a management plan that ties them down to exactly what they're going to do. But even the wording for the conditions of that is subject to interpretation because I think it says something along the lines of 'you will conduct your site's in accordance with a management system' fair enough but as many an operator has already said to me as they tap their heads 'well it's all up here'. It will be really interesting to see what happens when it goes to court. I think it will be very difficult to enforce a condition that says 'as far as practicable' without ever defining what a practicable measure may or may not be.

*It seems that over the years there has been an increase in the use of scientific data, will this be able to help?*

Role of scientific knowledge:

Possibly with certain things like odor and noise but with some of the more subjective and nuisance issues like litter or mud on the road, which the old style license would cover is obviously ad-hoc and can't ever really be subject to a particular study. The agency certainly does produce internal and sometimes external guidance on all these issues. But again guidance it is only ever guidance it's not 'this is the infinitive way', so I don't necessarily disagree with these new style licenses because I do think they do allow for more innovation, I just think they could have been written better. I don't think you will find many Reg. waste offices around the country who don't think they shouldn't have been written better, weather it be people like myself in the Reg wasting or indeed the inspecting officers.

*How could have they been written better, just more strictly?*

Ambiguity of new licenses:

I think saying 'you will not cause odor full stop' fair enough then let that person deal with how they wish to deal with it but I think the moment you put, 'comer as far as practicable' suggests there's quite a lot of room to maneuver and it almost suggests that if people pollute a little bit we might not make a fuss.

*But they shift the power towards the operator?*

Implications of new licenses for new operators:

I think it does I think industry and going to be lapping it up really. Although it's odd because the big operators and love it because it gives them a lot more flexibility and they know for a fact that it's going to be more difficult to enforce. On the flip side of a lot of the small operators, one man bands, little companies, small composting operations or transfers stations don't like it at all because they liked the fact that they had documents that said this is what you will do this is what would happen if you don't do it, whether they actually did it or not was obviously a matter for enforcement, but they knew what the agency wanted and they knew where the agency stood. I think actual issue relies more on the operator going and getting consultancy to do a lot more to work because although the application might be easier and the operator is more likely to be guaranteed getting a license, if you do happen to have an inspecting officer on the ball you're not going to have a clue really what the agency is going to want and you are not going to want to sit down and look through the environment agency web sites to look for what's you need, so your inevitably going to get a consultancy agency that's going to charge you a lot of money to produce a working plan, for which the ones I have seen essentially strip out everything that use to be in the old licenses and tell it back to us. They tend to use the same kind of 'we're monitor it like this, I'll submit like this' and my reaction is 'I've seen this before in the license I used to issue'. That's good for us because basically you come back to a status quo but I do think small time operators are going to suffer a little bit more.

*But suppose it depends on the quality of work being done because although that work has been shifted to a consultancy the operator has to pay for its they are not going to do it to the same standards as you would have done working within the agency?*

What new licenses will mean for the agency (loss of tacit knowledge):

No and inevitably the consultant and the operator will try to do as little as possible. And when our team finally goes and all the production of the management plans sits with the Environmental Management Team's I don't think the inspecting officers will have the time, they will probably whiz through and think 'oh they have covered the main points noise, odour, dust, litter, scavenging birds, vermin'. But whether they would have time to go

through it in detail and write back and say 'well actually we would like to see this' or indeed because now the old style licenses and all the information that use to go with it has been deleted off our internal system they won't even have that as reference, so unless they find an old school Reg waste officer who just happens to have them saved onto a disk or some of the old paper versions it will be very difficult and operators will get away with an awful lot more. I just don't think the inspecting teams will have the time, who is expected to do all their compliance and enforcement work obviously have to spend a lot of time going out on sites, they will not have the time to sit around in the office spending hours poring over a working plan. A working plan can easily be a big folder and they are just not going to have the time because it's not their specialist task, or something they are used to doing

*And it's hard to sift through that kind of information if you are not use to it?*

Knowledge (knowing what to look for):

Yes it is, its bad enough when you're experienced at it and even then I tend to look at specific sections because often you find in a working plan or a management plan there's a lot of whofel really you know there's well this is who the operates his we've got a long history being good or bad or indifferent. Well I don't really care about that, I tend to go to the sections I'm more interested in, which is pollution prevention and drainage issues because the first chapter is normally stuff you can skip over. I really think it's going to be difficult the time for the agency but a good time for industry. But I think at the end of the day the actual environmental harm will probably go up.

*Because of the small things?*

Change in Agencies perspective (scale):

Yeah it's very unlikely that for many license there's going to be anything particular the major, which is probably why we have come to these fixed conditions. Nobody has died there hasn't been massive pollutions, there has been ones fairly significant but it depends what you class as significant. Recently there was a composting site that they, polluted these washes with a 20 thousand pond fine, which actually is big for an enforcement action but the man on the street would probably say what's the harm and in some respects yes okay it all washed away and it wasn't contaminated but there was also a lot of rainfall at the time that diluted it there hasn't been any obvious detriment the environment so yeah a lot of licensing stuff is

quite small it probably is more to do with the comforts of the surrounding people whether that be noisy odors dust etc etc, but that's what we hear for it's not just a large scale trying to stop big things a lot of what we do probably is the small scale, you know if you have 200m down the road you probably don't notice it but if its 10m from your door you notice it, and a lot of our time is spent to doing that but then you can have another site which you think yourself this is fantastic location it's kilometres from nowhere and then it causes all kinds of problems, I mean especially with composting

*Odours?*

Change in Agency staff job description (tacit knowledge, loss of knowledge):

Yet anything to yourself how can this be in this location I mean they are doing everything in downtown letter of the environment agency guidance but it's still wrong but that's our job then to look at it and see what else we can do or to go in and look at it more and see if they are saying one thing to us that doing something else on the ground, but although its the job of the inspection team our team does a lot of that's work, I mean recently I've gone out to a number of sites because I have an understanding of what the ad agency wants and why we want it so I think that knowledge will be lost because again you know are not likely in the next week to sit down with the MT and parse on all my knowledge most of this stuff of gathered over the 2, 3 years I have been here, say about composting I intend to take with me because its stuff that I have gathered although I have photocopied some of its and when I have had duplicates I have passed it around to members of my team it's never going to be the same as me having done it day in day out for three years another officer is going to have a good idea of the issues but it's never going to be the same

*And who to contacts?*

Old ways to do things (knowledge, communication, internal socializing):

And who to contact and where to go. Even things like, you know we have head office we have national policy and process teams, well I know who to ring it's little things like I know who to ring in policy and process it would actually give me an answer on the day rather than having to go through a more formalized route because we do have a formalized route for our team which is essentially you write your query that then goes to another person who then sends it to head office and then about twelve years later you get your answer but over time

you get to learn who is likely to answer their phone or if you drop them an e-mail who might come back because sometimes you cannot reach someone

*The Do you find that some people are more approachable with a specific risk or?*

I'll most certainly with certain topics and issues yes there are

*Are you the new Even within departments?*

Approachability of internal staff (knowledge capture, internal socializing, communication, trust, responsibility, consistency, receptivity):

Well within departments where even within our team you would get officers with different questions knowing which officer to go to partly sometimes because of knowledge but partly because they know that you may or may not be able to sit there for half an hour and talking it over rather than just waiting away in and saying I'm too busy goes through the formal route put it in writing and send it a ever it needs to go through, yeah I think that happens a lot but I think that happens a lot anywhere but I think the problem we have here tends to be with time scale well again you know a modification for example you've only got two months and when you think you've lost a month essentially for consultation we have a technical query and that goes off and then you can on some back saying we can't deal with this for two months, well then it falls back on you to take an area decision which can be quite difficult sometimes because area decisions then become national policy sometimes because you know it's a very small industry waste in its own way it may be one of the biggest industries but in terms of how many people find our stuff so quickly you know I'll be asked a question one day and two weeks later I will get a phone call from a colleague or someone up impressed and going, I have heard you have offered this advice my local office hasn't said this well you know can I speak to you about this. Source of the problem with such A big organization like ours you know you have all these whole country split into areas and regions split into areas beach area with a certain amount of its own well you know monsters of their own destiny to a certain degree but inevitably when you've got national companies covering seven regions they going to get different, answers and different areas and it can be very difficult sometimes I've had to defend why in this instance I decided this hand in another instance somebody else decided to do something completely different and then you normally go to national policy who usually go where we don't really want to get involved on a wave you're away and say this is an area

decision which is very popular really without legal team and a policy and process team who say if in doubt pretty back to the officer and say it's your decision [laughter], and you say well what about national policy and they say no it's an area decision and that happens a lot and it is almost sometimes like posting according

*And all this process will be lost if it becomes centralised?*

I'll yes when it becomes centralized yeah

*They won't be able to have that option I guess?*

Change in organisational structure:

I mean you going to have 25 people potentially based in four offices and then must be about where that if I think at the moment there must be about 120 certainly a bouncer hundred regulator offices for waste down to 25 and they could of course all the based in one of these offices in Bristol, if Warrenton and Nottingham all depending on where they want to locate they might just all end up in one of those. Well I think all people for people trying to get advice from us it's going to be impossible, you will probably never see an officer I mean I always like to go out to my sites because it's partly a mixture of possibly not necessarily believing everything that's written in the application but often sides can't, especially if it's somebody starting from scratch it is good to go out and see the site because sometimes you see things that they may not have thought of It as they might be taking over an agricultural building and they might be doing something else and then you read the application through and they say it's all going to be full drainage system etc and you go out to a site and you sort of look of the pipe work and well actually that goes there that goes there and it ends up in the river and they say all I can realize that and sometimes they genuinely don't or they're just trying to get away if it so I was like to go out to a site and I think most of the officers to like to go out and see the sights whether it be partially built on a bill to the tool just to see what the location is if there is any housing estates of schools next door but I don't see how they can be any of that now. You cannot have an officer Who is based in Cardiff driving over to great yarmouth in Norfolk for what sort of might be an a half an hour meeting, and again I think going back to these fixed condition licenses I suppose the argument is why I guess that's essentially the driver behind them because why would you need to see the site if they meet these criteria I think we go back to the fact that all comes down to how happy we are as

an agency that the licenses provides suitable protection to the environment now a head office are

*Do you think it requires a redefining what they consider is a good environment?*

Change in organisational goal (consulting staff on changes that affect their career path):

I think it does I think the fact that the agency has taken on all we'll take on a lot more responsibility for the problems that might arise and the agency have decided that they would accept the risk that they could be more problems under these but that goes back to what we're saying that 98% of the problems that arise from a license are very local and aren't normally going to offend that many people but I suppose my argument is that why do we bother at all if we are a certain saying if it's below a certain threshold them were not going to worry anymore than my argument seems to be that this is against the purpose of what we are here to do whether it's being someone complaining because of a generator that is slightly noisy or the fact that somebody has killed a thousand fish in the river I think should almost hold equal level but I think it has changed I think the ad agency have thought well there hasn't been any particularly nasty big oil spills or anything like that if there is then we will hold our hands up to it and we will look at the system again and we will probably revise its I mean next year we would have the EPP environmental protection permits which are essentially very similar to these condition licenses and they will take over all the EPC stuff which is obviously the large waste sites, and that's will be interesting I think you can probably get away with it with the waste management licenses butts when you get up to a landfill level then you start having these very vague conditions that's when it's going to be a real test more so than licensing you know, a year ago when they first came in no one liked them everybody was up in arms about them but we have sort of got used to it but although there is still a lot of trouble internally I think when you start turning to landfills and EPC Disposals it's going to be difficult unless of course the criteria change and they demand or require you to submit one of these working plans at the same time as applying in which case a fine because you can get your technical stuff in by having a go of them about the quality of their management plan but as far as I see I don't think it is I think it will be a case that if you meet these very generalized criteria

*What do you think if the small risks of parsing through the net what do you think the impact will be, the larger risks, i.e. mean there must be a connection there, or maybe there isn't?*

Enforceability of new licenses (focusing on large risk):

Well I don't know it's difficult really I think that's my concern is that if you start letting a lot of little risks go through the net that's what point does that not just become a bigger risk and then you also start turning a blind eye to that, whether it be a huge dust cloud, I appreciate it might not be causing a huge potential issue but it might still be affecting the amenity And perhaps that's what the agency might have lost sight of as of late is the fact that... I do appreciate from the environmental aspects that most sites aren't probably going to cause a huge pollution but the amenity issues seem to be very much forgotten pushed aside and yeah I do think like any think once you let one thing go is very difficult to halt and also if you are a site operator sort of a big one you say we have been operating this site and we have been having these problems but no one taken any important to the fact that they are there well on our biggest site so it is worse but if you haven't enforced elsewhere why are you going to enforce against its here, I think the problem will be trying to take enforcement I think it will be much more difficult going back to what we were saying it's going to be open to interpretation it will go to court and they going to argue over it a mean our legal head office team of got a job for life but until it goes and they argue it out I am not sure whether the ad agency would win and that's when the ..... will hit the fan because where have all these style licenses and only styled permits that you either going to have to change all of a sudden or if it's been decided he's going to be in one area that is going to be OK everywhere else just a dedication of the ad agency's role really down to a paper shuffle if we are not all we can not enforce I don't necessarily mean taking people to court sometimes just going out to a site and having a word with the operator and saying you know next time a comeback I'll be back next week I am sure you will get that sorted I think it just makes everyone's job more difficult it certainly makes the enforcement team and inspecting team life much more difficult because you've got to really vague conditions based on who knows what's and possibly no supporting documentation to say what's the operator is actually going to do and it might be that some sites never have problems but you still want to in a worst case scenario have contingency plans but if you don't know what those are it's going to be a tough time for the operators to know what they are until it happens and then they won't do anything and that's when you will get pollution and that's when the ad agency would have to hold their hands up but I just can't see what the agency will do then but they have obviously spent a lot of time on these conditions, so what do you do I am very much convinced that five years down the line depending on how these go you will probably find a new chief executive, long who say is what we need is more specific conditions. Well you know back in the nineties when it was

obviously with the county waste people licenses were very short they were like this they were quite generalized there was actually a reason why we changed our mind and became more prescriptive but we seem to have gone even further back the other way being even less Prescriptive than what they were in the nineties

*I guess its like that pendant?*

Loss of control (trust in operator, uncertainty):

Yes it does sing, I am not indiscreet meant that perhaps we were too descriptive as if someone did come along with a new way of doing something you know a new way of composting that perhaps was a new standard wind row composting Denny could be very difficult because we would say we want it done this way all we want monitoring and there was a well a site is just physically not designed in such a way so we cannot shove a probe in every five meters because there's a 2ft sheet of steel everywhere but I think that's where we would have said put together a good risk assessment and environmental management plan all put together risk assessment database sig management plan taking into account the ad agencies guidance as to what we would have normally suggested and we will work around it, now that's not really going to be the case because inspecting team I'm simply have the know how or the time to get one out of the operator

*So the system is becoming more flexible?*

Yeah that would have to come and say can you advise all their might say how would you suggest the I'd do this but instead it will be a case of go find a consultant

*I was talking to a friend who works in the environment agency and he was drawing parallels with calls centres the way they are in India to increase profits only to reduce the quality of customer service.*

***Need for a greater transparency of Agency spending (change in work ethic, change in the quality of service provided, restrictions of time decisions take to pan out, reason for staff leaving the Agency):***

I think that's certainly the case the amount of work that's required I mean we are supposed to be out a fixed license in ten hours as opposed to say 40 or 60 for a bespoke license, when you truly all we doing is getting it in rubber stamping it and getting out but obviously charging people the same as when we were put in a lot of work into them it's a lot of money that the agency gets for very little work, I guess when all sites will be fixed and they go to these national centres in a tree those teams will just be rubber stamping stuff like there's no tomorrow taking application fees that range from two and a half to £16,000 for not really a lot rather than actually doing the work in making its site specific license it would just be here you go and until we find a problem we won't worry about it. And I think there would just be no communication between inspecting teams and these national licensing teams because I am sure area inspecting teams will have questions that require modifications and want things done but I'm sure these national teams will be just well we have a huge backlog of fix condition licenses to rubber stamp so it's certainly are moneymaking thing obviously the fact that you've lost all those officers say are hundreds of this is at 20,000 a pop. The year on year cost of fix condition licenses together with the annual increase in license fees, the ad agency will be raking in a lot of money for not doing a lot of work or though the inspecting teams will be expected to do a lot more work but won't have the resources all the time so yet that's where I think it all starts falling apart and you would have a not particularly good license in my opinion anyway and indeed not many of my colleagues, and then enforcement won't have the time or knowledge to enforce against it so I think the likelihood of environmental or amenity impacts, however small, probably will increase but whether that actually ever gets fed up backup to head office and then you know to filter back down through a revision of these who knows probably not because the E. P. P. program will swallow it all up next year, so you would have to give that eighteen months to two years to see well that will probably be the arguments you have to give that two years so we would have four years where no one knows what's been going on and no doubt on the fifth year someone will dig out one of the old standard bespoke licenses and save all this is rather good yes this is what we need.

Even out somewhere I'm sure maybe in the middle but I think basically operators basically are allowed to get away with a bit more and I don't think anyone will really be able to stop them in the short term especially if you end up arguing over something and if it does go to court that could go on for ages and you probably can't stop them doing it in the meantime until the decision has been made so you know everybody's just going to, you know a lot more pressure on agency now from the operator because the operator knows they can get away at

the bit more and nothing we know that that's probably the case and it's going back to the purpose of the agency is obviously to protect the environment human health and the amenity and I am not really sure what we're going to do what we get funding to do which is part of my reason for leaving well certainly I think what's the point and I think that's the case for a lot of officers you know we enjoy doing on technical work we enjoy going out to sites it certainly what makes the job more interesting. Sitting in an office putting the name and address on the front and then issuing it for a consultation well you know there is no technicality in that

*So it becomes an admin job?*

***Change in the license officers job description (more reliance on external networking, lower level of accountability / care):***

It does, I just have to fill in a leavers questionnaire stating what my reasons were for leaving and quite often on the different questions I have said it's gone from a quite interesting technical job to a purely administrative job that you really could just get a couple of temps in some good typists and basically the only few technical bits that are left are bits that we tend to have to farm out to different departments anyway such as national division conviction search although we might instigate we might calculate what they should be or whatever it might be the actual checks are done by other teams so if you can use an e-mail then that's all you need so that's the main reason why I would leave I like going out I like to argue the issue with the operator say all pay cut was in the application and get back to them and say well this is what I think your application is falling it's neither do I care to take a lead what's in your application and I certainly don't need to know how you're gonna go about doing anything on site so what's your name and address and I will slap it on the front I mean sometime this year it's supposed to be going online there will be at a .....

***Power / responsibility / accountability being farmed out (more reliance on external networking):***

*Will the planning office be subject to this in the same way?*

Uhh I don't know you mean the way we consult with them all the way this is done in general

*I will they be able to take up some of this workload?*

No I don't think so

*I was thinking of site specific factors?*

***Agency (high up) not acknowledging the need for good external communication (different cultures (risk appetites) existing in the same organization, Loss of EA's ability to act as a safety net for planners shortfalls (loss of inter agency networking)):***

I think not probably I mean it depends again different planning areas very like the ad agency if they are very busy you can tell from the consultation response that sometimes they got into minute detail comparing license with planning commission what you want them to do but sometimes they just waste and the say yes and unless you were the officer of that and you bet that to read the planning permission through in detail certain discrepancies could get through because you might have an applicant's company to you for a community site but somewhere in the planning permission it might be hidden away that it's a sad it has to all be done enclosed within a building or the most common one is that the applicant applies for all different types of waste and then somewhere hidden away again in the planning commission is that you can only accept inert waste well I don't think this new system really benefits of that either because they let as they go out now with a fixed quite almost quite to rude and we have actually be worded ours in our area because it's very much a case of we don't really consider your opinion to be worth much but because the environmental protection act says we have to consult with you therefore you are being consulted so inevitably you got a no comment with these national teams are they going to have the time to sit down and read through the planning commission and the planning commission are a bit like a license you know you might have a planning commission as the main document that is only four or five pages long that that may refer to the planning application which could be a pile of papers

*Is it true to say then that the planners will have more influence over the process?*

*Implication of new style licenses (loss of control / power over other agency work, loss of inter agency networking, loss of knowledge sharing, lack of attention paid to detail, loss of an ability to influence planners environmental awareness, loss of planning liaisons, time constraints associated with inter agency networking, inter agency networking requires knowledge of where to look e.g. planning permission, loss of legal power e.g. to make operators have a legal requirement to follow a working plan set out by the agency ):*

Sometimes but I think the planning commission is the place where the stops or not because once planning commission has been issued it's very hard for us not to issue a license, because planning comes in and they consult with us and we have opportunity to comment and they obviously send it to the environmental health team and you would normally hope that if it's going to stop that's where it would stop or indeed we might say because I do planning liaison for the team we will look through the application location look OK most of the measures that have suggested look all right but they haven't considered this so could you put condition in the planning permission that states yes you have your planning commission but it won't be fully completed until you have submitted a environmental management plan but who is going to be doing that planning liaison when there is no area waste person left and I cannot imagine these national teams taking on all of that work because planning liaison takes up half the day a week I would imagine of my time which is actually quite a fair chunk really in some weeks it's a lot more some weeks since a lot less but I would say about half a day for say about four hours a weekish. If you think I am only an area officer and we have three areas in one region and there are ten or eleven regions and that's a lot of area officers that won't be there about 25 equivalent officers in these national teams they are simply not going to be able to do it so I am slightly concerned that planners will still be issuing planning commission but they probably won't cover as many topics and then if we also are not going to cover them because we're not going to enforce because we're not going to demand the need for an environmental management plan it's not until a problem occurs which could be quite soon off the licenses are issued that anyone is going to know. Then we go back to what I said about how are we going to force against it if it isn't. So I think it could be affected I think there certainly are ....

*Is that the same with the HSE then?*

***Motivations – external networking – willingness to pass on information - accountability***

HSE actually never respond that they are a statutory consultee, they are more concerned with what goes on at the site we might be concerned with how the site is run with all the pollution measures but their concern is have you got because on your machines have you got suitable masks and equipment so we still have to consult with them because they are our statutory consultees but in the two and a half years of my licensing experience I think I have only had one actual response that wasn't no comment because there were some conditions because there were some issues they had to had some direct complaints themselves, and indeed with any kind of consultation statutory or not we have to do it but we don't actually have to take into account any thing they say again it would be down to the officer and indeed, his team leader because to produce a license we have to be choose a decision document which obviously details how we have come to our decision and if it had been signed off by our team leader

**I think we should talk about the organizational and power structure because I told him [referring to Gareth] that it really depends on the officer and then the team leader because there was a case a hornet's case where I got something negative but at the same time we still signed it so it's not just getting a decision document signed**

*Validity of science – accountability (personal preferences – values/beliefs) – officers discretion*

Well I think that's partly the nature of risk assessment that in some respects you can risk assess anything away but even though we do 99% of the time to follow our own set of guidelines if you get the right officer on the right day they might disregard what's gone before and they will sign something you know you [referring to Kemi] did one I didn't want to have anything to do with because I just couldn't believe that we were actually agreeing to its because I just thought well we haven't followed I mean that certainly was an environmental pollution issue I would have said

**Yes we have response from the sold seas and they actually centre a had directs objection but they wanted us to do further investigation**

Yes and I would've said that was a very valid comments and that's what we should have done

00:53:51

### **But we still signed it off**

For various reasons between various team leader whether it be team officers and ourselves the individual decided that they would go with it so I think it does happen, treat everything something still by the by the benefits are not

*Who makes the final decision then?*

***Individual officers discretion – intera agency networking (team work) – decision process – decision makers***

To be honest is the individual officer I mean we sit in a team but we don't need to a mean I do my own work completely separately from anyone else you know if I have a question I might raise is at a team meeting or literally because we all do sit together I might show out over to one of my colleagues and say what about this or I will speak to my team leader but to be fair I would say most of the time we work on our own without ever having to talk to anyone else I mean we have had it a licensee in an era time anyone's got involved is when our team leader has to read through the license and signed the decision documents or any other ..?..... forms and various bits and bobs and that's it

*Would it ever be the case that team leader would look through a case?*

***Intra networking – decision process – accountability (power, role) – trust (intra networking) – communicating – confidence in decisions made (precedence) – brake down in communication with operators (communication)***

He might there might be a case where there's a lot more publicity all we know there are problems but normally you would talk about with him if you know there are problems and you would normally go to whatever inspecting team it was for that area before issuing the license I mean you would get it ready and all written up but you would advise them of what's going to be issued but normally is almost entirely up to the individual officer but your boss

has to sign it because he actually has the power to sign the form that says that these license has been granted on such a date by a particular person but it would be me that done all the work and to be honest I think normally your boss doesn't normally go through the documents in a huge amount of detail partly again because we talked about the site lots or certainly in the old days with the more prescriptive licenses you wouldn't have to worry because although every license was bespoke we inevitably had to a framework for each license that you are going to use because you knew that the same sort of conditions were going to be used over and over again and you know with these fixed decision documents basically one signed because it hasn't required you to go into any technical it's very much tick box was money received tick was name put on front tick was consultation done tick and he goes out. The few that have actually been fuel fixed the I have done And that really been just in and out with subjects of the 28 day nothing to be done really is a hard to let go how used to do stuff you know you want to ring up the operators say how are you going to do this why don't you supply me with a drainage plan

*But now you don't have the power to do this or you just can't justify doing this?*

### ***Shift in power from agency to the operator***

You can't just no, and think you need to think carefully how you can justify it and sometimes you can but sometimes you can't and I think because the system is all going new people often will still send in all the information they used to any way so you can get without it by saying well you sent this information so I will comment on it but certainly like the WRG the big companies know exactly what they're doing and won't you anything that's just the way it goes

**I was of the opinion that the fixed license started as a streamlining and actually started because of the organizational structure that the people in power at the top their own perception of risk is not like the officers on the ground**

***Job description – perceptions of risk varying within the organisation – change in organisations definition of what constitutes a risk (e.g. neglecting nuisances)***

No I don't think it is I think very much the case that at the very top it is, I mean I went to work at a meeting about these fixed licenses last year and indeed the year before and these

were sort of the heads of national policy and process and it did come down to the fact that well know what one has actually died from that site and therefore the risk is low well I don't disagree well that's fair enough and that's a valid points and hence there is a certain amount of streamlining to be done but this is why I think you know this is why we have small scale stuff it might never be reported in the papers but does bend the year of the officer sitting on the other end of the phone it'll get swept under the carpet and it's seen as pointless well I think that's exactly what we are here to do whether it be a tiny incident or a huge pollution we are supposed to be on top of it

*Where what you see the streamlining should be done?*

### ***Knowledge – learning from experience***

Umm, I do not disagree with these fixed condition licenses I don't see there's anything wrong with having off the shelf licenses because it does free it up you know you have your fixed fees it does make it quicker it does make it easier, I think it's the facts it's the few risk criteria they have considered are just too few really and you would have thought experience from the fact that this is the type of license we used to have and then we went through the Prescriptive and that some where a middle ground could have been found rather than going back to the extreme that we used to have is no reason why a conditions for amenity site, a compost site or a transfer station for say noise shouldn't be the same why not but each one is quite different and therefore I don't think all the conditions should be the same and essentially they are. If you picked up any fixed apart on the occasional r&d case which are the ones that suggest the type of recycling one can do almost the one is the same

*Is that quite dangerous?*

Apart from the front cover of the back cover where the D&R case is they are exactly the same.

*So I guess it's down to the scientific data order risk assessment to prove that there is any reason for concern?*

***Definition of risk – loss of accountability and agencies power to demand for evidence***

Yet I think the trouble is though is that the agency have now done their own risk assessment which I think is based on the fact that no one has died and therefore we can issue these you know you certainly wouldn't ask the operators to do a site specific risk assessment they meet these generalize conditions the risk criteria and then that's it

*And there's no policing for the unexpected events?*

***Issue of time scale associated with formal consultation process***

Not really when it happens people will go it wasn't outside the license but what will probably happen is that they will just produce another fix license, so there is a possibility for these to improve but it doesn't really help you at the moment when he rises

*So we are just taking the risk of learning from mistakes?*

***Bad or lack of communication – lack of knowledge – need for better sharing of knowledge – information not being filtered back up to the chief executive***

I'm just not sure because they certainly never spoke to the office on the ground who deal with them on the day to day basis I think they probably looked at like any organization we have to fill in various monthly reports saying we issued this I mean I think certainly with the small environmental and amenity issues they probably never get reported on our electronic system because the officer has dealt with them themselves and they might get noted down on our electronic files but that doesn't necessarily end up on a chief executives desk saying well the site has had the spills six times in the last year a cave didn't cause a big problem but the officer there with it directs and I sometimes think if they have this data they might think differently

*So it's like the officer has taken the initiative to do the streamlining but it hasn't been taken account of?*

***A move away from a precautionary approach – bad knowledge sharing – difference in opinion regarding the purpose of a license***

It hasn't been taken account of and it's different because any time you try to have one thing to fit all it's very difficult because there are huge similarities between the sites but there are also huge differences in no one's a transfer station and others a transfer station they may sound similar they may be taking identical waste they might almost be processing stuff in the same way but if you go out to them I guarantee you if you did the old style spoke there wouldn't be some think slightly different whereas now who knows and because it's not in their you don't really have any control and certainly if it's not in the license how can you ever take any action if you need to. But I think that's the thing with a license I'm not saying that there are millions of problems all the time but I think the license should be there in case there is a problem not necessarily because there is a problem, and I don't think they really do that now I think they have stripped it right back to the basics and I'm sure someone has their fingers crossed

*It's almost like they are assuming they know the risks?*

Or they just taken on fact that all the small things just aren't important enough

*I suppose this would include litter would it?*

### ***Change in culture – significance of smaller risks***

Later and mud on the road is quite a common condition to find on the license where there quite a lot of vehicles coming in and out and the mud spreads onto the highway and the obviously can be dangerous when it's wet and obviously can cause dust. And again yeah not really something that likely to ever cause a huge but nevertheless it is something that we are supposed to look at and I think we'll

*It could be causing a death here and there?*

### ***Loss of communication with public - culture – risk perception – differences within the agency***

It could and I think a lot of what we do in licensing is to do was to nuisance factor trying to sort of you know you're trying not to piss off everybody around you, you know it probably isn't trying to save their lesser known newt or protecting this river it's more about not

annoying the people so yes dubbed up mud on the road at the end of the day is not the biggest thing but it is likely to cause a problem and the ad agency have obviously decided that it has or is likely to them why should we not take account of this you know I think the higher up you go on the ladder in the agency it's all about the larger risk because they're not the person sitting in the area getting a phone call that says come on what about this mud on the road why don't you come and sorted out

*So it's almost as though they're willing to lose that contact with the public because they think it's a futile?*

***Change in the agencies mission statement? – playing russian roulette? - knowledge of where flexibility lies – ambiguity – power shift from agency to operator – legal accountability – uncertainty***

I think it's probably just seen as a very minor thing that doesn't really matter well I just think if you paid all hired or pointed to a job you should do it. What if somebody does die for the agency going to lift up the hands and say we did get it wrong when a person that's good enough personally, I think it was better when we did say you will do its to a certain degree you will do it this way with a little bit of flexibility in their rather than saying well go away and do it and try to be as practicable as possible but whenever it anyhow that is because we don't really know what that means ourselves certainly the inspecting teams are really very worried about it because they say what is a practicable measure it's very difficult as new you know security one of the arguments from the national process team that I went to said the old licenses are very prescriptive about security and we did used to say in the license that you must put in a 1.8m-ends to a British standards but if you're actually read to the end of it there was little, that stated or otherwise agreed in writing with the agency. So we basically set a benchmark but said if you want to come was something else we will do it but now it says the site will be secure as far as practicable well to practicable measure could be for posts with a piece of string between and I know that's not a reasonable practicable measure but at some point someone will do this and how will the ad agency defended it because my idea of what's practicable might well be for posts and a piece of string and a tiny signs saying do not enter danger so I think you will just open up a big can of Worms

*So then not required to carry out a risk assessment?*

***Operators loss of accountability – locational factors – loss of control from agency – loss of legal control***

The not required to carry a risk assessment because the idea is that when you applied for this the agency has produced own risk assessment for each of these sites so unless you don't meet one of their criteria or you have a very high tonnage or whatever it might be your taking it out of risk then you could argue that is no need to do a risk assessment because it's already been included within the agency risk assessment and that's what people are done this and are well you've looked at the standoff the waste and yesterday the swans hazardous but you know another condition might say it be stored in a suitable container would I would like to see an ever more than that of light and say OK a suitable container but I want to know where it's going to be stored in no way happens if you run into it with a 360 or another .....?..... and that's what you would have used to have seen in a working plan and ideally you would expect to see in a management plan but the license doesn't actually say you have to have that written down all indeed supplied to the agency and there's no mechanism by which even if you do supply one and we don't like it how would we really go about getting you to change its because if I was the industry I would you the reverse and say well until there is a problem why worry about it so yes it's 60f one and ½ a dozen of the other

*Could I just get you to talk me through a case that you have been involved in and the players that have been involved and the information that came in?*

**A complicated one!**

***Case Study: bad communication within the agency – no legal validity between agency and operator communication – political pressure (media coverage) – public scrutiny – increased scrutiny in response to an increased political aspect to decision being made – an increase in political pressure increased both internal and external networking activity***

A composting one even, I suppose yes I recently did a composting one operating under exception which is a very small scale waste operation have been a few odor complaints but nothing major they then decided to increase the tonnage and applied for license and that's when it all started to go bad, the environment health officer phone up and the this point we're

the only received a few complaints and then they decided to tell us that for the past two years than received about 200 complaints from the sites which was good to know but they did say they did not wish to take any enforcement action because they said it was even though they had more power under statutory nuisance than we do they believed it was an agency issued which makes it more difficult for us because unless we have actually had a complaint to substantiate it's all very well that they may have had 200 complaints but we cannot take that into account it then appeared in the paper 4 weeks in a row on the front page and it on the inside page, the area manager the environment manager got involved everyone starts to get a lot more concerned which they always do when it goes public of you see the operator was very concerned and is consultant was very concerned is the shutdown of the telephone at me quite frequently so when he went when I drafted it I probably did look at a couple of issues more that I wouldn't normally done because I was trying to place it on the fixed because if that's what we're supposed to do because even though where it doesn't meet the criteria we are allowed to amend or add in conditions as we see fit so basically the bespoke fixed conditions here were to do with location issues any bio aerosol monitoring, so century an awful lot more people all got involved than would normally ever get involved. I was probably a lot hotter on odor than I would normally have been because to be fair their regional management plan was quite good but in light of the complaints I had to think well even though they've not been substantiated and even though I have to not look at this exempt situation it is separate from what they might do on the license you have to think well as the norm and xing it well on the license so I did get them to in a lot more work and we did have a five to six revisions of their area management plan which are really we shouldn't have done under the new style I probably should have waited and sits at the environmental management inspecting team they go you got to fix the conditions now get them to their management plan and it did it got s lot more consulted on a lot more widely it's went to county and district planners it went to environmental health it went to the inspecting team

*Was this off to you had issued a license?*

***Increased internal networking in response to an increase in political accountability – individuals actions within the decision process is very suseptable to public pressure – increased networking (brokering) – political pressure – confidence in making the right decision – contentious issues holding up networking processes***

Yeah I love to the complaints I mean we were getting a lot of complaints or time but I still had to carry on because even though we were getting a lot more complaints not many of those were actually being substantiated the this was whilst I was going looking at the license and thinking about putting in the conditions we were getting continued complaints but not many of them were actually being substantiated and also had a lot of time talking to the EMT which is the environmental management team, the team leader because, are you going to take any enforcement because if you're not against these complaints there's even less reason for me to not issued a license as it were because if you not going to force against what is a small scale operation because nobody wanted me to issue the license of my idea was it should not going to take any enforcement against what you're currently having then there's no reason for me not to issue the license so got consulted on a lot more widely once I put the license conditions in including a loss of the parish and district and town councils which would normally be consultees But because we wouldn't normally consult with individuals I said I would consult with interested parties and the parish council are basically there to represent their members and upper in other all for lots more man hours than I would normally have put in on a license that there was so much going back and forth a lot more of me going out the sites a lot more of me talking to people internally and a lot more pressure on me from the internal local internal management not to issue its but at the end of the day I've gone through the process I may have believed there were a lot of complaints but if none of them had been substantiated there's no reason not to issue a license so you the way I was going to make a lot of people upset and indeed I did because it did issued because even our overriding guidance suggests affecting the amenity is not a reason not to issue a license. It's interesting to show what happens when something gets publicized I've had tricky sites before with similar issues but this was a whole new ball park because it with it being in the paper everyone from a area manager to publicity team some of the other public face and teams NCCC the national contact all bending my ear not to issue it but not only did I tracking national policy process object in the core rate election team which is essentially a policy process and legal because I had questions about the validity about certain conditions and obviously part of the consultation is that he gets a lot of queries back and some of those were things that I had not necessarily thought to ask perhaps because they affect the operator more than the affects me doing the license so almost all my of the work went on hold for about two months whilst I hammered away at this one

*Trying to find a reason to issue will not be sure it?*

### ***Power involved in the planning stage***

Well I never really thought there was a reason not to issue it going through what I'm supposed to do knowing what the guidance says a knowing the fact that once planning permission is granted your almost guaranteed to get a license you would have to find it difficult not to get a license once you got planning permission for and it's normally in the planning stage that we would object to a location all or a specific type of facility so if you have your planning permission you're halfway there

*So the operators would have to go into planning commission first?*

### ***External networking – networking with consultants – consultants motivations***

Yes they would have to get planning commission first and then go to a consultant who would possibly also help them put together the planning commission they then put together the application the consultant incomes to me and then I tend to go back to the consultant via e-mail and copy in the operator. It's difficult sometimes because you never quite sure with the consultant they are there or peacefully to make money and more letters are more time they have to suspend arguing with the agency the more money they make. Some consultants will say cost of the application is x amount of obviously includes extroditorial work but some will say 5000 gets a field in completed for and two letters anything above that will be on a sliding scale of expense

*So it's almost in their advantage to get you to ask more questions?*

***Case Study: confused communication – motivations (more communication, more problems , but also less service) – surrender of licenses has the same level of legal accountability (scrutinty) but less expoeienced officers to determine the existance of risk.***

It is. Which is why sometimes you're calling the operator directs before speaking to the consultant because sometimes you'd like to know that what I am actually been told by a consultant is the wishes of the operator. Example we simply is the operator would we were doing the license it was actually where within four months it was going to be out within two months the operators go for contracts for a county council waste collection and obviously in

the application they want to say they had got all were very near to getting it results concerns there is no reason not to issue it everything can be done and then the consultant wrote to me having said that the operator to have any comments with a long agency knocking letter which you kind of get quite a lot couple of valid points in a couple of things that could be tweaked maybe in the license or in the working plan and you think well the consultant knows full well that this will have to go back up to policy processing and they know the turnaround for this is one to two months so we rang up the operator and said we just had your consultants comments and I was fine and more than happy to do it and we'll get it done within the timeframe but it will be another two months to which then strangely enough they go off and two minutes later you get a phone call from the consultants saying of knowing the money for any that are it's quite a right eye was quite like a response but are we still won the license issued as quickly as possible so as much of a balancing act a lot of what we do really because of the end of the day love people that come to us are doing what they're doing for money making reasons and they work to deadlines whether it be that that building insights to have a contract or the going for contracts with trial best to get them their licenses we're not trying to look for reasons not to issue them a license and to be honest I don't think I can think of one I have not issued by then some have gone well beyond the statutory period because we have argued about something I'm not satisfied with the anytime we might is mopping up the back end when it comes to surrendering a license and that's where we might reject one, where the situation did require a lot of risk assessment work we would just say we were not satisfied

**And you ever been involved in the case where you have to sell reject a surrender of a license?**

I have rejected surrender applications before

**Okay tell us what happened**

*Communication style (quantitative and qualitative) – trust – tacit knowledge – historical data – importance of recorded data – local knowledge – reliance on evidence – observational data – risk not otherwise noticed – cost – proportional cost – discretion – personal opinion*

Landfills , well one was a civic community site and one was a landfill, essentially A surrender should be reasonably straightforward we do require a risk assessment but it

doesn't have to be an excel style we are quite happy to have a long written report providing it covers all the points there is pretty set guidance really within the agencies guidance on what you need to provide to surrender especially with respect to a landfill, see you get a big report you get the application fee and with a surrender the criteria is whether the money cashed essentially is the fee correct have you got to report you know you, really gone through anything you know so I had a huge report from a Reputable consultant and thought there's no reason why not I knew the site I wasn't aware of any problems I knew of a couple of issues that I wanted them to look at the hadn't done as much mana string as the license suggested they should have certain things that you couldn't take on two sides they also provide me with all inspection reports to show whether there was non compliant or not, I was looking through data and parts became down to the fact that they haven't done enough mana train as required by the license but it was very hard to say whether there was all wasn't any pollution and one of their results did show a load of least one hazardous substances in the ground it and it was an old site so it wouldn't have been lined and it was next to a major aquifer said it was potential for that to leach out so we suggested they do some leaching tests essentially do a bore hole sample down every half me to take a sample all unless you can spot a dark patch or something that looks outside of the normal and they were just not willing to do it that just came down to the fact that in that case I cannot tell either way, it might be that the site was all right but without the supporting data you could not tell I have to reject it other times it's been much easier than has definitely been something there that we just cannot accept we know it's leaching out because they have tested outside of the site downstream in the river and I have said no you are not going to be able to surrender its we have to look at possibly modifying the license to ensure that they actually do something about that pollutants than rather just leaving it for ten years watching it just leach away As some operators try to do yeah normally its lack of information certainly were some of the community sites like one I had again it was pretty straightforward the crux of their report was they had had concrete down since the beginning and it was all sealed drainage and sometimes you're surrender of a report might be as simple as that and you can prove that you've had good impermeable surface with drainage since day one then why not accept the surrender I went to the site visit which we have to do as part of a final surrender and I noticed the site was bonded but it's slow down and at the bottom there was no Bundy which was rather odd obviously it had been in the past but something had been broken down and I just noticed that on the concrete pad that had an oil tank and around it on the center of the pad there have been quite a few oil spills and if there bund and had still been there it would have been fine but what I lost and

then was just off the pad just do a couple of some pools not particularly the just scrape the surface do a couple of simple samples which probably would have cost of hundred pounds to do which when you think a surrender application itself is probably three to £5000 it's not much and especially in this case it was a huge company I knew that £100 would not do them any harm but they didn't want to do it well in my, I have to write up the fact there was a potential for contamination and until such time as they could do a sample I wasn't really willing to accept it because I was pretty convinced there probably had been contamination but to be fair they could have some pulled and they may have found contamination but it obviously were shown the level and I would have imagined the potential for its would've been quite low if they could have shown it was very small and very localized it would not have been an issue, especially combined with the possible after use and again that's when it comes down to gut a feeling.

*Will that part of it be removed then?*

Yes

*You won't go and do a site inspection?*

***Fresh set of eyes (tacit knowledge) – second opinion will be lost under new regime – local factors (definition of reasonableness) – case specific data***

Well it won't be done by the regulator surrender officer, you might ask local officer a local inspecting officer to go out for you but it's not the same you know the whole point of the regulate reoffer site going out possibly alongside the inspector officer is because you probably see different things you know that inspecting officer has been going to that site for X amount of years knows what they're looking for and probably always looking for the same thing e.g. where's the battery box all particular things whereas when you going out for a surrender visit I think you are just looking for different things you look into small cracks and things that maybe show fault, you're looking for things that show felt the hoping you don't find any say you are trying to check that the bundling is all the tact or if it's not you try to find out how long is not been correct and if it's only been since last week and you know the sites been all clear and it's only an inert waste transfer site anyway I did then we'll accept the risk as the officer saying I find it highly unlikely that anything would have happened in that

week and therefore I will accept the surrender a mean the ad agencies get out clause is that in the surrender notice we do have a tag on saying although we've excepted this surrender we don't guarantee that the land is fit for any purpose. It is probably at surrender that the individual officers opinion comes into it more and perhaps it's different with landfills because you are relying on actual data proper monitoring gas water whatever it might be smaller waste management license site you probably are looking more at speaking to the inspecting officer checking the site itself trying to see if there any compliance issues again if you find any that there was a compliance report from three years ago that said there had been a had been a crack and have been a oil spill and that's where you immediately start thinking well let's find out from the officer what it was as if been documented was it became the leading get near that crack and if it did then you have to start thinking do we want to do any intrusive do you want to dig a hole and do some sampling or is the site on industrial sidars content going to continue to be an industrial sites and all are going to do is reading up that piece of concrete and read a new one in which case what is the harm we have to think it's not going to be a children's playground in which case you don't want it there but if it's going to continue to be industrials use or for example in Bedfordshire that had a lot of munitions factories so a lot of where the industrial sites are contaminated with stuff that you'd never be able to tip on to the ground now see take all that into account any pollution that may have been caused subsequent under the license my be insignificant in comparison to the historical contamination which we know is there so you might except that surrender under those circumstances but then you might have an identical sites next to a vintage green that you would have to say no its different criteria and a different scenario

*With the process of information the operator is obviously going through the consultant talking to the operator and the officers have to take the decision whether they accept the evidence that's presented and then console possibly with the team leader?*

***Specialist (technical knowledge – technical specialists have insight into physical aspects and frontline regulators have insight into social aspects)***

Yet we would probably speak to some of the other technical specialists you know we have got the landfill leachate of gas specialists so we would probably want to get their input because you know I'm not a technical specialist with landfill leachate I mean I can look at the data and I can see whether it's going over the trigger level but I can go and talk to while each

eight specialist who will go well actually in the area is all clay 10m thick so even though it has exceeded it this one time the package through the clay is going to mean it will take 2 million years so what's the, and then you can supposedly rely on national policy and process unit few need any additional input but even then it's still down to you as the officer to make the decision you can take as much advice as you wish

*They can't enforce that upon you?*

No

***In some cases they can***

***Power of the technical specialists on the decision process (an ability to undermine the regulatory waste officer)***

Well they could cut your team leader if they really thought but it is highly unlikely that the licensing officer would ignore a technical specialist's warning. You can ignore but it's highly unlikely you would.

*So above the team leader you have?*

***Hierarchical aspect to the decision process***

Above the team leader you then have the environmental manager and then you have an area manager and then a regional manager

*And these guys actually have any input?*

***Internal networking – lines of communication – PR importance of public opinion (reputational factors)***

Area managers and environmental managers might certainly in the composting case I've talked about earlier because it became so public or indeed occasionally you get an M. P. getting involved but they wouldn't lower themselves to write to an area officer said it would tend to write to Barbara Young chief executive and then they then goes to the area manager

and the tends to filter down only in the contentious sites would they likely to become involved and I would say probably more from a P. R. point of view because it sometimes acquire someone with a bit more you know a better sound in job title to meet someone will sign a license off composting sites the manager signed it off because we thought it would look better show it had gone up the chain further than it would normally needed to and that they have been considered at a higher level

*And that affects but that the scientific evidence is accepted?*

**01:33: 53**

### ***Internal socialising***

When it was still rely I think it would still fall back to the officer who had done all the leg work, it would've been for me to go to them and say look this is what I've done and this is what I've documented and this is what I understand, if you disagree with me then fine we can talk about this and more or we can even tracts of the people in and talk to them again or though I have never come across a case where that person high up has gone no I still want to speak to them but there is the potential for them to go I still don't agree for whatever reason to want everyone around the table myself and talk to them so they could do that but that's very rare

*Have you ever had scientific evidence but your personal perception towards the case changed it or perception towards the case changed its?*

***Validation (specialists – team leaders) – scientific evidence supporting decisions and encouraging reg waste officers to tow the line) – intra agency networking (technical specialist and reg waste officer collaboration) – subjectivity of reg wate officers acceptance criteria***

Not really I tend to go with the scientific evidence first and foremost always whatever my gut reaction say it's because scientific evidence you know if it says is good or if it says is bad it's not for me to disagree that's when I would go and talk to any relevant specialist and say look I think this and am I right basically because I don't want to get it wrong there is certainly no

harm in asking another member of the team or my boss in fact and say I'm just not sure I have read the guidance I can see what it says but have found something slightly different here but sometimes for example in the surrender of the transfer station there might not be any scientific evidence but the fact that they have always had an impermeable down and inspectors reports say is it's been a bit of purpose it's been bundled, there's been no compliance issues so you might accept a surrender based on that because there should be no need for anything else more scientific than what you can see with your own eyes really every case is different I may have pumped out twenty transfer station licenses but they have all been different with it be the amount of information they have sent me or the type of site or what they're doing you know it's always different, certainly some times you do get really difficult and very hard sometimes to try to maintain a distance crime approach to your work because there is a temptation to think well this is the bottom of my caseload are what you tend to find is that there are just a lot more letters going back and forth picking holes in my license their working plan whenever he might be halves more than you normally would because it's certain amount of stuff you do take on trust because somebody will rights you a good working plan and you might go to the site but sometimes the site is just field there is nothing there because they haven't started building its yet, but you try to remain reasonably just from your cases

**Do you think your background in your education and training within risk assessment has influenced you really going for the scientific evidence that somebody with a different background, and who doesn't have the experience would be the same?**

*Value of perscription to account for officer lack of knowledge or experience – scientific evidence (trust) – local factors (nusances)*

It's difficult time because you have to wear a lot of different things you have to wear the application you have in front of you information they provided your site visits your previous knowledge of the sites and sometimes we do need technical assessments where we go out and decide does the sites have a manager that is technically sufficient and sometimes that can affect it because if there's a manager that just really doesn't't understand you have to start thinking, especially in the old days well perhaps a more prescriptive license would be best because then it's there in black and white you know you can't necessarily rely on this person getting it hundred percent right. It's very difficult to like anything or any decision you make

in life when a writer in the morning should I drive or should I walked there are a lot of stuff you have to weigh up, but I think sometimes with scientific evidence if you have any it's there it doesn't tend to be argued with too much especially if you have the operator was provided to you and it's showing something that they would rather not be there any think well they haven't tried to water down the detail they haven't tried to hide anything this is a cold hard facts which we will have to work around, but suppose what most license applications rather than surrender you don't normally require scientific evidence it's more are you putting concrete down where are your bunds going to be is it in a building how are you controlling dust, noise, pollutants, are all things you want to see, so it only possibly if something comes out of consultation that you might ask them to do a noise severely as something additional

*As far as the environment agency collecting data is this only on special cases in areas that haven't been covered?*

***Risk assessments carried out by the agency – head office looking at historical records***

I think a lot of times he is done by head office and the problem is kept in house but sometimes whole national projects are farmed out a mean last year on and the year before we had all of these Reg. fifteen projects for landfills looking at the class of landfills (e.g. inert) and then looking at the underlying geology looking at compliance issues and basically giving them at risk score and all of that was farmed out a mean it would have been headed by somebody in the agency but it was all entirely farmed out to three large consultant agencies

*And then this information is locked and used, how?*

***Use of Head Office risk assessments – dissemination of scientific evidence – confidence in decision making process provided by the evidence – ministers call for more evidence***

Then that is made readily available to anyone who wants it internally I remember with Reg. fifteen I needed to call up because I did have a landfill surrendering at the time and I thought well they may have found something out because they have more time and more resources may be something about the geology of the side that I did not know because it was an onside who is one of these half clay half gravel with no boundary and I thought well I would rather have the benefit of head office of the work done on the behalf of head office because my argument would be ....?.... certainly even the odor guidance was done externally I think

they're doing quite a lot of Cranfield actually certainly done so in the past and with bioaerosols so there is quite a lot of outsourced work which that will now inform, I mean I know the agency are waiting to issue their position statement on bioaerosols because they are waiting for the outcome of that report. But then that report will be dealt down to the likes of us and should we need to have any of the role detail we would probably go back up to national policy and process and say provide us with this additional information

*The national policy and process why are they in the decision hierarchy?*

### ***Hierarchical process***

Well I guess you've got chief executive then you have the board of directives... [Richard leaves the room to go to the toilet]

### ***Role and nature of collaboration***

Okay [looking at the organisational structure of the EA – available online] so we have head a process, that national services, so yes and national policy and process will then come down under them. It is odd really because the at the end of the day my line manager and his line manager still probably have more say over what we do it would just be technical detail that we would sometimes go to them for

**We'll from next month's what happens when everything is regionlised?**

***Communication between reg waste officers and national policy and process will remain – lines of communication will be lost as people leave the agency – decision process – loss of intra (inter team socialising) agency networking***

Will you will still have regulatory waste officers in these four locations and then they will be able to go to national policy and process just the same as we are, but that will probably just be through the formal routes rather than trying to just pick up the telephone trying to track down one of the many policy process people, who might be more willing to talk but I don't think the process, to alter at all, as indeed as I said right at the beginning our team might potter on for a little bit longer sort of up to six months longer but it is hard to say really in which case we will liaise with the national team the national licensing team but we will still do work as

we are now it will just probably be that national team will feed down work to us rather than a speeding stuff up to them say yes they will sit up here [reference made to the organisational chart] a mean they are head office rather than an area of regional I mean you even have a regional waste team which will only consist of one or two people at any one time but they will look a completely different things

*So they come under here you say? [reference made to the org chart]*

***Lack of communication – willingness to take responsibility for decisions made***

National policy and process yeah come under their and then the regional team probably under regional strategy manager under here and then underneath these you have the team's under regions you have you have your northern central and eastern and then within northern you have the EM team and the EM manager and each of those will have a Reg waste team and indeed areas in terms of the inspecting teams in each area is split down into smaller areas and you will have about six different inspecting teams so I guess we'll feed up the chain. Although I say that but we are almost completely autonomous we don't really talk to region and we don't normally have to talk to head office

*And most of the decisions are made before they even reach there?*

***Decision makers – a lot of work is carried out by the reg waste officer to get the detail right and support is available but the emphasis is on the reg waste officer taking the decision with a hierarchy of specialists that are ready to “advise” if and when there is a need to do so***

Most of the decision's, I mean we'll use head offices guidance to make our decisions so it has come down that way but very rarely do you have something that you would need to go to someone else with I'm in most cases there is always something that I would possibly struggle with the I will spend quite a while trying to figure out how I'm going to do it but at the end of the day my whole role my job profile if I can find it again I am paid to make those decisions and hopefully I get them right but if I get them wrong then it's my bosses fault [laughter], but in many respects you would have to really go wrong you would have to say to someone that they could run a hazardous waste treatment centre in a pond or a SSSI I mean you would have to really balls up really before things went terribly wrong as a grade 4 that's what I am

supposed to do to sit there and work it out by myself and make decisions on my own I'm not supposed to do it as part of a democracy of twelve people I am there to make those decisions and most of the time it's quite all right

**I am the opposite!**

***Intra agency level of expertise***

Well indeed that's probably why they will not need Grade 4 they will save money in these national centers probably by having a mixture of grade two and grade three and probably a couple of grade 5, some of the technical waste specialists just to cover any think there might arise

Okay..

Because fixed don't really require any technical input

**No I just sign them**

***Less workload with new licences***

But there will always be something along the way the new process to a new treatment style are indeed they will want to build within 10m of a SSSI so we'll have to do additional risk assessments and they will have to look at how well controlled it is

**To be fair to difference because until you get your hands on the real job there is so much difference between the fixed and the bespoke for me it is to streamline I mean the old licenses were good I think personally I learned with the bespoke**

***Ambiguity of agency goal – loss of knowledge***

Will you do because they contained ways and means of doing things so therefore if not think else by reading that license you thought well of this must be what the agency wants or has the least set some kind of benchmark so that when someone asks you what the agency expects of them you can reply that you would have expected to see something along these lines were as

given another eighteen months when I think a lot of the Reg. waste officers will have gone then that knowledge would have disappeared

**01:49:53**

**I was looking at the library of conditions are connected from you (Richard) and to just look at condition and then justification alone I mean that's very good.**

*New licenses will require less workload*

Well that's it we use to have a huge document but now when all the conditions of fixed nothing will really change anything that is likely to change is anything in scheduled 2, because the DNR code because obviously if you have a metal recycling site you probably don't need R5 because it is not the relevant code for metal but otherwise it should be exactly the same for a metal one as you would for a compost one

**What if these are based on the assumption that everybody really knows what they're doing?**

*Questionable competence of the operator*

Which is not a bad thing in some respects I think that everyone who apply for a license knew exactly what they were doing

**The decision makers the regulators the officers?**

Focus on the obvious big risks – time constraints and knowledge constraints. Well the thing is you can pay a consultant to do your application for you it doesn't necessarily mean you know what you are doing so there are ways and means of getting around anything, I mean in the introductory nodes basically with these if you meet these few criteria then it's job done but if you get one of these if you don't need all of these criteria ray might delete doubts one of these so if this is not to be located within 200m of a European sites and it is within 100 then fine well you would assume to get a risk assessment and I think it's in cases like that the you would hope to get a management plan say you could say well I would like to see exactly how

you are doing it but whether that actually happens in reality when it goes national I'm not sure because they won't have time where one go out to the site of them selves

*And after your generation they won't have that knowledge?*

***loss of historical knowledge – loss of electronic communication – validity of operators ability to pay the load back (e.g. not damage the environment) – less knowledge required under new licenses – national teams will have to rely on national policy and process team who will not want to take responsibility for decisions made***

No because I think the way it is going especially if they do get the IT system in place will you conceive yourself with these you would insert some details here and you would insert some details here and that's probably as far as you would have to go well if you ever get the online version and you can prove who you are online and submit bank details I am sure there will be an automated system that was is that often HSE and planning so the person who might coordinate the computer wouldn't really need any knowledge. I suppose because the agency probably thinks they always have their national policy and process and if the worst was to happen and there really was a very difficult case they would probably, farm it off to the national policy team. I suppose it is the final backstop if national centre cannot deal with it you always have your technical specialist's team who probably don't want to get involved with the day to day detail of licensing but could help on the odd occasion if some think cropped up

*And then they would create some more conditions to deal with that?*

Yes and that's what I have done with one other sites where most of the criteria fits me but there are couple of things on site that didn't so I basically went back to my old bespoke licenses and found some suitable conditions and copied and across

*And this is the information you were saying will be lost?*

***Tacit knowledge – loss of knowledge – re-inventing the wheel***

Well that is it because I knew what I had done before I knew that such conditions existed and that they had always been deemed perfectly enforceable, so why not go back and find them. But as I have said, they have actually now deleted the old library of conditions from the intra net pages so you cannot even checked for that. So if a new officer was to join tomorrow they would not be able to find them because they have gone so I think that ties into the new management plan but I'm not sure if an officer in an inspecting team will, I mean you can't know we don't know you might read it and think this reads alright but if you don't know that it is rubbish because you don't know any better you might just say find issue it whereas in fact another officer with more experience might have said this is not worth the paper it's written on. Fun times ahead [laughter]

*Thank you very much for your time it's been very useful to get a handle on the actual structure of the decisions being made!*

***Advantages associated with fixed licenses – enforceability of new license conditions based on consistency – issues of enforceability – more questions for the national policy and process team – ambiguity and passing the buck – loss of negotiation***

But I mean basically it comes down to the fact at the moment we sit in the area but at some point we will sit in these national centres based in those four locations but we are pretty much but you are massed with your own destiny as an officer you do what thinks best that's why you have a consultation period it is for the applicants who is normally the one that is most likely to disagree with license conditions and come back and say to you first but then if they don't like your response than they could go to the Secretary of state but I suppose fixed get around this now by saying this is the fixed the this is what you have asked to apply for so you cannot complain why is your right of appeal when that is what you have asked for obviously an applicant is well within their rights to say I don't like that for whatever reason but quite what you would do in that scenario is yet to be seen but you will probably say well you're going to get one of these whether you like it or not, well we will issue its and then you can appeal but how can you appeal to something that is supposedly nationally consistent, I don't think they would get very far even if they did appeal although we do have appeals from time to time the odd couple a year, sometimes its on every single condition and sometimes its arms some think very specific, but is only if you are really stuck you actually need to go outside The team, and this is something very specific that you want like technical landfill gas

specialists I suppose of later we probably have gone more to the national policy team and process or regulation team partly because I have had queries about enforce ability about the meaning of certain words and I suppose at the moment they are reasonably new and you get consultants and come back and say is this enforceable or what so they're trying to push it a bit so perhaps more queries go up to national at the moment then they probably ever have as far as I am concerned but even then you get an answer back and unless this is a national policy and thou shall not do it often they give you one of these kind of open to interpretation answers, and therefore it is for me to decide what I want to do, and I quite like that I mean is quite a I quite like that level of responsibility because at the end of the day if I get it wrong no one can be blamed but me but that is why you have the first consultation and indeed the right to appeal at least from the operators point of view and if it does go to appeal then is a case of arguing out just who is right and here is wrong and sometimes they lose and sometimes we lose our times we just agree to a modification all they agree to modify their management plan

**Have you ever been involved in the case that was rejected and then went to appeal?**

No I am sure it has happened but I have never heard of one that's been rejected and then went to appeal but it's more a case that we have consulted with them and their put their comments in we have held the agency line and said no this is how this condition will be and then they have appealed and then it depends on the outcome the condition has been altered or not as the case may be

*What about the influence of scientific evidence obviously that comes through the national policy is that correct?*

***Scientific knowledge***

I think no doubt that all the guidance has passes through national policy and process and in some parts is based on scientific evidence of one kind or another whether that be lab stuff all the scientific observation or whatever it might be so our decision is based quite a lot on scientific data in even if it's not actually data we have got in our hand ourselves or supplied by the applicant

*So you are not required to interpret that but more required to interpret the guidance?*

***Interpretation of guidance – scientific knowledge is only ever in the generalized form***

We are required to interpret the guidance a lot and really only hard scientific data comes into it if it is a requirement of the application for whatever reason that you might need it to be honest it tends to be more at the planning stage if the plan as a put in a condition saying that noise or odour study then that scientific evidence falls on my desk and that is when I have to consult with the guidance and roll my opinions from it so in some respects a lot of what we do is based on scientific data but assigned to the data that has been taken in beaten around summarized in a another document not necessarily exactly by ourselves and as I say normally it's only come a surrender that we actually get a hard scientific data like landfill closures way you would want specific data with proper scientific stuff with like plotted graphs and drawing conclusions, yet its part because national policy in process obviously have done a review of bio aerosols based on scientific evidence and they write the national policy within a certain distance we will do we will do this we won't do that in certain situations but you will do this and when so what I ever see is a generalized, see statement of what I should do under certain scenarios I never see the actual hard scientific data I just get what the agencies position is

*So is determined very much by the guys in national policy in process?*

***Knowing who to talk to – ambiguity (nobody wants to take responsibility for making the final decision)***

Yeah you have national policy in process regulation team you obviously have the national science team, it's hard to say because although they aren't separate teams they are all one of the same really you might go to different ones for different things, I have done a lot of audits recently way I have taken samples but I don't really need to go to national policy and process team to talk about that I will send that to this science department however when I get the results back I may then wish to go to the national policy and processed team because it might have an influence on the guidance documents I mean certainly bio aerosols because the agency wrote a report saying there was no evidence to suggest any link but we still have our position that is maybe there is maybe there isn't nobody knows see go round see may have got the applicants do it the case study themselves which you might get the science team to double check the method or the sampling regime is fit for purpose that then comes back and it doesn't necessarily meets national policy and process statement say you have to go back to

that team to try to get them to give us second position to their statement all at the end of today if you can't get either of those you have to make the decision yourself and nine times out of ten it falls back on you as the individual officer to make the decision for yourself regardless of whatever other information you may have because it's either contradictory or they're just saying they don't wish to comment

*I suppose the scientific evidence itself brings its own bias?*

***Bias associated with scientific evidence – knowing where and what to look for***

I think U.S. and especially as most of the time it's done by the operator endeavour quite sure whether all the data is there a while I presume loads in and that's just put a quick summary and they're hoping you only read a summary page then you realize that if you actually, I mean I've done that I've read the summary page that said it's all fine and dandy or maybe there was one noncompliance but then when you go through it and crunched a hard data and you realize there is fifteen noncompliance here and it does happen or though I'm not saying they necessarily do it on purpose typographical errors I'm sure do happen [laughter]. So it's a mixture of using guidance based on scientific data but guidance for someone else has decided from that scientific data or less occasionally on hard for scientific stuff is normally just knowing what you need to prevent pollution measures which inevitably are simple things like impermeable bases drainage systems suitable buildings and stuff like that but obviously someone else has done studies to work out if they are needed I mean we just have got tons of data and guidance coming out of our ears some are 200 pages long you have to take the data that seems most relevant and I think the guidance is like any think you can use it to argue both ways there are certain paragraphs in the guidance document that you could put towards arguing that we cannot issue a license on the grounds of odour and others that you can use to say we can, so..

**02:06:00**

*I guess with the new system they are creating more flexibility?*

Flexibility certainly for the operator

*And that's why they are moving your role?*

***Ambiguity of new licenses – enforceability of new licenses – lack of faith***

Pretty much yes, essentially the license is now just saying go forth and do what you want to do without causing pollution how you do it why you do and where you do we are not that fast as long as you don't do it but when you do it and cause any pollution [laughter] if you do cause any pollution then they will come down on you like a ton of bricks and that's where I think it all falls apart because I don't think we will come down on them like a ton of bricks because it's far too subjective. They are benefits to the system and I'm sure sign it would improve I just think there is this lag period where no one really knows, but if the industry are unsure we are unsure no one really knows how to enforce its and you are probably going to have a lot of Reg waste officers leaving and therefore knowledge that you would need to produce management plans is gone but inevitably that balances out by someone else will get the knowledge in time but I think for the foreseeable future it's a bit doggy I'm sure given time it will sort itself out as I said at the very beginning in five years time they'll find an old Prescriptive license created between 2000 and 2006 and say that have something to easier let's scrap these fixed licenses.

**So what do you think about consistency?**

***Pleasing the big cooperations by removing the competitive edge associated with inconsistencies of license conditions and creating financial incentives to companies that comply with the rules***

Well consistency is certainly an issue for industry and the fact that every license was different and they wanted something consistent that is fine but I don't think of us that is really necessarily any good. For big organisations all they see is that I have got mine and other waste company has got to the same type of recycling and of seen their license and it looks a little bit different and it's unfair because it gives them a competitive edge and from this point of view in there's no doubt these fixed licenses benefits history, they are more flexible, more consistent and much cheaper because you do get a 10% discount if you meet all of the fixed criteria by think us the job that we supposed to be doing I'm not sure what it really does benefit us but time will tell but I am actually hopping over the fence to join industry

*Well I guess they are benefits from joining industry?*

***Incentive to leave the agency and join industry – ambiguity with agencies mission statement  
– value of management plans to provide industry with consistency***

Yes there are benefits to all around really more money there is a better package all-round there are certainly better career prospects by going to join industry which you would never gets here. I just don't think we are doing the job we are paid to do and therefore, I mean everyone knocks industry and industry certainly does try to get away with what he can but on the flip side they are aware that they need these management plans and working plans and they do you know they need to be consistent themselves

*And they are doing the job at the end of the day?*

***By adopting the new approach agency staff and their expertise are being indirectly farmed out to industry – new licences succeed in streamlining the process and saving money but are they able to***

Will they are doing the job and I think they are necessarily as bad as we make them out to be. And I will be able to create a management plan and note is right and that's why they are employing me really is to write the sort of documents. So there is good and bad I think it depends on what the agency's main interest is if their interest is to streamline it to make more money than they have done it there is no doubt about it they are definitely done its so they have ticked all those boxes but if it is our a clear and concise and I protecting the environment and amenity I wouldn't't say know they're not because that is yet to be seen all I can say is having issues having spoken to these inspecting officers there is a lot of concern about how they'll go about enforcing it and their fall we have to offer question are we doing what we are here to do and I'm not sure we are.

If you have any other questions and please just e-mail me or Kemi and she'll get in touch with me.