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Our reference: EPAC-1226

Re: Consultation on the National Planning Excellence Framework

A Chara

The EPA welcomes the opportunity to provide input into the consultation on the National Planning Excellence Framework (NPEF). We note that the intention of the NPEF is to improve performance within the public planning system and building a platform for continuous oversight of performance.

In our licensing role, the EPA has been implementing of number of performance improvement initiatives over the past number of years. More recently the EPA has been fully engaged with the Accelerating Infrastructure Taskforce (AITF) on the priority given to major public infrastructure. The EPA in response has committed to the implementation of 6 key actions, designed to streamline our licensing processes, reduce timeframes for decisions and provide greater certainty to applicants:

1. Make national infrastructure decisions a top priority
2. Redeploy people into infrastructure licensing functions
3. Establish a dedicated process improvement team
4. Introduce more structured stakeholder engagement
5. Publish performance indicators and metrics
6. Legislative reform

To date, these actions have been either completed, well progressed or nearing completion.

Considering this, the EPA makes the following comments, sharing our experiences of process improvement, in response to your consultation under 3 of the topic headings (A Sustainable Plan-Led System, Effective and Timely Decision Making, Transparency) covered in your consultation document.

A Sustainable Plan-Led System

Benefits of a sustainable plan-led system

The EPA suggests that a positive sustainable plan-led system would ensure that that developments are designed to be consistent with the local environments capacity to absorb resulting pressures, e.g. through zoning for integrated environmental objectives so that developments are structured to work with our natural assets not against them. An example of how this might be done is provided by the GSI Groundwater Protection Schemes¹, for example: *“A Groundwater Protection Scheme provides guidelines for the planning and licensing authorities in carrying out their functions, and a framework to assist in decision-making on the location, nature and control of developments and activities in order to protect groundwater. Use of a scheme will help to ensure that within the planning and licensing processes due regard is taken of the need to maintain the beneficial use of groundwater.”*

Strategic Environmental Assessment (SEA)

The EPA, in its role as a SEA Environmental Authority, notes that DHLGH is also an environmental authority under this legislation and that land use plans are subject to SEA. Consequently, the EPA suggests that an environmentally sustainable plan-led system would be one in which SEA related recommendations and associated environmental monitoring measures are systematically integrated into regional spatial and economic strategies, development plans and other land use plans to ensure the overall objectives of the SEA process are met. The EPA’s *“Good Practice Guidance Note: SEA and Integration”*² provides a systematic approach to integration of SEA process and related stages into plan making.

Effective and Timely Decision Making

EPA’s Licensing, Enforcement and Monitoring IT Application

The EPA has developed a Licensing, Enforcement and Monitoring IT Application (LEMA) which provides for online application for authorisations (licences, permits and certificates of authorisation) and supports internal assessment processes and enforcement processes within one comprehensive application. The application has been expanded over time to provide for several regulatory regimes including industrial, waste, wastewater and water abstraction authorisations. The environmental data exchange network (EDEN) provides an online gateway to Environmental and Radiological Protection Licensing, Monitoring, GIS and Reporting applications for organisations to communicate with the EPA and share data with each other. Mediating licensing, enforcement, incident and complaint management via this one application supports effective decision making.

Engagement with Uisce Éireann to inform EPA’s regulatory work planning

There has been a number of innovations in EPA’s engagement with Uisce Éireann. The EPA has engaged with Uisce Éireann so that the utility will provide six-monthly reports identifying the licence applications to be submitted in the next 3-12-24 months. The first such report is due to be submitted

¹ <https://www.gsi.ie/en-ie/programmes-and-projects/groundwater/projects/protecting-drinking-water/what-is-drinking-water-protection/county-groundwater-protection-schemes/Pages/Groundwater-Protection-Scheme-Reports.aspx>

² [Good Practice Guidance Note: SEA and Integration](#)

by UÉ in early July. Uisce Éireann is also identifying a sub-set of Wastewater Discharge applications currently on-hand that will directly support housing delivery. This information will inform EPA prioritisation of licence and certificate applications made by Uisce Éireann in relation to wastewater discharges.

With respect to the Industrial Emissions, IPC (integrated pollution control) and waste licensing regimes implemented by the EPA, the EPA has introduced process improvements in the last 2-3 years that have improved processes, reduced timeframes for decisions and increased certainty for applicants. These process improvements have potential for or are being rolled out in the wastewater and abstractions regimes, including:

- the publication of a priority list for Industrial Emissions, IPC and waste licence applications on hand;
- team-based assessments of applications for some industrial and intensive agriculture sectors;
- burden-sharing of applications across sectoral teams to assist with the shortening of licence application backlogs particularly for the waste sector;
- revision of internal report templates to clarify the role of the licensing inspector;
- return to applicants of poor-quality applications or where applicants fail to answer requests for information in a timely manner;
- reduced use of requests for information which, especially if the applicant is tardy in their response, can significantly add to the end-to-end timeline for an EPA decision; and
- revision of certain internal procedures to eliminate workflow steps.

Moreover, EPA is currently setting up a Process Design Team to review and where possible streamline priority regulatory processes and how we organise our work

Statutory timelines for EPA licensing in the industrial and waste sectors will provide certainty to applicants on times to decision and similar timelines are proposed for prioritised wastewater and abstractions licence and certificate applications, with *particular* priority given to those linked to housing delivery.

Limited licence reviews have the potential to reduce end-to-end licence application processing times. Legislative change has been sought by the EPA to allow for limited reviews in the wastewater licensing regime.

The EPA has also sought legislative change to amend EIA thresholds for wastewater discharges to be aligned to the EIA Directive and to reduce the statutory obligation to periodically review wastewater discharge licences, thus allowing more resources to be made available for new and priority discharge applications.

Transparency

Monthly licensing decisions report

A recent innovation within the EPA is the publication to our website of a monthly licensing decisions report. This innovation is part of wider efforts to improve transparency around regulatory decision-

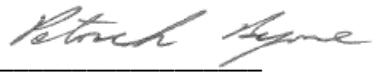
making processes. The report contains key metrics on licences and permits issued, applications remaining on hand and decision timelines across key EPA licensing regimes, namely IE, IPC, Waste, Wastewater, Abstractions, Dumping at Sea, By-Product and End-of-Waste. This report is published monthly on the EPA website³.

Licence and Enforcement Access Portal (LEAP)

The EPA makes the information provided by licence applicants publicly available on the EPA's LEAP Portal⁴. Moreover, the EPA also makes enforcement information, inspection reports and monitoring data, in relation to granted authorisations available via the same Portal providing a comprehensive level of public access to its regulatory information.

If you require any additional information in relation to points raised in this submission, the EPA would be happy to meet the relevant team to discuss further.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Patrick Byrne', is positioned above a horizontal line.

Patrick Byrne
Director
Office of Radiation Protection and Environmental Monitoring

³ [EPA Licensing and Authorisation Decision Monthly Metrics](#)

⁴ [LEAP Online](#)