

Application to vary permit **EPR/ GP3305LN** : **Beddington Energy Recovery Facility operated by Viridor Waste Management Limited**

November 2022

Viridor Waste Management Limited have made an application to the Environment Agency to vary their permit, EPR/GP3305LN, for Beddington Energy Recovery Facility, Beddington Lane, Croydon.

We have produced this briefing note to answer questions regarding the consultation and permitting process and explain how a decision will be made in determining whether to permit the variation application. This briefing does not deal with questions relating to the technical aspects of the application.

Background

- Beddington Energy Recovery Facility (ERF) is operated by Viridor Waste Management Limited and regulated by the Environment Agency under permit EPR/ GP3305LN. We regulate the site through a programme of regular inspections and audits, and it is the permit holder's responsibility to ensure they comply with the conditions set in their environmental permit. The site operator must implement appropriate measures to ensure that only the waste types listed in their permit are accepted onto site. We are only able to regulate against the conditions set in the permit.

Consultation on the application

- The Environmental Permitting (England and Wales) Regulations 2016 require we consult for any new application or applications involving substantial change. The majority of new energy from waste (EfW) permit applications or variations are classed as 'sites of high public interest' (SHPI). We have classed the Beddington EfW permit application as an SHPI and will hold a consultation before making a decision on whether to permit the variation.

How long is the consultation period?

- Our standard consultation period is 4 weeks, but we will extend it to 6 weeks for this Beddington application to allow people further time to submit comments.

Where is the application now?

- The permit application has been received at our National Permitting Service (NPS). The first stage of the determining process is for the application to be assigned to a Permitting Support Officer (PSO) and then reviewed to determine if it can be 'duly made'.
- Applications should give all the information we need to make a determination. If an operator fails to provide enough information the application may not be 'duly made', which means that it cannot be determined.
- We are now at the stage where we are ready to go to public consultation .

How will residents and stakeholders be made aware of the consultation?

- All relevant application documents will be published on the gov.uk website for consultees to view. A special link will be created for this consultation and shared once the consultation goes 'live'. Consultees can record any comments they wish to make via the gov.uk site.
- The link to the gov.uk site will be advertised in the local paper, and we will send the link to the South London Waste Partnership, leaders of the of the four London Boroughs, the Greater London Authority, and local MPs. These recipients are free to pass on the consultation details to residents and constituents.
- We will use social media to promote the consultation.
- As part of the consultation process, we routinely consult other regulatory organisations such as Local Authorities, the Health & Safety Executive, the UK Health Security Agency and known local action groups.

What happens once the consultation closes?

- Once the consultation has closed, we let people know. The PSO will then determine (assess) the information submitted by the applicant and consultation responses, in order to make a draft decision on whether to issue the permit. The PSO will also discuss the consultation responses with the local regulatory officers who carry out the inspections at the facility.
- If, following the first consultation process, we reach the decision to issue the permit variation, we will then enter into a second phase of consultation called "Minded to issue" consultation. Should this be required, the consultation process will follow the same pattern and timescale as the initial consultation.

How will you assess any issues raised when reviewing feedback from the consultation?

- We consider all comments and feedback made in the consultation. We summarise the key issues into a decision document and explain how and why we reach a decision. The decision document will be made available to the public.

Can you consider vehicle movements to and from the site?

- The Environment Agency's principal legislation for regulating waste activities is the Environmental Permitting (England and Wales) Regulations 2016. These Regulations specifically preclude us, in paragraph 3(b) of Schedule 9, from "addressing nuisances and hazards arising from traffic beyond the site of a waste operation". Therefore, we cannot include conditions in our permits which address the volume of, or emissions from, traffic.
- Vehicle movements are specifically covered by planning legislation, which falls under the remit of the Local Authority, which we do not have any powers to enforce.
- The Environment Agency are a statutory consultee for planning purposes. This means local councils must consult us when considering any planning applications.
- Our comments on planning applications relate to environmental matters that we are responsible for reviewing.
- We only comment on planning applications and do not have a role in deciding them. The local council will make the final decision after considering our comments.