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APPENDICES TO PROOF OF EVIDENCE (2)

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APPEAL BY BRITANIACREST RECYCLING LIMITED

PINS REF: APP/P3800/W/18/321965
LPA REF: WSCC/015/18/NH

OCTOBER 2019

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- **A5:Excerpts from Appeal Ref 2224529 – Former Ravenhead Glass Warehouse, Lock Street, St Helens (August 2015)**

Appeal Decision

Hearing held on 21 and 22 January and 17 June 2015

Site visits made on 21 and 22 January 2015

by M Middleton BA(Econ) DipTP DipMgmt MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 August 2015

Appeal Ref: APP/H4315/A/14/2224529
Former Ravenhead Glass Warehouse and other land, Lock Street, St Helens, WA9 1HS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Brian Moore against the decision of St. Helens Metropolitan Borough Council.
- The application Ref P/2013/0475, dated 7 May 2013, was refused by notice dated 31 March 2014.
- The development proposed was change of use of warehouse building and installation of plant and machinery, including 39 m high flue, to form a 10.6 MW energy from waste plant that will be powered by refuse derived fuel, together with the relocation of the existing materials reclamation and waste recycling facility to accept non-hazardous waste, currently located on Merton Street, to the application site and demolition of the existing materials and waste recycling facility.

Application

1. The application form describes the proposal as written above. During early discussions between the Applicant and the Council, it became apparent that following the relocation of the waste recycling facility from Merton Street to Lock Street, he would wish to redevelop the Merton Street site for industrial purposes but did not have any detailed proposals. With the Applicant's agreement, the Council therefore amended the application description, considering it to be a hybrid application and added 'outline permission for industrial development of the Merton Street site' to the above description.

2. This description was used in the report to the Council's Planning Committee and was the basis of its determination. I have also considered the appeal on this basis, determining it as a hybrid appeal for three constituent parts of an overall proposal; these being the relocation of a waste recycling facility from Merton Street to Lock Street, the installation of an energy from waste plant at Lock Street to treat the waste from the relocated waste recycling facility and other refuse derived fuel (RDF) and the redevelopment of the vacated site on Merton Street for industrial purposes.

Decision

3. The appeal is dismissed insofar as it relates to the installation of plant and machinery, including 39 m high flue, to form a 10.6 MW energy from waste plant that will be powered by refuse derived fuel.

of north Cheshire is closer to this facility than most of Merseyside and the western part of Greater Manchester is close by.

23. Both the Appellant and the Council consulted Ineos Chlor about their imminent capacity at Runconn. The Email to the Council, which is dated January 2015 says that there was 50,000 tonnes pa of spare capacity that Viridor has control over. Whether that would or could be available to other waste suppliers is not clear. The correspondence also says that phase 2 has a capacity of about 425,000 tonnes pa but nothing is said about the extent to which this is committed. The communication received by the Appellant suggests that there may be an opportunity for 30,000 tonnes at a gate fee of £85/tonne. Without sight of the letter from the Appellant to Ineos Chlor and therefore the context of its reply, one cannot conclude that there is only 30,000 tonnes of spare capacity overall at Runcorn. Nor can one conclude that there is currently 475,000 tonnes pa of uncommitted capacity as the Council's evidence implies. In my experience it is most unlikely that the capital expenditure involved in such a project as phase 2 would be committed without significant medium term commitment from RDF suppliers.

24. The Appellant has shown interest from potential RDF suppliers that could deliver over 280,000 tonnes pa of non hazardous waste to a new EfW plant at Lock Street. Whilst not all of this may be forthcoming, as most of the suppliers already supply the existing facility, it seems probable that the Appellant could source the 150,000 tonnes pa required to efficiently operate the proposed EfW plant.

25. It is a fact of life that EfW capacity at Merseyside is used to process RDF from other parts of the region. Despite the duty to cooperate there is no available information as to the extent of this and thereby no conclusive evidence that there is in fact sufficient EfW capacity at Merseyside and Halton to meet the sub-region's future requirements.

26. Nevertheless, this site is not proposed in the WP. Despite the weaknesses in the Council's case, the Appellant has not clearly demonstrated that existing operational and consented capacity cannot be accessed to meet the identified need. The proposal is therefore contrary to WP Policy WM14. Furthermore the National Planning Policy for Waste (NPPfW) expects applicants to demonstrate the quantitative or market need for new waste management facilities where proposals are not consistent with an up to date LP. I conclude that the overall need for the proposal has not been clearly demonstrated.

Carbon Output

27. National Planning policy for Waste (NPPfW) expects applicants to demonstrate that waste disposal facilities, not in line with the LP, will not undermine the objectives of the LP by prejudicing the movement of waste up the Waste Hierarchy. The WP has the vision of waste as a resource that is moved up the Waste Hierarchy and an objective of all new waste management facilities contributing to reductions in greenhouse gas emissions.

28. Energy from Waste[1] points out that such waste infrastructure has a long life (normally 20-30 years) and that steps should be taken at the start to ensure that systems drive waste up the Waste Hierarchy and do not constrain it. In

[1] Energy from Waste, a guide to the debate: Department of Energy and Climate Change, 2014

consequence new infrastructure, particularly where there is not clear evidence of a need for additional capacity, needs to contribute to recovery and not disposal. It seeks to maximise the benefits of energy generation and points out that to comply with the Waste Framework Directive the process needs to constitute recovery.

29. The WP policies that require proposals to demonstrate that facilities would not prejudice the movement of waste up the waste hierarchy and would contribute to waste recovery rather than disposal are clearly in accordance with this advice. Whilst the attainment of R1 status is not a mandatory process by which planning proposals should be considered, it is nevertheless a method of demonstrating whether or not a proposal is recovery or disposal.

30. In certain circumstances generating electrical energy from waste can contribute to carbon emissions to a greater extent than depositing the same material as landfill. It is therefore not a simple exercise to demonstrate that an EfW will have a positive effect on overall carbon emissions. Additionally, it is consequently now generally accepted that EfW plants need to provide heat as well as electricity to be considered to be a waste recovery operation.

31. Despite the opportunity provided by the adjournment, the Appeal proposal does not include a detailed specification of the type of gasification technology to be used. Other than indications from potential users in the area, there is also no evidence to demonstrate that the supply of heat, from whatever system is installed, to these users would be commercially viable. Whilst conflicting with the evidence from UKWIN, the Appellant's evidence nevertheless suggests that electrical generation from the plant alone would not enable it to meet R1 status. Consequently the plant would need to recover and facilitate the use of waste heat to realistically be considered as a recovery facility.

32. The proposal alleges that the EfW plant will provide heat for local businesses and I have no reason to doubt that there are genuine potential customers in the area. However, whilst I accept that it is not reasonable to expect applicants to demonstrate a definite commitment from heat end users at this stage, in the absence of more detailed operational and financial information, it is not possible to make a judgement on the plant's potential to perform in this context. Additionally, there is no suggested condition to ensure that the necessary infrastructure, to enable any heat produced by the plant to be readily exported, would be provided. This does not inspire confidence in the Appellant's alleged desire to export heat from the site. As the Appellant points out, "Guidance on the Application of the Waste Hierarchy[2]" makes it clear that all energy recovery technologies come higher in the waste hierarchy than disposal. However, there is no evidence to suggest that the material to be treated by the proposal would otherwise be disposed of by landfill.

33. Whilst some of the material would be diverted from transportation to the continent and would contribute to greenhouse gas reductions in this respect, a substantial amount would not. There is no evidence as to the nature of the disposal of this material at the present time or indeed whether any of it would be diverted from existing EfW plants in the region. Notwithstanding the carbon savings that would result from the Appellant's existing output of RDF not being transported to the Continent, I therefore conclude that the proposal's carbon output has not been demonstrated to be such that the proposal would be a

[2] Department for the Environment, Food and Rural Affairs 2011

waste recovery operation that would clearly drive the treatment of waste up the Waste Hierarchy. Consequently the proposal does not meet the requirements of WP Policies WM12 and WM13.

Environmental quality

34. The representations from the general public clearly demonstrate that there is substantial local concern about the traffic implications of the proposal, particularly its impact on Merton Bank Road, and environmental issues associated with the operation of the existing waste recycling facility on Merton Street.

35. The Appellant points out that the anticipated maximum of 622 heavy goods vehicle movements per week from the Lock Street site are substantially less than was indicated when planning permission was applied for and granted for the Merton Street operation. That estimate was 1648. Even when the anticipated HGV traffic generated by the redeveloped Merton Street is added in (the Highway Authority anticipate less than 30 per week), there would still be a substantial reduction. However, the application maximum is unlikely to be the experienced HGV traffic output of the Merton Street operation. Observations on my site visit suggest that it is currently working at operational capacity. However, it appears to be operating with difficulty and with a throughput that is about half of that consented. This suggests, in the absence of any data, that its HGV generation is substantially less than that indicated in the original planning application. Whilst the appeal proposal would not have vehicles visiting the site to collect material for despatch to the Continent, I nevertheless consider that there would be an increase in HGV's visiting the appeal proposal when compared to the actual number visiting the existing operation.

36. However, both sites are within a sizeable industrial area that must overall already generate a significant number of HGV movements. As the Highway Authority points out, the Lock Street site was traditionally used as a warehouse facility and could be so used again. Given the nature of the site and its buildings, the HGV traffic generated by such operations is likely to be significantly greater than that from the appeal proposal.

37. Merton Bank Road is a district distributor road that connects Lock Street and Merton Street to the A58, which is a primary route. There is undoubtedly congestion at the junction of these two roads, particularly at peak periods. However, in the absence of any evidence on vehicular flows it is impossible to conclude that the appeal proposal would materially worsen this situation. There was also no evidence of accidents before the Hearing.

38. The nature of this part of Merton Bank Road is now largely industrial but there are a number of residential properties behind front gardens on the western side and a school on the eastern side. Parked cars in association with these could assist the creation of congestion if HGV's are trying to overtake. However, if this is a major problem then traffic regulations may be able to resolve it. There is also ample space along Merton Bank Road to widen the carriageway in order to provide dedicated residents and school car parking if parking seriously impedes the free flow of traffic and highway improvements can be justified. Similarly the junction capacity could be increased if the alleged rat running to avoid it is significant or queuing traffic is producing unacceptable air quality, noise or vibration.

- **A6:Excerpts from Environmental Permit Application SP3038DY (February 2017)**

Rye House Energy Recovery Facility,

Hoddesdon, Hertfordshire

Environmental Permit Application EPR/SP3038DY/A001

Energy Management Plan

February 2017

Prepared for

7. Proposed Development Assessment

7.1 Proposed Development – Operational Parameters

The Proposed Development is a two line mass burn process with the capacity to accept a maximum of 350,000 tonnes of municipal waste per annum. The Proposed Development is anticipated to have an annual availability of circa 8,000 hours per annum, accounting for annual maintenance and plant failure down-time.

The plant will be designed to be of sufficiently high gross efficiency to achieve R1 status when in power-only mode. Viability of future heat off-take must be assessed carefully against R1 criteria, ensuring that sufficient heat is supplied through an efficient heat network, with parasitic and distribution losses low enough to retain R1 energy recovery status in CHP mode.

The key technical specifications of the Proposed Development are summarised in the table below.

Table 7-1 Technical specifications of the Proposed Development

Technical Specification[11]	Value
Municipal Waste (tonnes)[12]	320,000
NCV waste (based on design data) (MJ/kg)	9.5
GCV waste (MJ/kg)	11
Total Fuel Input (based on gross CV) (MWh)	982,126
Gross electrical output (MW_e) in electrical-only mode	33.5
Parasitic Load (MW_e)	3.3
Net electricity export (MW_e) in electrical-only mode	30.2
Maximum useful heat (MW_{th})	25
Gross electrical output (MWh) in electrical-only mode	268,000
Net electricity export (MWh) in electrical-only mode	241,600
Gross electrical output (MWh) in CHP mode	218,800
Net electricity export (MWh) in CHP mode	191,600
Annual recoverable heat output from the steam turbine (MWh) in CHP mode	200,000
Z ratio assumed[13].	4

Steam generated from the waste combustion process is fed in a steam turbine at a mass flow rate of 35 kg/s, temperature of 433°C and pressure of 65 bar. The steam turbine plant is a condensing turbine with 3 uncontrolled extraction points:

- Deaerator and air preheater at the first and second extraction point; and
- Low pressure heater at the third extraction point.

The steam extracted from the steam turbine expansion process presents the following conditions:

- Mass flow rate: 29kg/sec,
- Temperature: 42°C,
- Pressure: 80 mbar

The turbine will have the capacity to generate 33.5 MW_e of gross electricity under electricity-only mode. The net electricity output is expected to be 30.2 MW_e. The remaining electricity will be used on-site to support the operation of the Proposed Development (3.3 MW_e). Due to the scale of the ERF being less than 300 MW_e, there is no requirement under EA guidance to design the facility to be Carbon Capture Ready (CCR).

[11] Data provided by Veolia
[12] Assuming 8,000 hours per annum of waste treatment operations
[13] The Z ratio provides an estimation of the loss in electrical power generated when heat is exported before full steam turbine expansion to serve heat loads. Data provided by Veolia.

- **A7:Excerpts from Valuation of Energy Use and Greenhouse Gas (April 2019)**

Department for
Business, Energy
& Industrial Strategy

VALUATION OF ENERGY USE AND GREENHOUSE GAS

Supplementary guidance to the HM Treasury Green Book on Appraisal and Evaluation in Central Government

April 2019

Table 3.1[16]: Factors for converting greenhouse gases to their equivalent in carbon dioxide

Greenhouse Gas	Global warming potential per unit mass (relative to CO_2)
Carbon Dioxide (CO_2)	1
Methane (CH_4)	25
Nitrous Oxide (N_2O)	298
HFC – 134a	1,430
HFC – 143a	4,470
Sulphur hexafluoride	22,800
Carbon Dioxide as Carbon[17]	3.67

3.28 The GHG emissions associated with the use of energy may be estimated by applying a fuel-specific emissions factor. By multiplying the energy use (measured in kWh) by an emissions factor (measured in $kgCO_2e/kWh$), one obtains the quantity of GHG emissions produced, measured in terms of the equivalent mass of carbon dioxide emissions ($kgCO_2e$).

3.29 In order to quantify changes in GHG emissions resulting from changes in energy use, net changes in energy use should first be quantified, making sure to include the impact that any rebound effect may have (see paragraph 3.8). Marginal emissions factors are then applied to these energy use changes as demonstrated in Box 3.4.

Box 3.4 Converting changes in fuel use to GHG emissions

$$\Delta C_{it} = \Delta(EU)_{it} \times M_{it}$$

ΔC_{it} = Change in emissions from fuel i in year t ($kgCO_2e$)

$\Delta(EU)_{it}$ = Change in use of fuel i in year t (kWh)

M_{it} = Year t marginal emissions factor ($kgCO_2e/kWh$)

3.30 For estimating changes in emissions from changes in **direct fuel** use, such as burning coal or gas, analysts should use the emissions factors found in **data tables 2a and 2b**. The marginal emissions factor is assumed to be constant across different levels of supply / demand (i.e. the average and marginal emissions factors are identical), and also over time. While there are minor variations in the emissions produced from these fuels over time resulting from differences in the average chemical composition, it is reasonable to assume that this variation is insignificant for appraisal purposes.

3.31 For estimating changes in emissions from changes in **grid electricity** use, analysts should use the (long run) marginal grid electricity emissions factors in **data table 1**. These emission factors will vary over time as there are different types of

[16] The conversion factors incorporate GWP values for a 100 year time horizon relevant to reporting under UNFCCC, as published by the IPCC in its Fourth Assessment Report Revised GWP values have since been published by the IPCC in the Fifth Assessment Report (2013) Current UNFCCC Guidelines on Reporting and Review are that the figures in the Fourth Assessment Review should be used in the emission inventory carbon budgets and for international reporting.

[17] Prior to 2007, figures for changes in GHG emissions were presented in terms of carbon (C). Any such figures should be converted into units of CO_2e using the conventional conversion factor of 44/12 (e.g. 1 tonne of C emissions is equivalent to 1 x (44/12) = 3.67 tonnes of CO_2e).

power plant generating electricity across the day and over time, each with different emissions factors. An example of the calculation is presented in Box 3.5.

Box 3.5 Using emissions factors to convert electricity use changes into GHG emissions changes

An energy efficiency programme which reduces the use of electricity by households is being considered. Electricity consumption is predicted to be cut by 10GWh (10 million kWh) relative to the "do nothing" option in each year between 2018 and 2038. The calculations below demonstrate how this change in energy use is multiplied by the appropriate marginal emissions factor (see data table 1) to derive the change in emissions.

	Change in electricity use	**Marginal emissions factor (Table 1) - Domestic Households**		**Change in emissions**
	GWh	**$kgCO_2e$ /kWh**	**tCO_2e /GWh (see Annex B)**	**tCO_2e**
2018	-10	0.32	319	-3191
2019	-10	0.31	308	-3077
…	…	…	…	…
2036	-10	0.06	65	-649
2037	-10	0.06	58	-578
2038	-10	0.05	52	-515

3.32 There are complex mechanisms that determine the effects of sustained but marginal changes to the grid electricity supply (from either displacement with other generation or a demand reduction). A small reduction in grid electricity consumption will be met through a reduction in supply from a small subset of plant, rather than through an equal drop across all generation plant. Very temporary changes in consumption will likely only result in short run changes to generation levels, rather than changes in capacity. However, sustained changes in consumption will result in changes to generation capacity – in terms of the timing, type, and amount of generation plant built and / or retired – as well as changes in generation levels. Modelling undertaken by BEIS has estimated these longer-term dynamics, and they are reflected in the marginal emissions factors. Further information may be found in chapter 2 of the background documentation accompanying this guidance.

- **A8:Excerpts from Energy from waste A guide to the debate (February 2014)** www.gov.uk/defra

Department
for Environment
Food & Rural Affairs

Energy from waste

A guide to the debate

February 2014 (revised edition)

DEPARTMENT OF
ENERGY
& CLIMATE CHANGE

overall impact. The more efficiently the energy from waste plant converts the waste to useful energy, the greater the carbon dioxide being offset and the lower the net emissions.

42. Alternatively, considering the landfill route, all the fossil carbon stays in the ground and doesn't break down. The fossil carbon is sequestered, as is potentially up to half of the biogenic carbon depending on the exact conditions in the landfill. However, some of the biogenic material does break down with the carbon converted to a mixture of carbon dioxide and methane, known as landfill gas. A large proportion of this landfill gas would be captured and burnt, generating energy and offsetting power station emissions. Burning landfill gas produces biogenic carbon dioxide which, as for energy from waste, is considered short cycle. Crucially however, some of the methane would escape into the atmosphere. As a very potent greenhouse gas even a relatively small amount of methane can have dramatic effect and be equivalent to a much larger amount of carbon dioxide.

43. For our average current black bag of waste, once the energy offset is taken into account, the net carbon dioxide equivalents from the methane released from landfill would be greater than the net carbon dioxide released from a typical energy from waste plant. All of this means that for this example, energy recovery from residual waste has a lower greenhouse gas impact than landfill. It would therefore be considered higher than landfill in the waste hierarchy and the preferred option for managing residual waste in terms of minimising potential climate change impact.

44. These arguments are of course simplified and whilst these are the key issues, in reality there are many more factors being balanced than those outlined above[30]. There is significant debate on how a number of issues are handled that mean it is important to consider things on a case by case basis. These include: changing biogenic content of residual waste over time; how the biogenic carbon dioxide is counted; the fact that not all the biogenic material breaks down in landfill; the level of landfill gas capture; the impact of recycling metals from ash generated by energy from waste; the impact of pre-treatments on stabilising waste and how to allow for the fact that the landfill gas is released over many years.

45. However, even when these factors are taken into consideration, in carbon terms, currently energy from waste is generally a better management route than landfill for residual waste. While it is important to remember this will always be case specific and may change over time, two rules apply:
   - the more efficient the energy from waste plant is at turning waste into energy, the greater the carbon offset from conventional power generation and the lower the net emissions from energy from waste;
   - the proportion and type[31] of biogenic content of the waste is key – high biogenic content makes energy from waste inherently better and landfill inherently worse.

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[30] Recent modelling work has considered the impact of a number of these factors. The implications of this work are discussed in more detail in chapter 5 and the modelling can be found at http://randd.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&ProjectID=19019&FromSearch=Y&Publisher=1&SearchText=wr1910&SortString=ProjectCode&SortOrder=Asc&Paging=10#Description

[31] Some wet wastes e.g. food are not particularly suitable for energy from waste.

46. Energy from waste will therefore be a better environmental solution than landfill provided the waste being used has the right biogenic content and a plant is efficient at turning that waste into useable energy. The life of the plant is usually 25-30 years and the biogenic content of the waste will change in that period. It is also possible to treat waste to increase biogenic content e.g. removing plastics. Ensuring that the waste and efficiency of plant are sufficiently matched for the entire life of an energy from waste plant is key to the debate over whether energy from waste is the most appropriate management option. It may be that the plant itself can be updated, upgraded or refurbished to keep pace with the changing nature of the waste. To understand fully the relative benefits of energy from waste against other solutions a full life cycle assessment (see below) for the specific circumstances will be required. The Waste Resource Action Programme (WRAP) have developed an interactive guide[32] which provides information to help decision making for the development of energy from waste facilities.

Recovery or disposal – the meaning of R1

47. As described above the Waste Framework Directive (WFD) sets out the waste hierarchy and enshrines it in law. It requires that a waste management route defined as recovery should be used ahead of an alternative that is classified as disposal. Exceptions can be made (see below) but this general principle makes it important to know whether a process is considered recovery or disposal.

48. Historically the Waste Framework Directives have included annexes which set out lists of what are considered to be recovery or disposal operations. Each is given a number and a letter: R for recovery, D for disposal. In the current directive the classifications of particular relevance to energy from waste are:
    - R1 – Use principally as a fuel or other means to generate energy
    - D10 – Incineration on land

49. What this means is that where waste is burnt as a fuel to generate energy it can potentially be considered a recovery operation (R1) but where the purpose of incineration is to get rid of waste, it is considered D10 and hence disposal. All municipal waste incinerators were and are deemed as disposal activities (D10) unless and until they are shown to meet the requirements of R1. This is why the term R1 often crops up in the debate about how good an energy from waste plant might be and how it compares to other options.

50. For municipal solid waste, which includes all the waste collected from households, the EU has gone further by defining what it considers to be sufficient for recovery status under R1. The WFD includes a formula relating to the efficiency of the combustion plant. A municipal waste combustion plant can only be considered to be a recovery operation under R1 if it generates energy *and* the plant meets the efficiency thresholds calculated using the R1 formula[33].

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[32] http://www.wrap.org.uk/content/energy-waste-development-guidance-0

[33] The R1 formula calculates the energy efficiency of the municipal solid waste incinerator and expresses it as a factor. This is based on the total energy produced by the plant as a proportion of the energy of the fuel (both traditional fuels and waste) which is incinerated in the plant. It can only be considered recovery if the value of this factor is above a certain threshold. It is important to note that the calculated value arrived at via the R1 formula is not the same as power plant efficiency which is typically expressed as a percentage.

51. This helps ensure that all plants which want to be classed as recovery in the EU will meet a minimum standard of environmental performance. As waste can only cross national boundaries for recovery not disposal it also ensures only the more environmentally sound plants can compete internationally for waste derived fuel.

52. The requirement to apply the R1 formula means that lower efficiency municipal energy from waste plants are classed as disposal (D10) even if they are generating useable energy. However, with the right combination of overall efficiency and biogenic content in the waste, an energy from waste plant which does not qualify for R1 status may still be a better environmental option than landfill. Similarly, in line with the right fuel, right technology argument set out above, a plant meeting the R1 formula does not in itself necessarily mean it is the best solution for all waste streams.

53. R1 status is not mandatory for energy from waste plant[34] and will not be part of an environmental permit. Irrespective of whether the plant is classed as a Recovery (R1) plant or Disposal (D10) plant, operation under the Environmental Permitting Regulations requires that plants recover as much energy as practicable[35].

54. The distinction between having R1 status or having a plant being classified as a disposal facility is important for planning purposes and in the application of the proximity principle. It is therefore important that operators strive towards demonstrating that energy from waste is a recovery operation according to the WFD definitions. Interested operators should contact the relevant competent authority[36] who, based on an application from the operator, will assess whether or not a municipal solid waste combustion facility meets or exceeds the threshold and can be considered a recovery operation.

Waste exports for energy recovery

55. The UK has a long-standing policy of self-sufficiency for waste disposal and the UK Plan for Shipments of Waste[37] prohibits the export of waste for disposal. Waste may be exported for recovery, which can have advantages over managing it within the UK. For example if current lack of appropriate infrastructure means the alternative UK treatment route is more costly or environmentally worse.

56. Although exports of waste for recovery from the UK are generally permitted, in line with EU law, the export of mixed municipal waste[38] (in other words "black-bag waste") for recovery is not allowed unless it has undergone some form of pre-treatment. Such

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Environment Agency guidance on R1 can be found at https://publications.environment-agency.gov.uk/ms/C7xJLZ

[34] Although Wales require any plant that is part-funded by the Welsh Government should at least comply with an R1 factor of 0.65.

[35] The Environment Agency will shortly be publishing guidance on its requirements for CHP readiness under environmental permitting.

[36] The Environment Agency in England and Wales, the Scottish Environment Protection Agency in Scotland and the Northern Ireland Environment Agency for Northern Ireland.

[37] https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69546/pb13770-waste-shipments.pdf

[38] coded 20 03 01 in the European Waste Catalogue

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