|  |  |
| --- | --- |
|  | competent authority logo |

«${currentDate?date?string('dd MMMM yyyy'»

«${(account.legalEntityName)!}»

«${params.toRecipient}»

FAO: «${(account.serviceContact)!}»

Dear Sir / Madam

**THE GREENHOUSE GAS EMISSIONS TRADING SCHEME ORDER 2020 (SI 2020/1265) (the Order)**

**Permit reference:**

**Variation reference:**

**Issue of variation notice to:**

The «${competentAuthority.name}» has varied your permit in accordance with the Order. The Variation Notice and consolidated permit are attached to this letter.

The Order provides that the «${competentAuthority.name}» may vary a permit at any time if it is necessary to do so for the purposes of the UK ETS and in particular may do so for the reason set out below.

«[#if params.reasonTemplate == 'WHERE\_OPE»

The variation has been made because you failed to comply with the permit condition requiring you to apply for a variation.

«[/#if]»

«[#if params.reasonTemplate == 'FOLLOWING»

The variation has been made as a result of the improvement report referred to in Article 69 of the Monitoring and Reporting Regulation that you submitted pursuant to your permit conditions.

«[/#if]»

«[#if params.reasonTemplate == 'HSE\_SITUA»

The variation has been made in accordance with the hospital or small emitter provisions in Schedule 7 to the Order. The regulator may vary a permit to comply with:

(i) paragraph 10 (conversion of permit to hospital or small emitter permit)

(ii) paragraph 18 (calculation of later emissions targets where initial targets based on estimates)

(iii) paragraph 19C (substitution of new emissions targets for existing targets following grant of an application to increase emissions targets).

(iv) paragraph 20 (banking overachieved target)

(v) paragraph 21 (emissions targets for 2026-2030 allocation period)

(vi) paragraph 24 (conversion of permit on loss of hospital or small emitter status)

(vii) paragraph 26 (conversion of permit at end of 2021-2025 allocation period)

«[/#if]»

«[#if params.reasonTemplate == 'PERMIT\_FO»

«[/#if]»

«[#if params.reasonTemplate == 'VARIATION»

The variation has been made in accordance with the free allocation provisions in the Order. The regulator may vary a permit:

(a) as a result of a failure by the operator to implement -

(i) a recommendation for improvement of the monitoring methodology plan as required by Article 9(2)(e) of the Free Allocation Regulation; or

(ii) a modification of the monitoring methodology plan requested by the regulator under Article 9(5)(d) of that Regulation.

(b) to add a monitoring methodology plan.

«[/#if]»

«[#if params.reasonTemplate == 'OTHER']»

«[/#if]»

«[#if params.feeRequired]»

The Regulations enable the «${competentAuthority.name}» to vary a Permit at any time, independently of any application for variation received from the Operator and, in particular, for the reason set out above. In such circumstances, the «${competentAuthority.name}» may charge the Operator a fee.

A fee is payable to the «${competentAuthority.name}» for this variation, as specified on the Variation Notice. Payment may be made by cheque, by BACS or by credit/debit card. Payment by BACS must be accompanied by the correct reference. Please refer to the attached Schedule for payment details.

«[/#if]»

Please quote your permit reference in all future correspondence with the «${competentAuthority.name}».

If you require any clarification of the above, please do not hesitate to contact a member of the Emissions Trading Team either directly or by e-mail to «${competentAuthority.email}».

Yours faithfully

signature

«${signatory.fullName}»

CC: «[#list params.ccRecipients as cc]»«${cc}[#sep], [/#sep]»«[/#list]»

«[#if params.feeRequired]»

**SCHEDULE:**

**Payment by credit or debit card**

You can pay by credit or debit card:

* by phone: (01925) 542059, (01925) 542612 or (01925) 542509
* by email: [ethelp@environment-agency.gov.uk](mailto:ethelp@environment-agency.gov.uk) and an officer will call you back
* online: complete the payment task in the ‘Manage your UK ETS reporting’ service.

We can currently accept payments using the following card types: Visa, Visa Debit, MasterCard and Maestro/Switch (UK). Payments using American Express can only be made online in the ‘Manage your UK ETS reporting’ service.

We’re not currently able to accept payment using the following card types: Solo, Visa Electron

**Payment by Cheque**

Cheques should be made payable to “The Environment Agency” and sent to:

The Environment Agency

Emissions Trading Team

Richard Fairclough House

Knutsford Road

Warrington

WA4 1HG

Please quote your operator name, installation name and permit reference to allow us to track receipt.

**Payment by BACS**

All payments by BACS transfers must be made to the following account, using the reference code generated below

**Citibank, Citigroup Centre, Canada Square, London E14 5LB**

**IBAN:** GB23 CITI 0833 0012 8005 43

**SWIFTBIC:** CITI GB2LXXX

**Account Number:** 12800543

**Sort Code:** 08-33-00

**Your unique reference code to be used in your BACS transfer is:** «${(workflow.requestId)!}»

*Please cite this code in your BACS transfer. This will help us to ensure that we have received your payment.*

«[/#if]»

|  |  |
| --- | --- |
| Variation Notice | competent authority logo |

The Greenhouse Gas Emissions Trading Scheme Order 2020 (SI 2020/1265) (the Order)

**Variation Notice**

**Permit reference:** «${(permitId)!}»

**Variation reference:**

The «${competentAuthority.name}» in exercise of its powers under Schedule 6, paragraph 6 to the Order hereby varies the permit held by you

«${(account.legalEntityName)!}» (the Operator),

whose (Registered) office address is

«${(account.legalEntityLocation)!}»

which relates to the operation of (part of) the Installation(s) at

«${(account.siteName)!}»

«${(account.location)!}»

to the extent set out in the Schedule to this Variation Notice, as incorporated into the attached consolidated permit.

This notice shall take effect from .

«[#if params.feeRequired]»

A fee of £430 is payable in respect of this Variation Notice, as set out in the «${competentAuthority.name}»’s Charging Scheme. Payment must be received by us no later than . Please refer to the payment details given in the covering letter.

«[/#if]»

|  |  |
| --- | --- |
| Signed | Date |
| signature |  |

«${signatory.fullName}»

Authorised to sign on behalf of the «${competentAuthority.name}»

**Appealing this Notice**

You have a right of appeal against this notice under Article 70 of the Order to the First-tier Tribunal. Written notice of the appeal must be submitted to the First-tier Tribunal at the address provided below no later than 28 calendar days after the service of this notice. The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 sets out the procedural rules relating to these appeals.

Hard copy: General Regulatory Chamber, HMCTS, PO Box 9300, Leicester, LE1 8DJ

or email: grc@justice.gov.uk

The notice of appeal must include:

* the name and address of the appellant;
* the name and address of the appellant’s representative (if any);
* an address where documents for the appellant may be sent or delivered;
* the name and address of any respondent;
* details of the decision to which the appeals relates;
* the result the appellant is seeking;
* the grounds on which the appellant relies; and
* a copy of any written record of that decision, and any statement of reasons for that decision that the appellant has or can reasonably obtain.

You may withdraw an appeal by notifying the First-tier Tribunal at the above address.

You may also ask the Environment Agency to make an independent internal review of our decision to issue this notice.  Any request should normally be made within 14 days of receiving this notice by contacting [ethelp@environment-agency.gov.uk](mailto:ethelp@environment-agency.gov.uk).  Asking us to review our decision does not suspend the effect of the notice and, in particular, will not affect the time limits within which a statutory appeal must be made.

**SCHEDULE**

The permit is varied as set out in the table below:

|  |  |
| --- | --- |
| **Item** | **Variation details** |
|  |  |

The variations are incorporated into a consolidated version of the permit attached to this notice.