



PPC Permit ref:- PPC/41
Revocation ref: 001

Coventry City Council
The Pollution Prevention and Control (England and Wales) Regulations 2000 Regulation 21

Revocation Notice

To The Company Secretary
Magnetto Topy Wheels (UK) Ltd
Holbrook Lane
Coventry
CV6 4AA

[Coventry City] Council ("the Council), in the exercise of the powers conferred upon it by regulation 21 of the Pollution Prevention and Control (England and Wales) Regulations 2000¹ ("the 2000 Regulations") hereby gives you notice as follows-

The permit reference PPC/41 is hereby revoked with effect from 22nd December 2006.

Signed on behalf of [Coventry City} Council

.....
R. Field, Principal EHO
An authorised officer of the Council

Date: 2nd October 2006

¹ S.I. 2000 No. 1973 to which there are amendments not relevant to this revocation notice.

Guidance for operators receiving a Revocation Notice

(This guidance does not form part of the Revocation Notice, but it is for the guidance of those serving the notice).

Dealing with a Revocation Notice

This notice revokes the permit (in whole or in part) for operation of the installation specified in the Notice.

The revocation/partial revocation takes effect from the date given in the notice. From that date onwards continuation of the operation or that part specified will constitute an offence.

Appeals

Under regulation 27(2) of the 2000 Regulations operators have the right to appeal against a revocation Notice. The right to appeal does not apply in circumstances where the notice implements a direction of Secretary of State given under regulations 12(15) (directions to regulators), 36 (general directions to regulators), paragraph (4) of regulation 27 (Appeals), paragraph 14(6) of Schedule 4 (directions determining variation of permits).

Appeals against a revocation notice will suspend the operation of the notice. Appeals do not have the effect of suspending permit conditions. Notice of appeal against a revocation notice must be given before the date specified for revocation of the permit. The Secretary of State may in particular case allow notice of appeal to be given after the expiry of this period, but would only do so in the most compelling circumstances.

How to appeal

There are no forms or charges for appealing. However, for an appeal to be valid, appellants (the person/operator making the appeal) are legally required to provide (see Schedule 8 of the 2000 Regulations, paragraph 1):

- Written notice of the appeal
- A statement of the grounds of appeal;
- A statement indicating whether the appellant wishes the appeal to be dealt with by written representations procedure or a hearing —a hearing must be held if either the appellant or enforcing authority requests this, or if the Planning Inspector or the Secretary of State decides to hold one;
- (appellants must copy the above three items to the local authority when the appeal is made)
- a copy of any relevant application;
- a copy of any relevant permit
- a copy of any relevant correspondence between the appellant and the regulator; and
- a copy of any decision or notice, which is the subject matter of the appeal.

Appellants should state whether any of the information enclosed with the appeal has been the subject of a successful application for commercial confidentiality under regulation 31 of the 2000 Regulations, and provide relevant details. Unless such information is provided all documents submitted will be open to inspection.

Further guidance on commercial confidentiality can be found in chapter 8 of the LA-IPPC and LAPPC manual.

Where to send your appeal documents

Appeals should be despatched on the day they are dated, and addressed to:

The planning Inspectorate
Environmental Appeals Administration
Room 4/19 – Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

On receipt of an appeal and during the appeal process the main parties will be informed about the next steps, and will also normally be provided with additional copies of each other's representations.

To withdraw an appeal – which may be done at any time – the appellant must notify the Planning Inspectorate in writing and copy the notification to the local authority who must in turn notify anyone with an interest in the appeal.

Costs

Guidance from the Planning Inspectorate states that operator and regulator would be normally expected to pay their own expenses during an appeal. Where a hearing or enquiry is held as part of the appeal process, by virtue of Schedule 8, paragraph 4(10) of the 2000 Regulations, either the appellant or the local authority can apply for costs. Applications for costs are normally heard towards the end of the proceedings and will only be allowed if the party claiming them can show that the other side behaved unreasonably and put them to unnecessary expense. There is no provision for costs to be awarded where appeals are dealt with by written representatives.

Offences

The operation of an installation subject to LA-IPPC or LAPPC without the benefit of a permit is an offence under regulation 32 of the 2000 Regulations. A person guilty of an offence under this regulation could be liable to (i) a fine of up to £20,000 or to imprisonment for a term not exceeding 6 months or both; or (ii) to a fine or imprisonment for a term not exceeding five years or both (regulation 32).

