



PPC Permit ref: **140**
Variation ref: **003**

Coventry City Council
The Environmental Permitting (England and Wales) Regulations 2010 Regulation 20

Variation Notice

Frank Brookes (Coventry) Ltd
Station Street West
Coventry
CV6 5NA

Coventry City Council ("the Council"), in the exercise of the powers conferred upon it by regulation 20 of the Environmental Permitting (England and Wales) Regulations 2010 ("the 2010 Regulations") hereby gives you a notice as follows-

The Council has decided to vary the conditions of permit reference 140 granted under regulation 13(1) of the 2010 Regulations in respect of the operation of the installation at:

Frank Brookes (Coventry) Ltd
Station Street West
Coventry
CV6 5NA

The variation of the conditions of the permit and date on which they are to take effect are specified in Schedule 1 of this notice. A consolidated permit as varied by this notice is set out in Schedule 2.

Signed on behalf of Coventry City Council

.....
Environmental Protection Officer
An authorised officer of the Council

Date.....

Schedule 1

Variation to the Conditions of the Permit	Date(s) on which the variations are to take place
<p>In Documents A, B & C and supplementary guidance of Permit 140</p> <p>DELETE all references to:</p> <p>The Pollution Prevention and Control (England and Wales) Regulations 2000 SI 1973 as amended</p> <p>and REPLACE with:</p> <p>The Environmental Permitting (England and Wales) Regulations 2010</p>	Immediately
<p>In Document B Section 3 OPERATIONAL CONTROLS</p> <p>Insert NEW Line:</p> <p>Condition 3.1 The operator shall inform the Council in writing of any significant changes to the written procedure.</p>	Immediately
<p>In Document B Section 3 OPERATIONAL CONTROLS</p> <p>Insert NEW Line:</p> <p>Condition 3.13 The operator shall inform the Council in writing of any significant changes to the written procedure.</p>	Immediately
<p>In Document B Section 5 GENERAL OPERATIONS</p> <p>Insert NEW Line:</p> <p>DELETE:</p> <p>The operator shall maintain a statement of training requirements for each operational post and keep a record of the training received by each person whose actions may have an impact on the environment. These documents shall be made available to the regulator on request.</p> <p>And Replace by INSERTING:</p> <p>A record of staff training and instruction, comprising the name of the trainee and the subject matter of the training, shall be maintained by the operator and sent to the Council once a year.</p>	Immediately

<p>In Document B Section 5 GENERAL OPERATIONS Amend Condition 5.9:</p> <p>DELETE:</p> <p>Effective preventative maintenance shall be employed on all aspects of the activity including all plant, buildings and the equipment concerned with the control of emissions to air. In particular; a written maintenance programme shall be available to the regulator with respect to pollution control equipment, and a record of such maintenance shall be made available for inspection by the regulator.</p> <p>And Replace by INSERTING:</p> <p>The operator shall undertake regular cleaning and preventative maintenance including inspection and repair/replacement on all plant and equipment concerned with the emission, capture, transport and control of emissions to atmosphere. Where necessary manufacturers guidelines shall be used to determine the regularity of maintenance. The operator shall inform the Council in writing of any significant changes to the schedule. Records of preventative maintenance including inspections and any works undertaken shall be kept on site and made available to the local authority inspector on request.</p>	<p>Immediately</p>
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Signed on behalf of Coventry City Council

.....
 Environmental Protection Officer
 An authorised officer of the Council

Date.....

Guidance for Operators receiving a Variation Notice

(This guidance does not form part of the Variation Notice, but it is for the guidance of those served with the notice). Further guidance can be found in the general guidance manual at: <http://www.defra.gov.uk/environment/ppc/localauth/pubs/guidance/manuals.htm>

Dealing with Variation Notice

This notice varies the terms of the permit specified in the Notice by amending or deleting certain existing conditions and/or adding new conditions. The Schedule attached to the notice explain which conditions have been amended, added or deleted and the dates on which these have effect.

The Council may have included a 'consolidated permit' which takes into account these and / or previous variations. In cases where a consolidated permit is not included this variation notice must be read in conjunction with your permit document.

Offences

Failure to comply with a variation notice is an offence under regulation 38 (1) (b) of the 2010 Regulations. A person guilty of an offence under this regulation could be liable to (i) a fine of up to £20,000 or imprisonment for a term not exceeding 6 months or both; or (ii) to an unlimited fine or imprisonment for a term not exceeding 5 years or both, depending on whether the matter is dealt with in Magistrates Court or Crown Court.

Appeals

Under regulation 31 and Schedule 6 of the 2010 Regulations operators have the right to appeal against a variation notice. The right to appeal does not apply in circumstances where the notice implements a direction of the Secretary of State given under regulations 61 or 62 or a direction or when determining an appeal.

Appeals against a variation notice do not have the effect of suspending operation of the notice. Appeals do not have the affect of suspending permit conditions, or any of the mentioned notices.

Notice of appeal against a variation notice must be given within **two months** of the date of the notice, which is the subject matter or the appeal. The secretary of State may in a 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 changes for appealing. However, for an appeal to be valid, appellants (the person/operator making the appeal) are legally required to provide (see paragraphs 2(1) and (2) of Schedule 6 of the 2010 Regulations):

- 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 48 of the 2010 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
 Environment Team, Major and Specialist Casework
 Room 4/04 –Kite 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 paragraph 5 (6) of Schedule 6 of the 2010 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 claimed 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.

Commercial Confidentiality

An operator may request certain information to remain confidential i.e. not be placed on the public register. The operator must request the exclusion from the public register of commercially confidential information at the time of supply of the information requested by this notice or any other notice. The operator should provide clear justification for each item wishing to be kept from the register. The amount of information excluded from the register should be kept to the minimum necessary to safeguard the operator's commercial advantage. It may assist the local authority if the information the operator considers to be commercially confidential is submitted in a way which will allow it to be easily removed should the claim be granted, for example on separate pages,

marked 'claimed confidential'. The onus is on the operator to provide a clear justification for each item to be kept from the register. It will not simply be sufficient to say that the process is a trade secret.

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

National Security

Information may be excluded from the public register on the grounds of National Security. If it is considered that the inclusion of information on a public register is contrary to the interests of national security, the operator may apply to the Secretary of State, specifying the information and indicating the apparent nature of risk to national security. The operator must inform the local authority of such an application, who will not include the information on the public register until the Secretary of State has decided the matter.

**POLLUTION PREVENTION & CONTROL ACT 1999
ENVIRONMENTAL PERMITTING (ENGLAND AND WALES) REGULATIONS 2010**

DOCUMENT A : PERMIT

Frank Brookes (Coventry) Limited

Reference Number **PPC/140.**

Coventry City Council (“the Council”) in accordance with Section 6 (1) of the Environmental Permitting (England and Wales) Regulations 2010 (“The Regulations”), hereby permits:

Frank Brookes (Coventry) Limited

Whose registered office is:

**Frank Brookes (Coventry) Limited
Station Street West
Coventry
CV6 5NA**

to operate a Part B installation involving a coating activity, as prescribed in Section 6.4 Part B of Schedule 1 to The Regulations, at:

**Frank Brookes (Coventry) Limited
Station Street West
Coventry
CV6 5NA**

The permit is subject to the conditions specified in this document consisting of 13 pages and comprising documents A, B and C, plans PPC/140/A, PPC/140/B and PPC/140/C and Appendix 1.

Signed.....
Alan Bennett, Head of Environmental Health
A person authorised to sign on behalf of the Council

Dated

SCOPE

The installation comprises not just any relevant unit carrying out a Part B activity listed in Schedule 1 to the Regulations, but also directly associated activities which have a technical connection with that activity and which could have an effect on pollution.

All pollutant concentrations shall be expressed at reference conditions of 273K and 101.3kPa, without correction for water vapour content.

Technical Guidance documents used in the preparation of this document:

- Secretary of States Guidance Note PG 6/34b (06) – Respraying of Road Vehicles
- Secretary of State’s Guidance – General Guidance Manual on Policy and Procedures for A2 and B installations. ISBN 0-85521-028-1

Date Annual Fee Required: 1st April of each financial year

Date For Full Compliance: Date permit issued

Permit Prepared By: Ayeisha Mann

Permit Checked By: Rachel King

LEGISLATION

1. Pollution Prevention and Control Act 1999.
2. Environmental Permitting (England and Wales) Regulations 2010 as amended, schedule 1 as amended

BRIEF DESCRIPTION OF THE INSTALLATION REGULATED BY THIS PERMIT

Definitions referred to in this permit

- An **Activity** is an industrial activity forming part of an installation. Different types of activity are listed within Schedule 1 of the Environmental Permitting (England and Wales) 2010 Regulations and are broadly broken down into industrial sectors. Other “associated” activities may also form part of an installation.
- An **Installation** comprises not just any relevant unit carrying out a B activity listed within Schedule 1 to the Environmental Permitting (England and Wales) 2010 Regulations, but also directly associated activities which have a technical connection with a schedule 1 activity and which could have an effect on pollution.
- An **Operator** is the person (e.g. a company or individual) who has control over the operation of an installation.
- **Volatile organic compound (VOC)** shall mean any organic compound having at 293K a vapour pressure of 0.01 kPa or more, or having a corresponding volatility under the particular conditions of use.
- **Organic solvent** shall mean any VOC which is used alone or in combination with other agents, and without undergoing a chemical change, to dissolve raw materials, products or waste materials, or is used as a cleaning agent to dissolve contaminants, or as a dissolver, or as a dispersion medium, or as a viscosity adjuster, or as a surface tension adjuster, or a plasticiser, or as a preservative.
- **Stack** includes structures and openings of any kind from or through which substances may be emitted to air.
- **Duct** includes enclosed structures through which gaseous substances may be conveyed.
- **Process vent** includes open terminations of ducts.
- **Authorised Officer** shall mean an officer authorised to carry out duties under the Pollution Prevention and Control Act 1999 and subordinate regulations
- **Logbook** shall mean any electronic or paper means of storage of the required information as agreed by the regulator
- **Local Authority** shall mean Coventry City Council
- "m" means metre
- "m/s" means metres per second

The general location of the Permitted Process is shown on the attached plan PPC/140/A. The Installation boundary is marked in red on the attached plan PPC/140/B. The internal layout of the paint shop is shown on the attached plan PPC/140/C.

Description of Installation

- The delivery and storage of paints, diluents and cleaning solvents in the paint mix room indicated on plan PPC/140/C.
- The dry sanding of vehicles in the preparation bay areas employing the use of DA sanding equipment with the dust extracted at source by the Paramatic Betax dust extraction system.
- The mixing of paints on the mixing system using a self sealing pouring facility located within the paint mixing room.
- The spray painting of car body panels and subsequent low temperature bake curing of vehicles in the two Gemini II and single Haltec spray booths, employing High Velocity Low Pressure (HVLP) spray guns for painting.
- Application of wax underseal and panel sealants by brush, spray or injection methods.

Table 1

List of Process Areas within the Installation and Associated Emission Points, Pollutants of Concern and Abatement Plant Required

Row Number	Area/Machinery Identification	Pollutants Emitted	Emission Limit in Permit	Abatement Plant Required
1	2 x Gemini II Combined Booths & 1 x Haltec Booth	Particulates Volatile Organic Compound's	Particulates -see Clause 1.3 VOC's - See Clause 1.4	Dry filters
2	Paramatic Betax Dust Extraction	Particulates	- See Clause 1.7	Bag collection system- not extracted to atmosphere

DOCUMENT B

CONDITIONS

All conditions shall have immediate effect unless stated otherwise.

1.0 EMISSION LIMITS AND CONTROLS

- 1.1 All emissions to air shall be free from offensive odour outside the installation boundary, as perceived by the Local Authority inspector.
- 1.2 There shall be no emissions of particulate matter noticeable beyond the installation boundary.
- 1.3 The concentration of the total particulate matter in the final discharge to air from the two Gemini II and single Haltec spray booths shall not exceed 10mg/m³.
- 1.4 All paints, diluents and cleaning solvents used in the process shall comply with the organic solvent specification as detailed in Table 4 of the Secretary of State's Guidance Note 6/34b (06).
- 1.5 Coatings should be applied using High Volume Low Pressure (HVLP) spray guns
- 1.6 The introduction of dilution to air to achieve the emission concentration limits in this permit is not permitted. Exhaust flow rates should be consistent with the efficient capture of emissions.
- 1.7 Dry sanding and welding of vehicles shall only be carried out when resulting fumes and dust are controlled using the local extract ventilation equipment. Arisings of particulate matter from sanding activities shall be collected in the bag filtration system and not extracted directly to atmosphere.
- 1.8 The spray booths shall undergo maintenance and servicing inspections in accordance with the recommendations of the manufacturer. The service inspection shall include the testing of the pressure gauge; audible alarm and booth extract shutdown systems installed on the ovens. Any faults noted shall be remedied as soon as possible and the booth shall not be used until the necessary remedial action has been completed. Service records shall be kept and details the booths serviced, the parts inspected, any faults noted and repairs undertaken. These records shall be kept on site for a minimum of 2 years.
- 1.9 The alarms fitted to the booths shall be tested at least once a month and any defects rectified before the booth is used again. The results of this testing shall be noted in a logbook showing the date and time of the test along with the details of any corrective action required.
- 1.10 Emissions from combustion processes shall in normal operation be free from visible smoke and in any case shall not exceed the equivalent of Ringelmann Shade 1 as described in British Standard BS 2742: 1969

2.0 MONITORING, SAMPLING AND MEASUREMENT OF EMISSIONS

2.1 DELETED

2.2 To demonstrate compliance with clause 1.3, the operator shall either:-

a) provide manufacturers certificates of guarantees and test data to demonstrate that the spray booths meet the required emission concentration limit or

b) in the absence of such guarantees and test data, carry out periodic emissions monitoring from the spray booths on a 12 monthly basis.

2.3 The Local Authority shall be notified at least 7 days in advance of any periodic monitoring to determine compliance with clause 2.2. This notification shall include the provisional time and date of monitoring, the pollutants to be tested and methods to be used.

2.4 Periodic monitoring to demonstrate compliance with clause 2.2 shall not take place without prior approval from this local authority.

2.5 The monitoring required by Conditions 1.1, 1.2 & 1.10 shall be undertaken at least once per week whilst paint spraying is in progress. The results of this monitoring shall be recorded in a logbook and shall include the time, date and wind direction of when the assessment was made. Any adverse results, together with corrective action taken shall also be recorded. This logbook shall be retained on site for a minimum of 2 years.

3.0 OPERATIONAL CONTROLS

3.1 The cleaning of spray guns and other equipment shall only be carried out in the fully enclosed gun wash machine located in the paint mixing room in accordance with a written procedure. The operator shall inform the Council in writing of any significant changes to the written procedure.

3.2 The mixing of paint shall only be carried out in the area marked paint mixing room as shown on the plan PPC/140/C. This shall only be done while the extraction system is in operation.

3.3 Spray gun testing following cleaning shall only be carried out in the spray booths. This shall only be undertaken when the spray booths are in proper working order. Spray-out shall be collected into a separate receptacle and not sprayed directly into the booth.

3.4 The spraying of paint shall only be carried out in the spray booths and these must be in proper working order.

3.5 The pressure gauge, audible alarm and booth extract shutdown systems installed on the ovens shall all be in good working order and in operation at all times when the booths are in use.

3.6 Dry particulate filters in the spray booths shall be changed as indicated by the gauge on the oven, as in line with the manufacturers guidance.

- 3.7 All full and partially full containers which hold or have held materials that contain organic solvents shall be lidded when not in use and stored on the paint mixing racks in the paint mixing area on the plan PPC/140/C.
- 3.8 DELETED
- 3.9 The dry sanding of vehicles using powered equipment shall only be carried out when the Paramatic Betax dust extraction system is in operation.
- 3.10 Dry or dusty material from dust extraction system waste and other dust abatement activities must be securely bagged and stored within closed bins or skips before removal off site.
- 3.11 Any spillages of dry or dusty materials must be cleaned up using vacuum suction or wet sweeping and stored in sealed bags or lidded containers whilst awaiting disposal.
- 3.12 All solvents used for equipment cleaning shall be recycled in the gun wash machine. Dirty solvents and other liquid wastes containing volatile organic compounds (VOC's) shall be dispatched to a private contractor for recycling and copies of receipts for despatched materials retained on site for a minimum of 3 years.
- 3.13 Solvent contaminated wipes and other wastes shall be handled in accordance with a written procedure, a copy of which shall be made available to the regulator upon request. The operator shall inform the Council in writing of any significant changes to the written procedure. The wipes must be stored in suitable sealed containers fitted with a self-closing lid, and clearly labelled so that all persons that handle them are aware of their content
- 3.14 Waste filters from the spray booths shall be stored in sealed bags whilst awaiting disposal.

4.0 STACKS, DUCTS AND PROCESS VENTS

- 4.1 Emission from the spraying or curing of coatings in the Gemini and Haltec booths shall only be emitted to the atmosphere via the dry filtration system.
- 4.2 The stacks serving the spray booths shall be at least 3 metres above the roof ridge level and shall achieve an efflux velocity of 15 m/s, without restriction by a cap, cowl or other device.
- 4.3 Emissions from the local extraction ventilation system must only be ducted via the Paramatic Betax dust collection units to be returned to the workshop.

5.0 GENERAL OPERATIONS

- 5.1 Operators shall put in place some form of structured environmental management system (EMS), whether by adopting published standards (ISO 14001 or the EU Eco Management and Audit Scheme [EMAS]) or by setting up an EMS tailored to the nature and size of the particular process.
- 5.2 Spares and consumables for plant and equipment used in the installation in particular that subject to continual use or wear shall be held on site or shall be available at short notice. Such plant or equipment shall not be used unless that plant or equipment is capable of working in accordance with the conditions of this permit.

- 5.3 A record of staff training and instruction, comprising the name of the trainee and the subject matter of the training, shall be maintained by the operator and sent to the Council once a year.
- 5.4 Any malfunction of plant or spillage of solvent-based materials shall be remedied as soon as possible and process operations altered whilst the necessary work is undertaken. Organic solvent containment and spillage equipment shall be readily available in all organic solvent handling areas. Any waste arising from such remedial action shall be treated as per Condition 3.13
- 5.5 Any incident likely to give rise to adverse atmospheric emissions or emissions that may have an impact on the local community shall be notified to the local authority immediately, and the details of incident including remedial action taken recorded in the process log book.
- 5.6 The operator shall make available on demand and without charge any of the records required to be kept by this permit.
- 5.7 If there is any intention to change any aspect of the prescribed installation from the description contained in the beginning of this permit, or any other aspect which may affect the substances or concentration or amount of substances being emitted to atmosphere, the operator shall notify the regulator of the proposed changes at least 4 weeks in advance before the changes take place.
- 5.8 The training of all staff with responsibility for operating the activity shall include:
- a) awareness of their responsibilities under the Permit; in particular how to deal with conditions likely to give rise to emissions, such as in the event of spillage;
 - b) minimising emissions on start up and shut down; and
 - c) action to minimise emissions during abnormal conditions.
- 5.9 The operator shall undertake regular cleaning and preventative maintenance including inspection and repair/replacement on all plant and equipment concerned with the emission, capture, transport and control of emissions to atmosphere. Where necessary manufacturers guidelines shall be used to determine the regularity of maintenance. The operator shall inform the Council in writing of any significant changes to the schedule. Records of preventative maintenance including inspections and any works undertaken shall be kept on site and made available to the local authority inspector on request.

6. COMPLIANT COATINGS

- 6.1 Surface preparation and painting operations shall be carried out using only coating materials, which are placed on the market for use in vehicle refinishing bodyshops (as identified by a label on the container containing the following information -a description of the product by identification of the contents as a subcategory of Directive 2004/42/CE, the relevant VOC limit values in g/l as referred to in Annex II of Directive 2004/42/CE and the maximum content of VOC in g/l of the product in a ready to use condition ")

For information, the individual bodyshop products that are covered by this permit are listed in Appendix 4 of Process Guidance Note 6/34b (06).

- 6.2 The products used in coating shall be prepared and applied in accordance with the suppliers' instructions. Under no circumstances shall the product be thinned with more than the supplier's stated quantity or percentage of thinner.

For information, the maximum, application-ready VOC contents for individual categories of products are listed in Appendix 5 of Process Guidance Note 6/34b (06).

DOCUMENT C

RESIDUAL DUTY

In relation to any aspect of the process not regulated by specific conditions in this permit, then Best Available Techniques shall be used:

For the purposes of the Environmental Permitting (England & Wales) Regulations 2010 “best available techniques” means the most effective and advanced stage in the development of activities and their methods of operation which indicates the practical suitability of particular techniques for providing in principle the basis for emission limit values designed to prevent and, where that is not practicable, generally to reduce emissions and the impact on the environment as a whole; and for the purpose of this definition –

“available techniques” means those techniques which have been developed on a scale which allows implementation in the relevant industrial sector, in the economically and technically viable conditions, taking into consideration the cost and advantages, whether or not the techniques are used or produced inside the United Kingdom, as long as they are reasonably accessible to the operator;

“best” means, in relation to techniques, the most effective in achieving a high general level of protection of the environment as a whole;

“techniques” includes both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.

Further guidance can be obtained from the Secretary of State’s Guidance - Environmental Permitting General Guidance Manual on Policy and Procedures for A2 and B Installations.

SUPPLEMENTARY NOTES

These notes do not comprise part of the Permit PPC/001 but contain guidance relevant to the Permit.

Inspections and Powers of Entry

Regular inspections will be carried out by officers of the Council (the Local Authority Inspectors) to check and ensure full compliance with the Permit conditions and residual duties. These inspections may be carried out without prior notice.

Under section 108(6) of the Environment Act 1995 authorised Local Authority Inspectors have been granted powers of entry into any premises for the purposes of discharging relevant duties.

Reviews

The Local Authority has a statutory duty to review the permit at least once every 6 years or in the following circumstances set out in Regulation 34(1) of the Environmental Permitting (England and Wales) Regulations 2010:

- a) The pollution from the installation is of such significance that the existing emission limit values for the permit need to be revised or new emission limit values need to be included in the permit
- b) Substantial changes in BAT make it possible to reduce emissions from the installation or mobile plant significantly without imposing excessive costs; or
- c) Operational safety of the activities carried out in the installation or mobile plant requires other techniques to be used

Health and Safety

This Permit is given in relation to the requirements of the Environmental Permitting (England and Wales) Regulations 2010. It must not be taken to replace any workplace responsibilities the operator has under Health & Safety legislation. Whenever emission limits quoted in this Permit conflict with occupational exposure limits set under the Health and Safety at Work Act 1974 to secure the health, safety or welfare of persons at work, the tighter limit should prevail. The Installation must be operated in order to protect persons at work as well as the environment. In achieving conditions in this Permit the operator must not adopt any course of action that would put at risk the health, safety or welfare of persons at work.

Other Statutory Requirements

This Permit does not detract from any other statutory requirement, such as the need to obtain planning permission, hazardous substances consent, discharge consent from the Environment Agency, building regulations approval, or a waste disposal licence.

This Permit does not authorise a contravention of any other enactment or any order made, granted or issued under any enactment, nor does it authorise a contravention of any rule or breach of any agreement. The Operator is advised to consult the relevant Planning Department regarding changes that may be required as a result of this Permit (e.g. stack heights) as they may require planning permission.

Transfer of Permits

Where the operator of an installation wishes to transfer, in whole or in part, his permit to another person, the operator and the proposed transferee shall jointly make an application to the regulator to effect the transfer. Such an application shall be accompanied by the permit and any fee prescribed in respect of the transfer.

In the case of partial transfer, where the original operator retains part of the permit, the application must make clear who will retain control over the various parts of the

installation. The application must include a plan identifying which parts of the site and which activities the operator proposes transferring.

The local authority will then determine whether to allow the transfer within a two-month period, unless the local authority and the applicants agree a longer period.

Where the local authority approves the transfer, the transfer will take effect from the date requested by the operator or a date that may be agreed by the local authority and the applicants.

Variation to Permits

Variation to permits may be initiated either by the local authority or the operator, either in response to changes in the operation of an installation or if new conditions are needed to deal with new matters. Variations may be required in response to the following.

- In response to the findings of a periodic review of conditions.
- In response to the findings of an inspection.
- New or revised sector guidance notes

The operator should apply to the Local Authority in order to vary a permit under Regulation 20(1) of the Regulations. The application must be in writing and, in accordance with Part 1 of Schedule 5 to the Regulations contain:

- The name, address and telephone number of the operator.
- The address of the installation.
- A correspondence address.
- A description of the proposed changes.
- An indication of the variations the operator would like to make.
- Any other information the operator wants the authority take account of.

Substantial Change

A substantial change means, in relation to an installation, a change in operation, which in the opinion of the local authority may have significant negative effects on human beings or the environment.

Where the local authority deems that a proposed variation constitutes a substantial change, the operator will be informed of the process to follow.

Noise

This Permit does not include reference to noise. Statutory noise nuisance is regulated separately under the provisions of Part III of the 1990 Act.

Appeals

An Appeal can be made against the conditions in, or variations to this Permit as per Part IV of the Regulations. Appeals are made to the Planning Inspectorate who acts on behalf of the Secretary of State. Appeals against conditions within a Permit must be submitted within 6 months of the date of issue of the permit.

Appeals against variation notices must be submitted within 2 months of the date of issue of the notice. Appeals should be despatched on the day they are dated and sent to:

The Planning Inspectorate
Environment Team, Major and Specialist Casework
Room 4/19 – Kite Wing
Temple Quay House, 2 The Square

Temple Quay
BRISTOL
BS1 6PN

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