

INSTALLATION PERMIT

EP2008/15



**Pollution
Prevention and
Control Act
1999**

**Environmental
Permitting
(England and
Wales)**

**Regulations
2016**



**HARTLEPOOL
BOROUGH COUNCIL**

**Ron Perry & Son Ltd.
A19 Services Northbound
Elwick
Hartlepool
TS27 3HH**

Pollution Prevention & Control Act 1999
The Environmental Permitting (England and Wales) Regulations 2016
Permit Ref No. 2008/15

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Permit Holder: Ron Perry and Son Limited	
Installation	A19 Services (North) Elwick, Hartlepool TS27 3HH
Registered Address of Company:	A19 Services (South) Elwick, Hartlepool TS27 3HH
Company Registration Number	01403530

Status Log	Date
Authorisation issued	16 th November 1998
PPC Permit transferred automatically to EP Permit	6 th April 2008
Permit Variation	20 th September 2019
Permit Variation	6 th February 2023

Introductory Note

These introductory notes are not Environmental Permit conditions; however, they do provide useful information about the Environmental Permitting Regulations.

The following Permit is issued under Regulation 13 of the Environmental Permitting (England and Wales) Regulations 2016 (S.I 2016 No.1154), (“the EPR”) to operate a scheduled installation carrying out an activity, or activities covered by the descriptions in section 1.2 of Part 2 to Schedule 1 of the EPR, to the extent authorised by the Permit.

Conditions within this Permit detail Best Available Techniques (BAT), for the management and operation of the installation, to prevent, or where that is not practicable, to reduce emissions.

In determining BAT, the Operator should pay particular attention to relevant sections of the LAPPC Process Guidance note (PG1/14(13)), and any other relevant guidance. Techniques include both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.

Note that the Permit requires the submission of certain information to the Regulator, and in addition, the Regulator has the power to seek further information at any time under Regulation 60 of the EPR Regulations provided that the request is reasonable.

Public Registers

Information relating to Permits, including the application, is available on public registers in accordance with the EPR. Certain information may be withheld from the public registers where it is commercially confidential, or if it is in the interest of national security to do so.

Further guidance on commercial confidentiality can be found in the DEFRA General Guidance Manual and in Section 3 of the attached Explanatory Notes.

Variations to the Permit

The Regulator may vary the Permit in the future, by serving a variation notice on the Operator. Should the Operator want any of the conditions of the Permit to be changed, a formal application must be submitted to the Regulator (the relevant forms are available from the Regulator). The Status Log includes a summary of the Permits and variations issued up to that point in time and state whether a consolidated version of the Permit has been issued.

Transfer of the Permit or part of the Permit

Before the Permit can be wholly or partially transferred to another Operator, an application to transfer the Permit has to be made jointly by the existing and proposed Operators. A transfer will not be approved if the Regulator is not satisfied that the proposed Permit holder will be the person having control over the operation of the installation, or will not comply with the conditions of the transferred Permit. In addition, if the Permit authorises the Operator to carry out a specified waste management activity, the transfer will not be approved if the Regulator does not consider the proposed Permit holder to be a 'fit and proper person' as required by the EPR.

Reporting Requirements and Contact Details

Please quote the permit number if you contact the Regulator about this permit.

Where a Permit condition imposes a requirement to forward documents to the Local Authority or to report a specified occurrence the following address and telephone number shall be used:

By Post

**Hartlepool Borough Council,
Regeneration and Regulatory Services Department
Public Protection
Victoria Road
Civic Centre
Hartlepool
TS25 8AY**

By Telephone - during office hours: 01429 284024

By email environmental.protection@hartlepool.gov.uk

Description of the installation and permitted activity

Ron Perry and Son Ltd (the Operator) is hereby permitted by Hartlepool Borough Council (the Regulator) to carry out a process as prescribed in Part B of Section 1.2 of Schedule 1 to the Environmental Permitting (England and Wales) Regulations 2016 as described below and in accordance with the conditions detailed in this Permit

The unloading of petrol into stationary storage tanks and refuelling of petrol motor vehicles at a service station namely, Ron Perry & Son Ltd A19 Services (North), Northbound A19 Elwick, Hartlepool, TS27 3HH within the installation boundary Grid Reference NZ 450291 outlined in blue on the location plan.

The service station is fitted with petrol vapour recovery Stage I and Stage II controls, serving tanks and all nozzles dispensing petrol to the forecourt as detailed below.

The stationary technical unit comprises the following:

TANK SCHEDULE - FROM DECEMBER 2022				
New Tanks - 2022	Tank 1	Ult / Diesel	55,100 Litres	Pumps 1-4,7,8,9,10, 13-22
	Tank 2	UL	31,350 Litres	Pumps 1-4, 7-10
	Tank 3	V-Power UL	11,875 Litres	Pumps 1 - 4, 7 - 10
	Tank 4	V-Pr Diesel	11,875 Litres	P 1 - 4, 7 -10
	Tank 5	Diesel	63365 Litres	Pumps 24,27,28,31,32,35,36,39,40,43,44
	Tank 6	Red	9748 Litres	Pumps 25,29,33,37,41,45
	Tank 7	ADBL	15,000 Litres	Pumps 23,26,30,34,38,42, 6,11
Tank 8	LPG	6,000 Litres	Pump 5	

Former tanks 1-6 de commissioned and filled with foam

Stage Ib petrol vapour recovery system: Delivery and vapour return hoses. Vapour recovery system (manifolded pipework, vent stacks and pressure vacuum valves), as shown on the site plans in schedule 1 & 2 referenced Appendix 1 – 7.

Stage II petrol vapour recovery system with automatic monitoring.

Technical information in relation to storage tanks and safe working load, delivery and vapour return hoses, vapour recovery system and tank vapour release points are provided in the attached appendices.

Location Plan



0 5 10 20 30 40 50

LOCATION PLAN
1:2500

Permit Reference No; EP2008/15

Ron Perry & Son Ltd. are authorised to operate the following activities* to the extent authorised by the following paragraphs to Part B of Section 1.2B ' Gasification, Liquefaction and Refining Activities' of Schedule 1 to the Environmental Permitting (England and Wales) Regulations 2016, and subject to the conditions of this Permit at the installation, A19 Service Station (North), Elwick, Hartlepool TS27 3HH subject to the following conditions.

(c) The unloading of petrol into stationary storage tanks at a service station, if the total quantity of petrol unloaded into such tanks at the service station in any 12-month period is likely to be 500m³ or more; and,

d) Motor vehicle refuelling activities at an existing service station after the prescribed date, if the throughput of petrol at that service station in any 12 month period is or is likely to be in excess of 3000 m³ ; and,

(e) Motor vehicle refuelling activities at a new service station, if the throughput of petrol at that service station in any 12 month period is, or is intended to be in excess of 500m³ or more; and,

(g) Any service station which undergoes a major refurbishment must be treated as a new service station.

This Permit shall be subject to replacement, variation or amendment as may be considered appropriate by Hartlepool Borough Council, at any time, according to the provisions of Regulation 20 of the EPR.

* Nothing in this Permit grants or implies any consent under the Town and Country Planning Act, Health and Safety at Work, or environmental permitting regulated by the Environment Agency.

Signed on behalf of Hartlepool Borough Council



Date 6th February 2023

**Tony Hanson
Assistant Director Environment & Neighbourhoods
An authorised officer of the Council**

Conditions

The following Environmental Permit conditions are legal requirements.

Petrol Delivery

1. Vapours displaced by the delivery of petrol into storage tanks shall be returned through a vapour-tight connection line to either the mobile container delivering the petrol or a container on the site.
2. Petrol delivery shall only be carried out using the Stage I petrol vapour *recovery* system and deliveries shall only be made when the system is fully operational

Motor Vehicle Refuelling

3. Motor vehicle refuelling with petrol shall only take place when the Stage II petrol vapour recovery system is fully operational and operating in accordance with the requirements of Condition 4.
4. The petrol vapour capture efficiency of the Stage II petrol vapour recovery system shall be equal to or greater than 85% but less than 115% as certified by the manufacturer in accordance with relevant European technical standards or type approval procedures.
5. Where the recovered petrol vapour is transferred to a storage tank, the vapour/petrol ratio shall be equal to or greater than 0.95 but less than or equal to 1.05.
6. Where an automatic monitoring system has been installed, the petrol vapour capture efficiency shall be tested and the results recorded at least once every three years by checking that the vapour/petrol ratio under simulated petrol flow conditions, or by any other appropriate methodology. Any such automatic monitoring system shall automatically detect faults in the proper functioning of the Stage II petrol vapour recovery system and in the automatic monitoring system itself, indicate faults to the operator and automatically stop the flow of petrol from any faulty dispenser if the fault is not rectified within seven days.
7. Where automatic monitoring systems have not been installed the in-service petrol vapour capture efficiency of the Stage II petrol vapour recovery systems shall be tested the results recorded at least once a year by checking that the vapour/petrol ratio under simulated petrol flow conditions, or by any other appropriate methodology.
8. Where automatic monitoring systems have not been installed a weekly functionality check shall be undertaken to verify the operation of the vapour recovery system.

9. A sign, sticker or other notification shall be displayed on, or in the vicinity of, the petrol dispenser, informing consumers that a Stage II petrol vapour recovery system is in use.

Incident Reporting

10. In the event of any incident at the site which could have an impact beyond the site boundary, the operator shall notify the regulator (Public Protection Department at Hartlepool Council) by telephone without delay on (01429) 266522.

Management

11. A copy of this permit shall be kept at the permitted installation. All staff who should be aware of its content shall be told where it is kept.
12. All relevant staff shall receive the necessary training and instruction to enable them to comply with the conditions of this permit.
13. The operator shall notify the Council of any changes to the persons nominated in the application as the primary point of contact and deputy.
14. Maintenance and testing of vapour recovery systems shall be recorded.
15. All records made in compliance with this permit shall be kept in a written or computer log book or by using some other systematic method, and shall be clear and legible. If any entry is amended, a clear statement of the reason for doing so shall be included. Unless otherwise stated in this permit, all records required to be taken shall be kept available for inspection for at least 4 years from the date of its being made. A copy of the manufacturer's certification referred to in this permit shall be available for inspection on request.

Best Available Techniques

16. The best available techniques shall be used to prevent or, where that is not practicable, reduce emissions from the installation in relation to any aspect of the operation of the installation which is not regulated by any other condition of this permit.

Process Changes

17. If the operator proposes to make a change in operation of the installation, he must, at least 14 days before making the change, notify the regulator in writing. The notification must contain a description of the proposed change in operation. It is not necessary to make such a notification if an application to vary this permit has been made and the application contains a description of the proposed change. In this condition 'change in operation' means a change in the nature or functioning, or an extension, of the installation, which may have consequences for the environment.

Right to appeal

18. You have the right of appeal against this permit within 6 months of the date of the decision. You will normally be expected to pay your own expenses during an appeal. Further information on the appeals process can be found in Section Three.

You will be liable for prosecution if you fail to comply with the conditions of this permit. If found guilty, the maximum penalty for each offence if prosecuted in a Magistrates Court is £50,000 and/or 6 months imprisonment. In a Crown Court it is an unlimited fine and/or 5 years imprisonment.

Our enforcement of your permit will be in accordance with the Regulators' Compliance Code

INTERPRETATIONS AND EXPLANATORY NOTES

These interpretations and explanatory notes does not form part of your Environmental Permit conditions, however they do provide useful information about the Environmental Permitting Regulations.

Where any condition of this Permit refers to the whole or parts of different documents, in the event of any conflict between the wording of such documents, the document with the most recent publication date shall be taken to be the most appropriate document to be used.

1. In relation to this Permit, the following expressions shall have the following meanings:

Activity	An activity listed in Part 2 of Schedule 1 to the EP Regulations which will form part of an EP installation or be a mobile plant
Authorised person	Under section 108 of the Environment Act 1995, "authorised person" has replaced the term "inspector".
Best Available Techniques (BAT) Condition	<ul style="list-style-type: none">• BEST shall mean most effective in achieving a high general level of protection of the environment as a whole.• AVAILABLE techniques shall mean those developed on a scale which allows implementation in the relevant industrial sector, under economically and technically viable conditions, taking into consideration the costs and advantages, whether or not the techniques are used or produced inside the Member State in question, as long as they are reasonably accessible to the operator,• TECHNIQUES shall include both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.

The installation should be operated such that -

(a) all the appropriate preventative measures are taken against pollution, in particular through application of the best available techniques; and

(b) no significant pollution is caused.

In relation to the Permit you should be aware that, amongst other aspects of the installation operation and management, this residual duty will apply to:-

- the control of emissions to ensure that offensive odours are not caused beyond the installation boundary,
- maintenance, service and repair of equipment,
- keeping of spares and consumables,
- the training of installation operators, and supervision of workers
- management of the installation in relation to maintenance of a high standard of housekeeping.

The EPR / EP Regulation

Means the Environmental Permitting (England and Wales) Regulations 2016 S.I. 2016 No.1154 (as amended) and words and expressions defined in the EPR shall have the same meanings when used in this Permit save to the extent they are explicitly defined in this Permit.

Change in Operation

In relation to an installation or mobile plant, a change in its nature or functioning or an extension which may have consequences for the environment.

Enforcement Notice

A notice served by a local authority to enforce compliance with the permit conditions or require remediation of any harm following a breach of any condition.

Exempt service station

Exempt service station means a service station at which the total quantity of petrol unloaded into stationary storage tanks does not exceed 500m³ in any 12-month period.

Additionally, in relation to provisions for Stage II controls only. Exempt service station means an existing service station where the throughput of petrol does not exceed 3500m³ in any 12-month period.

Existing service stations

Means service stations which are in operation, or for the construction of which planning permission is granted, before 31st December 1995. For Stage II controls, existing means service stations which are in operation before the date of publication of this note.

This Guidance

Process Guidance Note 1/14 (13)

Previous Guidance

Process Guidance Note 1/14(06) Process Guidance Note 1/14(97) and 1/14(04)

Hydrocarbon capture efficiency of vapour recovery system

Equipment for vapour recovery should be designed to ensure a vapour recovery efficiency of 85% measured during an appropriate type approval test. The efficiency is defined as:

$$E_{if}(\%) = ((BE - RE) / BE) \times 100$$

(where Elf is efficiency; BE is base emissions of petrol vapours to atmosphere without Stage II petrol vapour recovery in place; RE is the residual emissions of petrol vapours to atmosphere with Stage II measures in place).

For vapour recovery systems with type approval from another European Union, European Economic Area or European Free Trade Association country, the hydrocarbon capture efficiency required by that country should be taken as being equivalent to the above

MCERTS

Means the Environment Agency's Monitoring Certification Scheme.

Mobile container

Means any tank, transported by road, rail or waterways used for the transfer of petrol from one terminal to another or from a terminal to a service station.

New service stations

Means service stations which are not covered by the definitions of "existing" stations.
The Government are of the opinion that the grant of outline planning permission for the construction of a service station prior to 31 December 1995 would bring that station into the definition of "existing", though it should be noted that such permissions are time limited under section 92 of the Town and Country Planning Act 1990. The Government do not consider that the subsequent approval of reserved matters affects this position

The Government's general view and opinion are not definitive as it is ultimately the courts that interpret legislation

Operator

The person who has control over the operation of the installation/regulated facility (EP Regulation 7).

Permit

A permit granted under EP Regulation 13 by a local authority allowing the operation of an installation subject to certain conditions.

Permitted Installation

Means the activities and the limits to those activities described in this Permit. "Monitoring" Includes the taking and analysis of samples, instrumental measurements (periodic and continual), calibrations, examinations, tests and surveys.

Petrol

Is defined in Directive 94/63/EC as any petroleum derivative with or without additives, having a Reid vapour pressure of 27.6kPa or more, which is intended for use as a fuel for motor vehicles, except liquefied petroleum gas (LPG). In addition the Government's view is that the definition of petrol includes leaded, unleaded and lead

replacement gasoline and excludes diesel motor fuel, kerosene and aviation fuels (some aviation fuels exceed the vapour pressure but aircraft are not motor vehicles for the purposes of the definition) The Government's view is not definitive as it is ultimately the courts that interpret legislation.

Pollution	Any emission as a result of human activity which may be harmful to human health or the quality of the environment, cause offence to any human senses, result in damage to material property, or impair or interfere with amenities and other legitimate uses of the environment (EP Regulation 2(1)).
Regulator	Means any officer of Hartlepool Borough Council who is authorised under Section 108(1) of the Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in Section 108(1) of that Act
Revocation Notice	A notice served by the Regulator under EP regulation 22 revoking all or part of a permit.
Service station	Means any installation where petrol is dispensed to motor vehicle fuel tanks from stationary storage tanks. This includes both retail and non-retail sites.
Target reference value	Means the guideline given for the overall assessment of the adequacy of technical measures in the note and is not a limit value against which the performance of individual installations at service stations would be measured.
Throughput	Means the largest total annual quantity of petrol unloaded from mobile containers into a service station during the three years preceding the relevant date. This means that the compliance deadline will apply if the throughput figure is exceeded in any of the three immediately preceding years, which will always include the most recent year. For example, if the throughput exceeds 500m ³ at a service station for the first time in 2005 then that service station should be regarded as having "a throughput greater than 500m ³ " in the year 2006.
Type approval test	A test undertaken to gain approval for use. In the context of this note, this term is used in relation to approval for use of a vapour recovery system in petrol dispensers for compliance with national regulations. The test will typically include leakage tests and metrology tests as well as tests on hydrocarbon capture efficiency and volumetric efficiency (PN ratio).

Vapours	Means any gaseous compound which evaporates from petrol
Vapour collection system	Includes a system of delivery of petrol whereby the vapours displaced from the storage tank are returned to the road tanker by a vapour balance pipe.
Vapour/Petrol (V/P) ratio	The ratio between the vapour volume at atmospheric pressure passing through the vapour recovery system and the volume of petrol dispensed.
Vapour lock	<p>Is a phenomenon that can occur during a road tanker delivery and is identified by a stoppage in the flow of product before the road tanker's compartment is fully discharged. There are two possible causes of vapour lock:</p> <p>Where there is an insufficient head of product in the road tanker compartment to force the air/vapour mixture in the delivery hose and fill pipe through the residual product in the storage tank. This cause of vapour lock can affect both atmospheric (free venting) and vapour balanced deliveries.</p> <p>Where there is a back flow of vapour into the delivery hose from a leak in the storage tank's internal fill pipe. This cause will only arise during vapour balanced deliveries</p>

2. Statutory Requirements

This Permit does not detract from any of the following statutory requirements where applicable:-

- (a) The requirement to obtain Planning Permission for the installation and any new construction.
- (b) The requirement to obtain discharge consent from the Environment agency.
- (c) The requirement to obtain Building Regulation approval for any construction work.
- (d) The requirement of a Waste Disposal Licence.
- (e) The requirement to comply with the Health and Safety at Work etc. Act 1974.

Public Register

Local authorities are required by EP regulation 46 to maintain a Public Register containing information on all the LA-IPPC and LAPPC installations and mobile plant they are responsible for. The register is available for inspection by the public free of charge during office hours (Monday to Friday 9.00am to 5.00pm – by prior appointment) at

**Hartlepool Borough Council,
Environment and Neighbourhoods Department
Public Protection
Victoria Road
Civic Centre
Hartlepool
TS25 8AY**

Subject to exclusions of commercially confidential information and information affecting national security, registers will contain the following:

- a. Applications for a permit;
- b. Notices asking for information and responses to such;
- c. Advertisements and representations in response to such (unless requested not to by the person responding)
- d. In the case of c) above, a statement to the effect that representations were made but have been omitted – must not identify the person making the representation;
- e. Statutory consultee responses to applications or applications for variations;
- f. Permits;
- g. Notifications of changes in the operation of installations;
- h. Applications for variations, transfers or surrenders of permits;
- i. Variations, transfers and surrenders granted;
- j. Revocations;
- k. Enforcement or suspension notices;
- l. Notices withdrawing enforcement and suspension notices;
- m. notice of an appeal including the grounds of the appeal, relevant correspondence between the appellant and the regulator, and the decision/notice which is the subject of the appeal;
- n. Representations in response to appeal (unless requested not to by the person responding);
- o. In the case of n) above, a statement to the effect that representation were made but have been omitted – must not identify the person making the representations;
- p. The appeal decision and any accompanying report;
- q. Convictions, formal cautions; to include the name of the person, date of conviction/caution, and (where appropriate) penalty and name of court. This requirement does not override the Rehabilitation of Offenders Act 1974 regarding spent conditions, and authorities must take care to remove relevant entries at the appropriate time;

- r. Monitoring data obtained by the authority from its own monitoring, or sent to the authority on accordance with a permit condition or regulation 28(2) notice;
- s. If any monitoring information is omitted because it is commercially confidential, the authority must put a statement on the register indicating whether relevant permit conditions are being complied with, based on the withheld information;

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.

The general principle is that information should be freely available to the public. An operator may request certain information in relation to a LA-IPPC or LAPPC permit to remain confidential, i.e. not be placed on the public register. The onus is on the operator to provide a clear justification for each item he or she wishes to be kept from the register. EP regulation 45 defines 'commercial information' as "information that is commercially or industrially confidential in relation to any person".

Local authorities will also take into account whether the information at issue could be obtained or inferred from other publicly accessible sources.

The local authority will determine this request within 28 days of the date of such an application and will issue a Determination Notice detailing their decision. The notice may specify a time period over which the information is to remain commercially confidential (if not specified, it will be four years beginning with the date of the determination). The operator may appeal to the Secretary of State within 21 days of the notification of the decision.

If the application is granted the local authority will place a statement on the public register stating that certain information has been withheld and stating the reasons why, plus whether this information is relevant to a permit condition, and whether the permit condition has been complied with.

Further guidance on commercial confidentiality can be found in the DEFRA General Guidance Manual.

National Security

EP regulation 47 allows for information to be kept from public registers for reasons of national security. For this to happen, the Secretary of State/Welsh Ministers must determine that placing the information on the register would be contrary to the interests of national security. An operator who believes any information meets this test may apply to the Secretary of State/Welsh Ministers.

The operator must notify the local authority that he or she has asked for this determination, but must not exclude the information from any submission to the authority, such as a permit application. The Secretary of State/Welsh Ministers may direct the authority on what information, if any, to exclude from the register.

Any such applications must be made to:

**Secretary of State for Environment,
Food and Rural Affairs
Nobel House
17 Smith Square
LONDON
SW1P 3JR**

and should be marked “application under the Environmental Permitting Regulations”.

3. Upgrading Programmes

The following information does not comprise part of the Permit, but contains guidance, which should be noted when considering the upgrading programme.

Aim of Upgrading Programme

To identify the areas where the existing installation does not meet the required standards ("new process" standards), as detailed in the relevant Secretary of State's Process Guidance Note, the steps to be taken to meet these standards, and the time-table of dates by which these steps are to be implemented. (You are advised to refer to the Department of Environment, General Guidance Note 4 - Interpretation of terms used in Process Guidance Notes (available from H.M. Stationery Office)).

Content of Upgrading Programme

There is not a specified format for an upgrading programme but, wherever possible, it should identify reasonably precise actions to be taken and the dates on which these actions will be instigated. If abatement plant is to be installed technical specifications and schematic drawings along with operational procedures should be detailing in the upgrading plan.

Council Action upon receipt of Upgrading Programmes

It is an offence not to submit the upgrading programme by the date specified in the Permit.

The Council will assess the adequacy of the submission and if satisfied with the content, will place it on the Public Register (operators may apply for matters which are considered to be commercially confidential to be excluded from the Register).

The Council will bring the upgrading programme within the terms of the Permit by issuing a Variation Notice to add the programme as a condition to the initial Permit. This will ensure that commitments given are made into enforceable conditions (this may not preclude changes to the programme where there are sound reasons for such a change).

4. Fees

(EP regulation 65).

Operators must pay an annual subsistence charge to cover local authorities' continuing regulatory costs once a permit has been issued. It will cover such things as checking monitoring data or carrying out inspections. The level of subsistence charge is contained in the relevant charging scheme and will become due on 1st April each year. The operator is liable for the full subsistence charge for the year of operation. You are advised that if you fail to pay the fee due promptly, the Council may revoke the Permit.

The risk-based charging scheme was introduced in 2006/7 for all standard activities. The risk-based method applies a low, medium or high risk rating to activities operating at an installation. The resulting subsistence fees are proportionate to the risk rating. This risk-assessment method uses a "point scoring" approach which combines the indicative environmental impact assessment (EIA) of the activity itself and the Operator Performance Assessment (OPA) covering the operational aspects of the installation. This is outlined in the Risk-Based Inspection Methodology which is available on the DEFRA web pages

5. Transfer of Permits

LA-IPPC and LAPPC installations may change hands through normal business transactions. EP regulation 21 therefore allows for permit transfers either for the whole installation, or for one or more parts of it through partial transfer arrangements. New operators should have the appropriate management systems and the competence to run installations properly in compliance with the conditions of the existing permits.

When an operator wants to transfer all or part of a permit to someone else, he/she and the proposed transferee must make a joint application and also pay a fee. They must both sign the application form. The joint application should contain their telephone numbers and addresses plus any additional correspondence address. The application should be accompanied by the current permit document and must include the appropriate transfer fee.

6. Process Variations

A local authority may decide that the existing permit conditions require amendment without receiving any notification or application from the operator (EP regulation 20(1)). This is most likely to occur when the authority decides that the conditions need varying having conducted a periodic review in accordance with EP regulation 34, or in the light of revised guidance from Defra/WAG, or because of the transfer of a permit to another operator. Other instances could be the revision of a relevant environmental quality standard, the declaration of an area as an air quality management area, or (in the case of LA-IPPC) a requirement from the Environment Agency to revise a water-related condition.

If there is no such condition included in their permit, operators should be aware that there are risks to them should they fail to notify the relevant local authority of a change. The risks are that the authority decides that the change means that the operator is either carrying on the activity beyond the extent authorised by the existing permit, or is doing so in contravention of an existing permit condition. Both are offences under EP regulation 38. On the positive side, some changes could result in a lowering (as well as, potentially, raising) of an installation's risk rating. These could include alterations to management or training practices, or technical changes such as the use of less toxic chemicals.

Many changes will not have consequences for the environment and notification will be unnecessary; although there may be cases where it is nonetheless good practice for an operator to do so in order to keep the authority informed. It is also good practice to notify authorities of any administrative changes, such as the name or address of the operator (where the installation has not changed ownership), and authorities can simply amend the permit without going through any formal procedures.

The IPPC Directive definition of 'substantial change', which is incorporated by the EP Regulations, is "a change in operation which, in the opinion of the regulator, may have significant negative effects on human beings or the environment". For installations subject to the Solvent Emissions Directive, further criteria may be relevant.

If an operator has any doubt over whether a particular change is substantial, he/she should ask the opinion of the relevant local authority.

7. Secretary of State's Guidance

This permit is covered by Secretary of State's Guidance:

Process Guidance Note 1/14(13) Statutory guidance for unloading of petrol into storage, and motor vehicle refuelling, at service stations	http://www.defra.gov.uk/industrial-emissions/las-regulations/guidance/
Pollution Prevention and Control Act 1999	www.defra.gov.uk/environment/index.htm
Environmental Permitting (England & Wales) Regulation 2010 (as amended)	http://www.legislation.gov.uk/uksi/2010/675/contents/made
General Guidance Manual on Policy and Procedures for A2 and B Installations	http://www.defra.gov.uk/industrial-emissions/las-regulations/guidance/

APPEALS PROCESS

Under EP regulation 31 operators have the right of appeal against the enforcing authority in the following circumstances:

- 1 refusal or deemed refusal to grant a permit;
- 2 refusal of an application to vary a permit;

- 3 if the operator disagrees with the conditions imposed by the authority as a result of a permit application or an application for a variation notice;
- 4 refusal of an application to transfer a permit, or if the operator disagrees with the conditions imposed by the authority to take account of such a transfer;
- 5 refusal of an application to surrender a permit, or if the operator disagrees with the conditions imposed by the authority to take account of the surrender;
- 6 the service of a variation notice (not following an application by the operator), a revocation notice, an enforcement notice, or a suspension notice on the operator;
- 7 the deemed withdrawal by a local authority of a duly-made application because the operator has not provided further information (paragraph 4 of Schedule 5 to the EP Regulations).

Under EP regulation 53(1) operator has the right of appeal against a decision that information will not be withheld from the public register for reasons of commercial confidentiality.

The rights to appeal listed in 1-6 above do not apply where the decision or notice implements a direction given by the Secretary of State or Welsh Ministers. There is also no right of appeal if a revocation notice has been served for non-payment of subsistence fees (EP regulation 31(3)).

Appeals under 3-6 above do not stop the conditions coming into effect. Appeals against variation, enforcement and suspension notices do not stop the notices coming into effect. However, appeals against revocation notices suspend the operation of the notices coming into effect until the appeal is decided or withdrawn.

Notice of appeal against the conditions attached to the permit must be given within six months of the date of the notice, which is the subject matter of 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 charges for appealing and there is no statutory requirement to submit an appeal form. However, an appeal form has been prepared and is available for use at <http://www.planning-inspectorate.gov.uk/pins/environment/environment/index.htm>. For an appeal to be valid, appellants (the person/operator making the appeal) are legally required to provide all of the following (see EP Regulations Schedule 6, paragraph 2(2)):

- 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 at a hearing - a hearing must be held if either the appellant or local authority requests

this, or an appointed person or the Secretary of State/Welsh Ministers decide 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
- 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 EP regulation 49 and provide relevant details. Unless such information is provided all documents submitted will be open to inspection.

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 & Specialist Casework
Room 4/04 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN**

Tel: 0117 372 8726

On receipt of an appeal and during the appeal process both main parties will be informed by the Inspectorate about the next steps, which will explain the procedures and submission timetable for 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 who has expressed an interest in the appeal.

Costs

The operator and local authority will normally be expected to pay their own expenses during an appeal. Where a hearing or inquiry is held as part of the appeal process, by virtue of paragraph 5(6) of Schedule 6, either the appellant or the authority can apply for costs. Applications for costs are normally heard towards the end of the proceedings and will only be considered 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 representations.

Following an application for costs, the Inspector or the Secretary of State/Welsh Ministers will act in the spirit of DOE Circular 8/93 – The Award of Costs in Planning and Other Proceedings. Schedule 6, paragraph 5(6) of the EP Regulations applies section 250 (as modified) of the Local Government Act 1972 to hearings and inquiries. Under section 250, persons may be summonsed to appear to give evidence, the appointed person may seek recovery of his or her certified costs from either party and may make a costs order so that one party pays part of the other side's costs.

Schedule 1

Tanks to pumps layout
Tank 1 Fuel lines, offset fills and vents
Tanks 2 & 3 fuel lines
Tanks 4 & 5 fuel lines
Tanks 6 & 7 fuel lines
Tanks 8, LPG fuel line, Stage II vapour recovery

Appendix

1
2
3
4
5
6

Schedule 2

Drainage Plan

Appendix

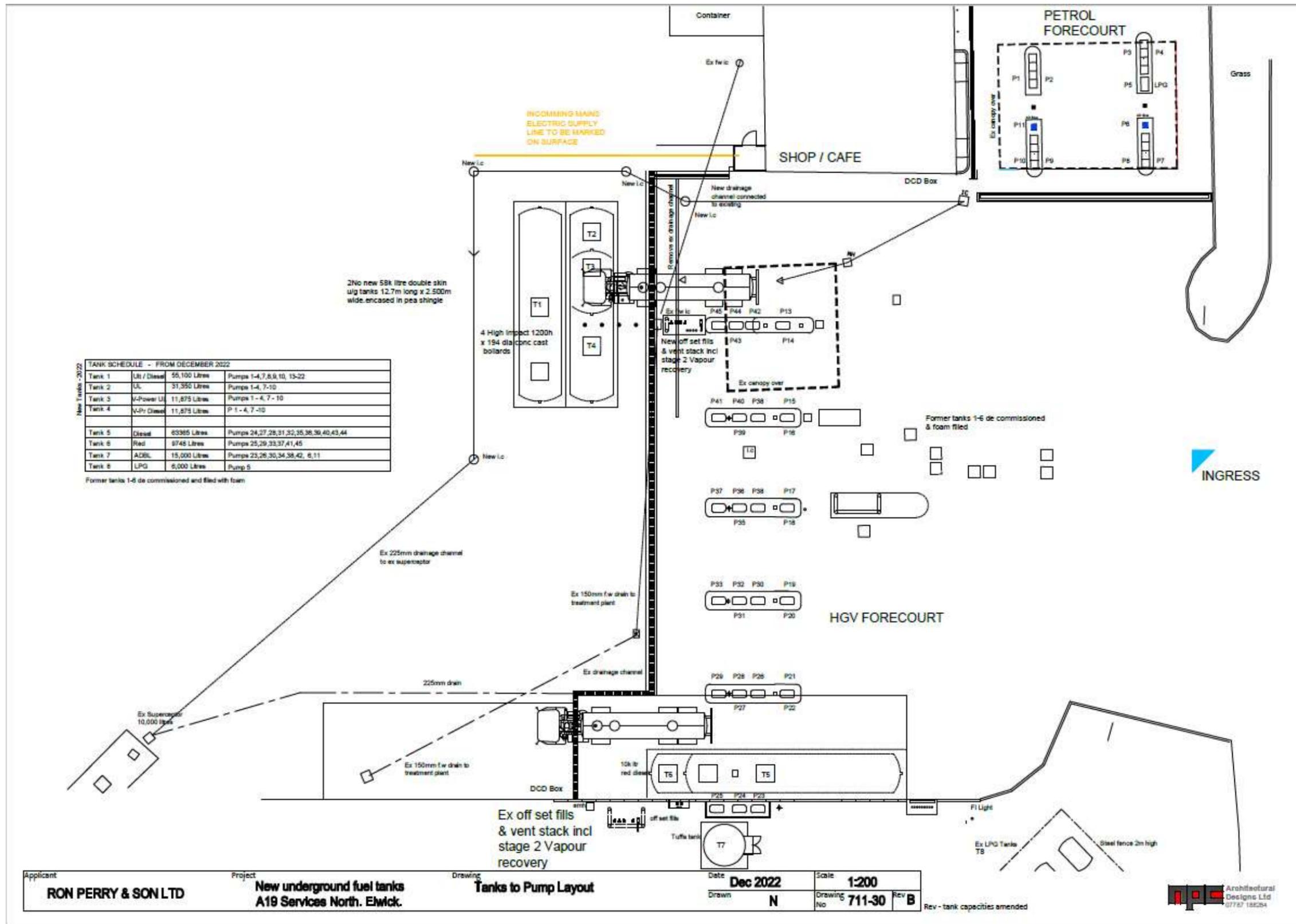
7

Tables

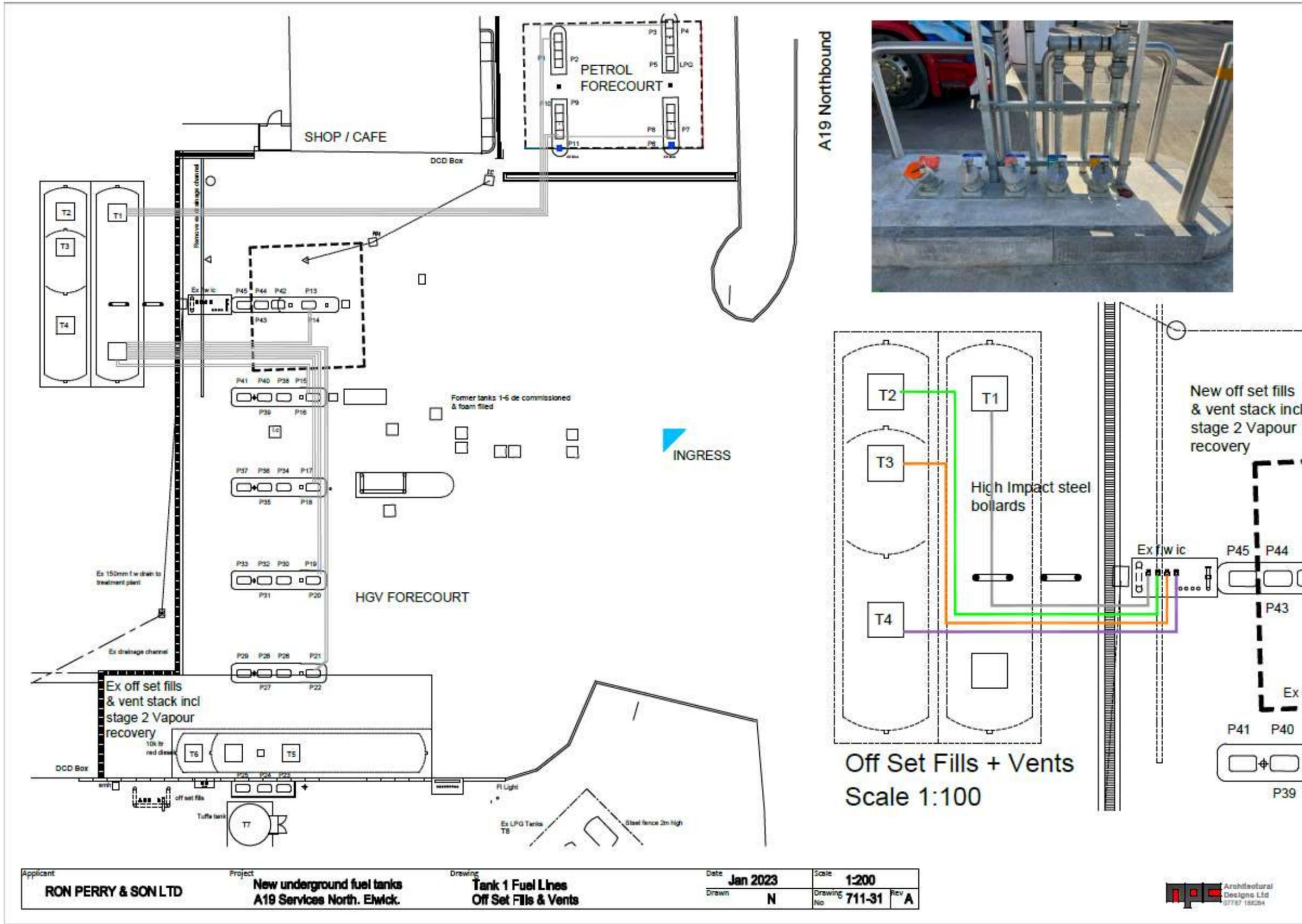
Tank Schedule

8

Appendix 1 – Tanks to pumps layout



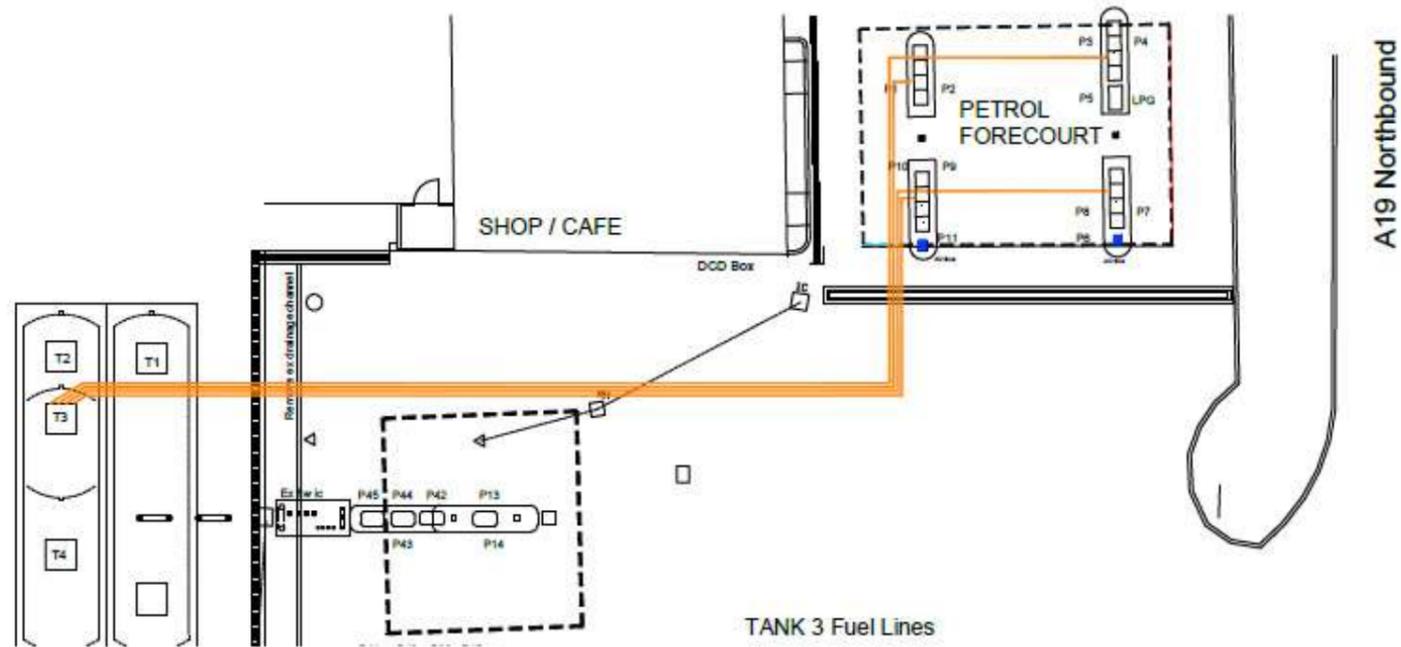
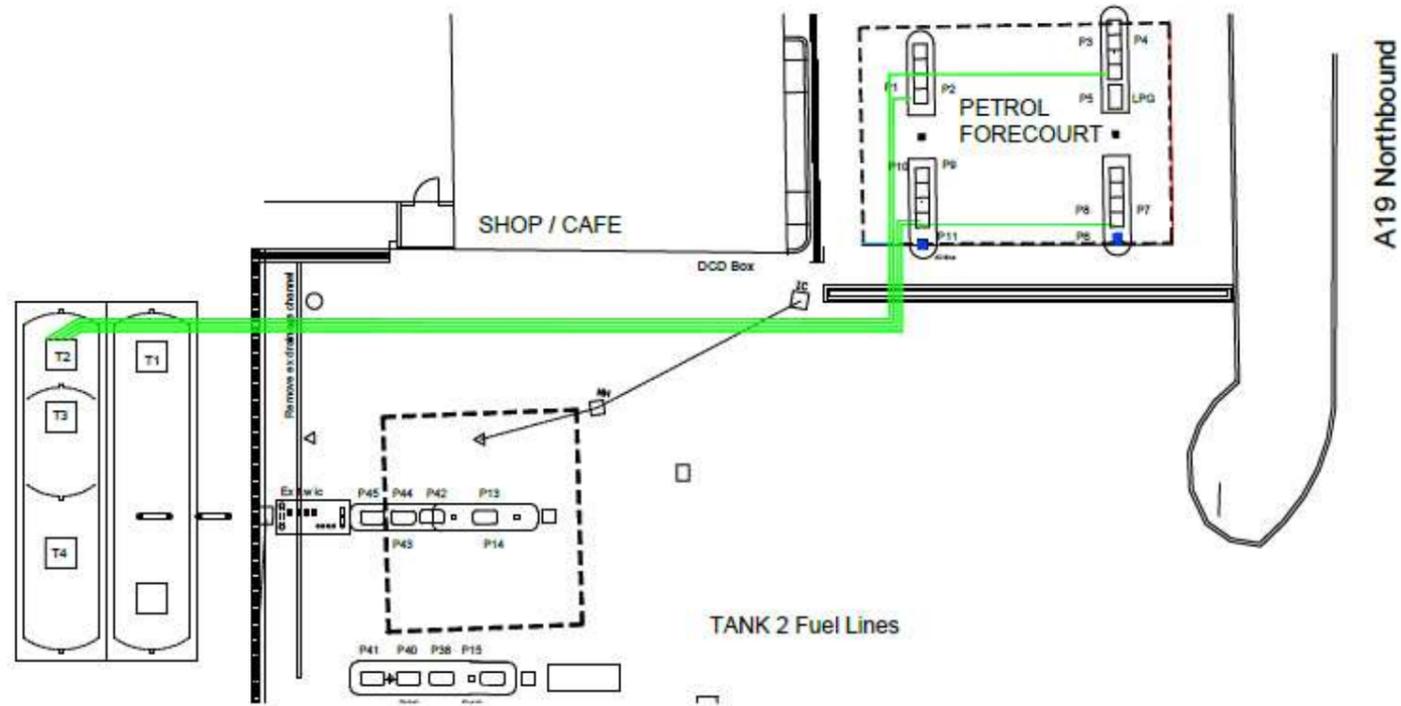
Appendix 2 – Tank 1 fuel lines, offset fills and vents



Applicant RON PERRY & SON LTD	Project New underground fuel tanks A19 Services North. Ewick.	Drawing Tank 1 Fuel Lines Off Set Fills & Vents	Date Jan 2023	Scale 1:200
			Drawn N	Drawing No 711-31 Rev A



Appendix 3 - Tanks 2 & 3 fuel lines



TANK SCHEDULE - FROM JANUARY 2023

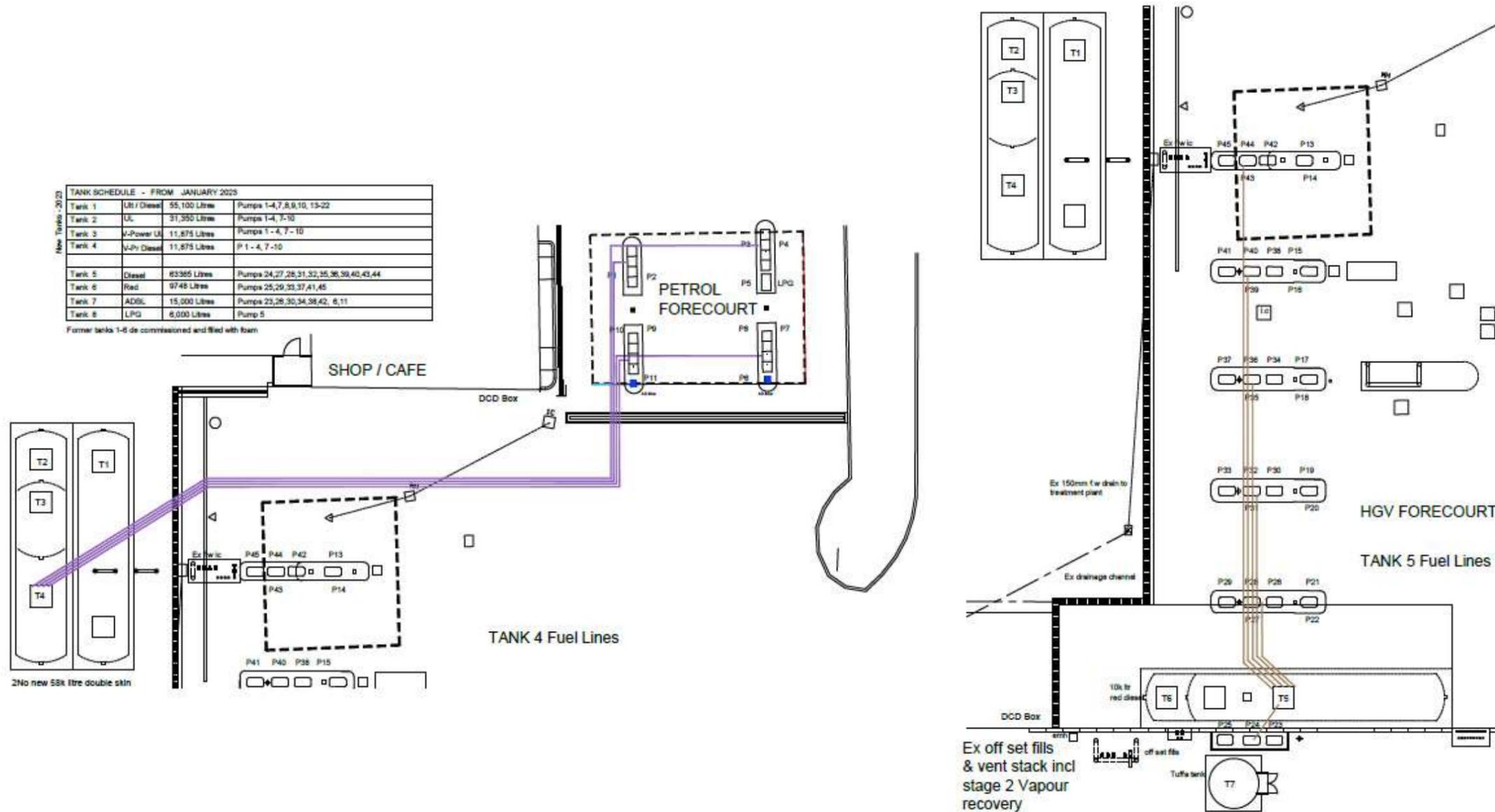
Tank	Fuel	Capacity (Litres)	Pumps
Tank 1	UL / Diesel	55,100 Litres	Pumps 1-4, 7, 8, 10, 13-22
Tank 2	UL	31,350 Litres	Pumps 1-4, 7-10
Tank 3	V-Power UL	11,875 Litres	Pumps 1-4, 7-10
Tank 4	V-Power Diesel	11,875 Litres	P 1-4, 7-10
Tank 5	Diesel	63385 Litres	Pumps 24,27,28,31,32,35,36,39,40,43,44
Tank 6	Red	9748 Litres	Pumps 25,29,33,37,41,45
Tank 7	ADBL	15,000 Litres	Pumps 23,26,30,34,38,42, 6, 11
Tank 8	LPG	6,000 Litres	Pump 5

Former tanks 1-6 de commissioned and filled with foam

Applicant RON PERRY & SON LTD	Project New underground fuel tanks A19 Services North, Ewck.	Drawing Tanks 2 & 3 Fuel Lines	Date Jan 2023	Scale 1:200
			Drawn N	Drawing No 711-32 Rev A



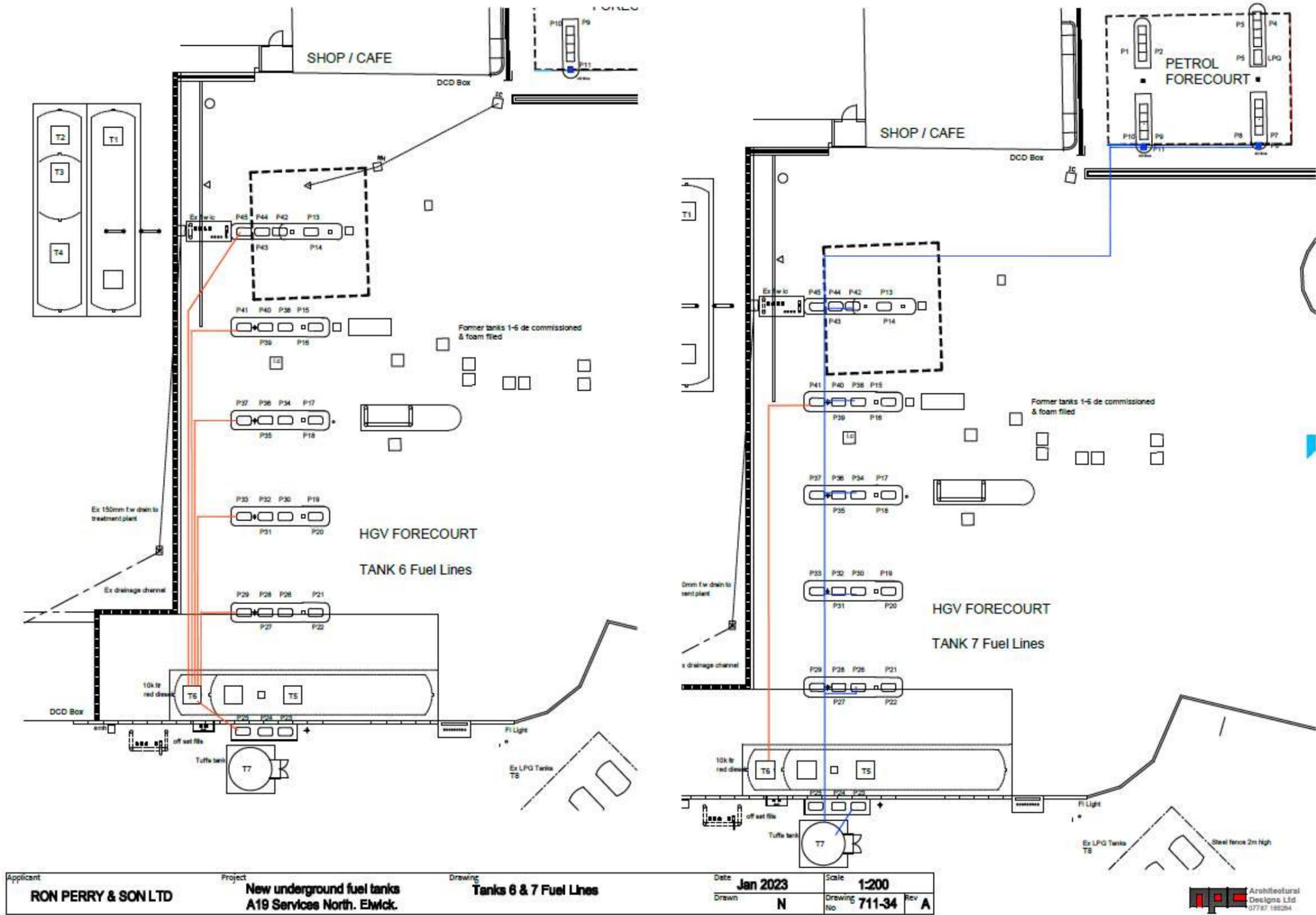
Appendix 4 – Tanks 4 & 5 fuel lines



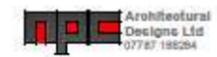
Applicant RON PERRY & SON LTD	Project New underground fuel tanks A19 Services North. Elwick.	Drawing Tanks 4 & 5 Fuel Lines	Date Jan 2023	Scale 1:200
			Drawn N	Drawing No 711-33 Rev A



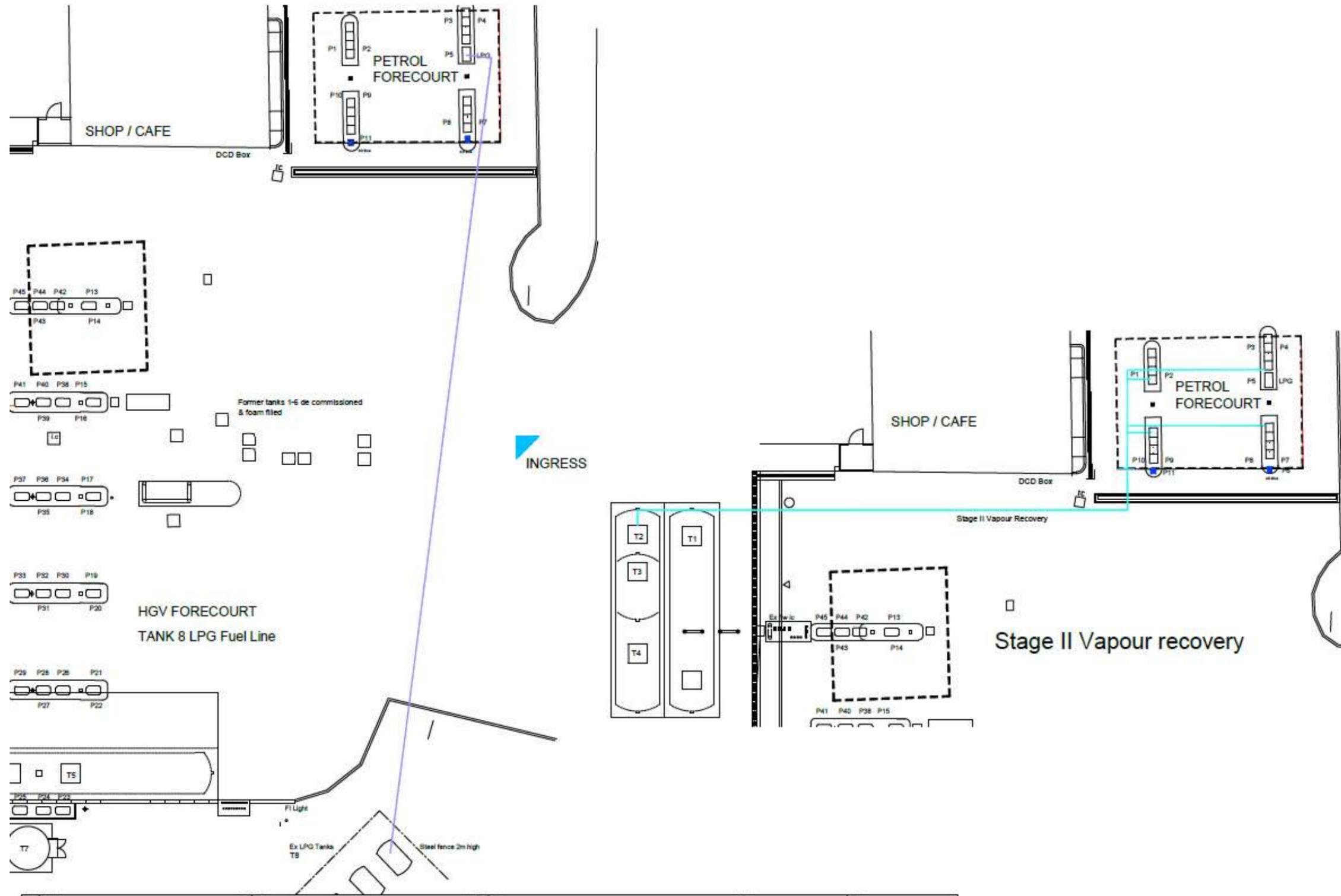
Appendix 5 – Tanks 6 & 7 fuel lines



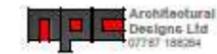
Applicant RON PERRY & SON LTD	Project New underground fuel tanks A19 Services North. Ewick.	Drawing Tanks 6 & 7 Fuel Lines	Date Jan 2023	Scale 1:200
			Drawn N	Drawing No 711-34
				Rev A



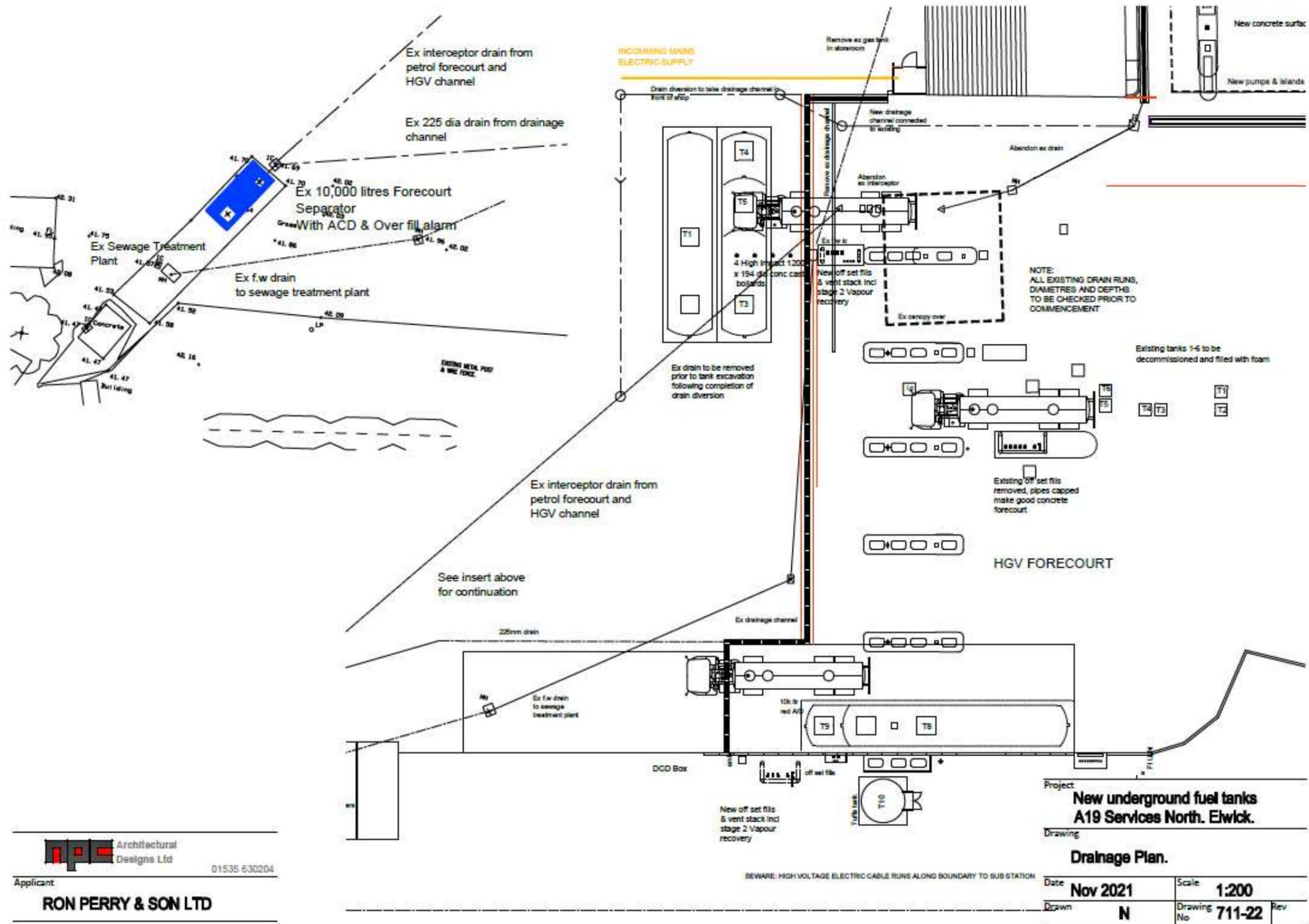
Appendix 6 – Tanks 8, LPG fuel line, Stage II vapour recovery



Applicant RON PERRY & SON LTD	Project New underground fuel tanks A19 Services North. Ewick.	Drawing Tanks 8 LPG Fuel Line Stage II Vapour Recovery	Date Jan 2023	Scale 1:200
			Drawn N	Drawing No 711-35
				Rev A



Appendix 7 – Drainage Plan




Architectural Designs Ltd
 01535 630204
 Applicant: **RON PERRY & SON LTD**

Tables

Appendix 8 - Tank Schedule

Tank 1	Ult / Diesel	55,100 Litres	Pumps 1-4,7,8,9,10, 13-22
Tank 2	UL	31,350 Litres	Pumps 1-4, 7-10
Tank 3	V-Power UL	11,875 Litres	Pumps 1 - 4, 7 - 10
Tank 4	V-Pr Diesel	11,875 Litres	P 1 - 4, 7 -10
Tank 5	Diesel	63365 Litres	Pumps 24,27,28,31,32,35,36,39,40,43,44
Tank 6	Red	9748 Litres	Pumps 25,29,33,37,41,45
Tank 7	ADBL	15,000 Litres	Pumps 23,26,30,34,38,42, 6,11
Tank 8	LPG	6,000 Litres	Pump 5

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