



**CHARNWOOD BOROUGH COUNCIL  
ENVIRONMENTAL PERMITTING (ENGLAND AND WALES)  
REGULATIONS 2016, REGULATION 18**

**PERMIT REFERENCE NO: 111**

**VARIATION NOTICE**

To: **Cemex UK Materials Ltd**

Registered Office: **CEMEX House, Evreux Way, Rugby, Warwickshire CV21  
2DT**

Charnwood Borough Council ('The Council'), in exercise of the powers conferred upon it by Regulation 18 of the Environmental Permitting (England and Wales) Regulations 2016 ("the 2016 Regulations") hereby gives you notice as follows:-

The Council has decided to vary and consolidate the conditions of Permit Reference 111 granted under regulation 13 (1) of the 2016 Regulations in respect of the manufacture of ready mixed concrete involving the blending and use of bulk cement:

Operated by: **Cemex UK Materials Ltd**

At: **Land off Messenger Close, Bishop Meadow Road Industrial  
Estate, Loughborough, Leicestershire LE11 5SR**

Unless otherwise stated, the variations made by this Notice will come into effect immediately.

A consolidated permit as varied by this notice is set out in Schedule 1 attached.

Name	Date
Beverley Green	15 March 2019

Authorised on behalf of Charnwood Borough Council

Issued by:  
Regulatory Services, Environmental Protection Southfields, Southfields Road,  
Loughborough, Leicestershire LE11 2TX

## EXPLANATORY NOTES

### Notes

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 have included a 'consolidated permit', which takes into account these and previous variations.

### Appeals

Under regulation 31 and Schedule 6 of the 2016 Regulations operators have the right of appeal against the conditions attached to their permit by a variation notice. The right to appeal does not apply in circumstances where the notice implements a direction of the Secretary of State/Welsh Ministers given under regulations 61 or 62 or a direction when determining an appeal.

Appeals against a Variation Notice do not have the effect of suspending the operation of the Notice. Appeals do not have the effect 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 variation notification, which is the subject matter of the appeal. The Secretary of State/Welsh Ministers 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 charges for appealing. However, for an appeal to be valid, appellants (the person/operator making the appeal) are legally required to provide the Secretary of State or Welsh Minister with the following (see paragraphs 2(1) and (2) of Schedule 6 of the 2016 Regulations):

- written notice of the appeal
- a statement of the grounds of appeal;
- a copy of any relevant application;
- a copy of any relevant environmental 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; and
- a statement indicating whether the appellant wishes the appeal to be in the form of a hearing or dealt with by way of written representations.

Appellants should state whether any of the information enclosed with the appeal has been the subject of a successful application for confidentiality under regulation 48 of the 2016 Regulations, and provide relevant details – see below. 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 and Specialist Casework  
Room 4/04 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

If an appeal is made, the main parties will be kept 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**

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 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.

## **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 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 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.

## **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/Welsh Ministers, 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/Welsh Ministers has decided the matter.

## **Advice**

If you do not understand the contents of this notice or would like to know more about it please contact the local authority. If you would like to receive independent advice about the contents of this notice, your rights and obligations then please contact a solicitor.

## **Warning**

Failure to comply with a Variation Notice is an offence under regulation 38(2) of the 2016 Regulations. A person guilty of an offence under this regulation could be liable to (i) a fine or imprisonment for a term not exceeding 12 months or both; or (ii) to a fine or imprisonment for a term not exceeding 5 years or both, depending on whether the matter is dealt with in the Magistrates or Crown Court.

## **Data Protection**

For information about how & why we may process your personal data, your data protection rights or how to contact our data protection officer, please view our Privacy Notice [www.charnwood.gov.uk/pages/privacynotice](http://www.charnwood.gov.uk/pages/privacynotice)



## PERMIT 111



## CHARNWOOD BOROUGH COUNCIL

## POLLUTION PREVENTION AND CONTROL ACT 1999

ENVIRONMENTAL PERMITTING (ENGLAND AND WALES)  
REGULATIONS 2016

## PERMIT REF. NO.111

Charnwood Borough Council hereby permits, under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2016

**Cemex UK Materials Ltd** – the ‘Operator’

Registered office:

**CEMEX House, Evreux Way, Rugby, Warwickshire CV21 2DT**

To manufacture ready mixed concrete involving the blending and use of bulk cement at:

**Cemex UK Materials Ltd,**

**Land off Messenger Close, Bishop Meadow Road Industrial Estate,  
Loughborough, Leicestershire LE11 5SR**  
(National Grid Ref: SK 521 213)

Subject to the conditions outlined in this document. The conditions contained herein shall apply from the date of the permit unless otherwise stated.

Name	Date
Beverley Green	15 March 2019

Authorised on behalf of Charnwood Borough Council

Permit issued by:  
Regulatory Services, Environmental Protection Southfields, Southfield Road,  
Loughborough, LE11 2TX

**PERMIT 111****Introductory note*****This introductory note does not form a part of the permit***

The following Permit is issued under Regulation 13 of the Environmental Permitting (England and Wales) Regulations 2016 (SI 2016/1154), as amended, (“the EP Regulations”) to operate an installation carrying out one or more of the activities listed in Section 6.4 of the LAPPC Regulations, namely:

Section 3.1, Part B (b)

"Any activity of blending cement in bulk or using cement in bulk other than at a construction site, including the bagging of cement and cement mixtures, the batching of ready-mixed concrete and the manufacture of concrete blocks and other cement products".

**Status Log**

Detail	Date	Comment
Permit determined	21 September 2004	Permit determined
Variation Notice	22 February 2010	Consolidated permit issued
Variation Notice	13 May 2010	Consolidated permit issued
Variation Notice	22 April 2015	Consolidated permit issued
Variation Notice	22 September 2015	Remove reference to manufacturer's instructions.
Variation Notice	26 May 2017	Changes to site layout
Variation Notice	15 March 2019	Change to registered office address

**Origins of the conditions contained in the permit**

The Secretary of State has issued various guidance notes to local authorities to assist with determining those conditions which represent ‘best available technique’ in the different circumstances which apply to each installation. The conditions within this permit have been derived from the following guidance note:

PG 3/01(12) Statutory Guidance for Blending, Packing, Loading, Unloading and Use of Bulk Cement

**Process Description**

The process involves the blending of cement and using cement in bulk for the batching of ready-mixed concrete.

The plant consists of:

- a) Batch control cabin
- b) Below ground aggregate receiving hopper
- c) Aggregate feed conveyor to storage bins
- d) Aggregate storage bins of 260 tonnes capacity
- e) Track/plant mixer wash reclaimer and storage bay
- f) Lime/cement/ash storage silo
- g) Cement and aggregate weigh hopper

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- h) Mixing unit
- i) Slurry re-circulatory system
- j) Loading chute

**Plant Operation**

Aggregate materials are delivered to the site by heavy goods vehicles and fed direct to the appropriate compartment of the enclosed overhead storage bins via the below-ground level feed hopper and inclined conveyor. The aggregates are delivered graded, and ready for use in the plant; no additional crushing or processing is necessary.

The overhead storage bins hold 260 tonnes of aggregate materials, are fully enclosed and are situated above the weigh hopper. Sand and other aggregates are delivered damp or above 5mm in size to prevent the generation of dust. Pigments used in the manufacture of ready-mixed mortar are delivered to site in sealed bags and stored in an allocated area prior to use. Water is available for material to be conditioned if deemed necessary.

Cementitious materials are delivered to the site in bulk tankers and transferred pneumatically, powered by a compressor on the tanker, to enclosed storage silos via flexible hosing, using sealed couplings. The silos are fitted with reverse air jet filters, high level visual and audible alarms and dead-weight pressure relief valves. The internal transfer of cementitious material from the silos to the weigh hopper is totally enclosed within the plant building and is by a combination of gravity and screw feed.

From the weigh hopper the cementitious material and aggregate is screw fed into the pan mixer when water is added. The mixer is loaded in such a way as to minimise dust. This includes the simultaneous delivery of water, before, during and after the loading of cementitious material and aggregates. No 'dry leg' mixing of materials takes place. When blended, the concrete/mortar is discharged into truck mixers or tippers directly below the mixer unit.

Wastes are generated at the site through returned concrete and the washing of truck mixers and the mixer unit. Residual materials are washed from the mixers at the end of the working day into the aggregate reclamation and water system. Cement slurry is reused within the concrete batching plant and aggregates are utilised as a raw material. Any material which cannot be reused is dried and removed from site for disposal at an appropriately licensed landfill site.

The yard area is surfaced and fitted with a water supply for dust suppression purposes, as necessary. The water from this operation is collected by an oil and grit interceptor and is pumped back into the system for re-use.

Each silo is equipped with an Airmaster reverse jet RJC S18/1/36 filter and high level visual and audible alarms and dead-weight pressure relief valves.

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**PRINCIPLE EMISSIONS**

The emissions are particulate matter (cement dust, aggregate dust) arising from the use of the following raw materials:

- 1) Washed gravel or coarse and fine aggregate including granite materials.
- 2) Cement including
  - Ordinary Portland Cement (OPC)
  - Sulphate Resisting Cement (SRC)
  - White Cement
  - Pre-Blended PFA/PC
  - Pre Blended GGBFS/PC
- 3) Ground Granulated Blast Furnace Slag (GGBFS)
- 4) Pulverised Fuel Ash (PFA)
- 5) Lime

**End of Introductory Note**



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**The above named company is permitted to operate a cement batching activity subject to compliance with the following conditions:**

**Permit Conditions****Emissions and monitoring**

1. No visible particulate matter shall be emitted beyond the installation boundary.
2. The emission requirements and methods and frequency of monitoring set out in Table 1 shall be complied with.

**Table 1- Emission limits, monitoring and related provisions**

Row	Substance	Source	Emission Limit/provisions	Type of monitoring	Monitoring frequency
1	Particulate matter	Whole process	No visible airborne emission to cross the site boundary where harm or nuisance may be caused	Operator observations	At least daily
		Silo inlet and outlets	No visible emission	Operator observations	At time of delivery
Only emissions to atmosphere are required to comply with the emission limits within this table.					
Notes:					
a) The reference conditions for limits in Table 1 are: 273.1K, 101.3kPa, without correction for water vapour content, unless stated otherwise.					
b) All periodic monitoring shall be representative and shall use standard methods.					
c) The emission limits do not apply during start-up and shut down. All emissions shall be kept to a minimum during these periods					

3. Any monitoring display required for compliance with the permit shall be visible to operating staff at all times. Corrective action shall be taken immediately if any periodic monitoring result exceeds a limit in Table 1, or if there is a malfunction or breakdown of any equipment which might increase emissions. Monitoring shall be undertaken or repeated as soon as possible thereafter and a brief record shall be kept of the main actions taken.
4. All plant and equipment capable of causing, or preventing, emissions and all monitoring devices shall be calibrated and maintained in line with Cemex's maintenance instructions. Records shall be kept of such maintenance.

**Silos**

5. Bulk cement and all other cementitious materials and PFA held on site shall be stored in silos.

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6. Dust emissions from loading or unloading road tankers shall be minimised by back venting to a delivery tanker fitted with an on-board, truck mounted relief valve and filtration system and by connecting transfer lines first to the delivery inlet point and then to the tanker discharge point, and by ensuring delivery is at a rate which does not pressurise the silo.
7. Silos and bulk containers of dusty materials shall not be overfilled and there shall be an overfilling alarm.
8. When loading silos, deliveries must automatically stop where overfilling or over-pressurisation is identified.
9. Displaced air from pneumatic transfer shall pass through abatement plant prior to emission to air.

**Aggregates delivery and storage**

10. Dusty materials (including dusty wastes) shall only be stored in aggregate storage bays (that shall be enclosed on three-sides) or enclosed bins as detailed on the plan attached to this permit and shall be subject to suppression and management techniques to minimise dust emissions.

**Belt Conveying**

11. All dusty materials shall be conveyed using fully enclosed conveyors. The transfer of cement shall be by a fully enclosed mechanical screw feed conveyor. All transfer points shall be fully enclosed.

**Loading, unloading and transport**

12. No potentially dusty materials (including wastes) or finished products shall arrive on or leave the site other than by use of sheeted or enclosed vehicles, to minimise particulate emissions.

**Roadways and transportation**

13. All areas where there is regular movement of vehicles shall have a consolidated surface capable of being cleaned and these surfaces shall be kept clean and in good repair.

**Techniques to control fugitive emissions**

14. The fabric of process buildings shall be maintained so as to minimise visible dust emissions and doors shall be kept closed when not in use.

**Records and training**

15. Written or computer records of all tests and monitoring shall be kept by the operator for at least 3 years. They shall be made available for examination by

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the Council. Records shall be kept of operator inspections, including those for visible emissions.

16. Staff at all levels shall receive the necessary training and instruction to enable them to comply with the conditions of this permit. Records shall be kept of relevant training undertaken.

**End of Conditions**

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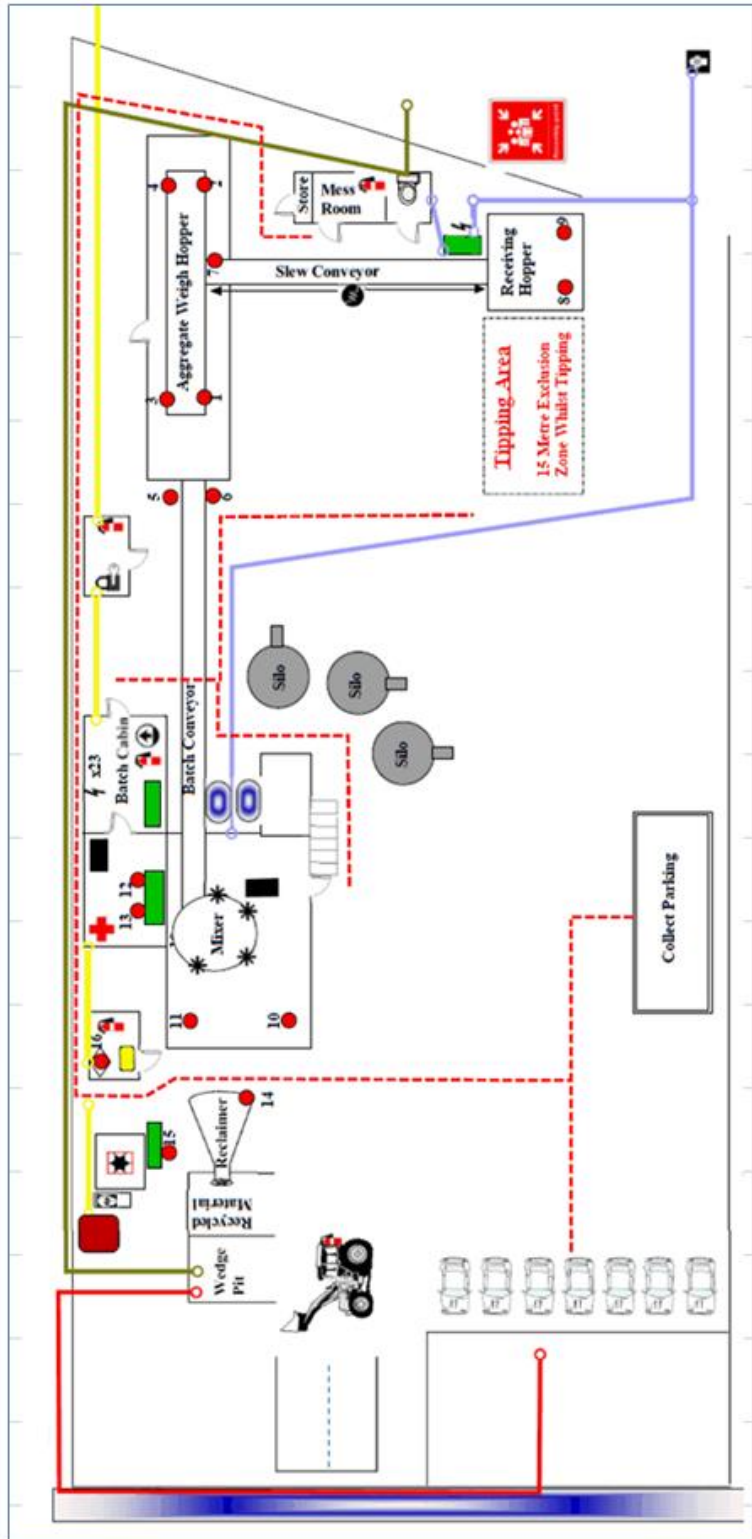
Appendix 1

Site Location Plan



Appendix 2

Site Layout and Location of Silos



## **Explanatory Notes**

**These notes do not comprise part of the permit but contain guidance relevant to it.**

### Inspections

Regular inspections will be made by officers of Charnwood Borough Council (without prior notice), in order to check and ensure full compliance with this permit.

### BAT ( Best Available Techniques)

The Permit includes conditions that have to be complied with. It should be noted that aspects of the operation of the installation which are not regulated by conditions of the Permit are subject to the implied condition that the Operator shall use the best available techniques for preventing or, where that is not practicable, reducing emissions from the installation. Techniques include both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.

### Change in Operation of the Installation

If you, the operator proposes to make a change in operation of the installation you must at least 14 days before making the change, notify Charnwood Borough Council 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. A 'change in operation' means a change in the nature or functioning, or an extension, of the installation, which may have consequences for the environment.

### Health and Safety at Work and Other Statutory Requirements

The responsibility you have under legislation for Health, Safety and Welfare in the workplace remains in force. In addition, the Permit does not relieve you of your obligations to obtain planning permission, hazardous substances consent, discharge consent from the Environment Agency, Building Regulations approval, or some Waste Disposal Licences.

### Submission of Information

Note that the Permit requires the submission of certain information to the Local Authority (LA). In addition, the LA has the power to seek further information at any time under the EP Regulations provided that it acts reasonably.

### Public Registers

Considerable information relating to Permits including the Application is available on public registers in accordance with the EP Regulations. Certain information may be withheld from public registers where it is commercially confidential or contrary to national security. The onus is on the Operator to provide a clear justification for each item to be kept from the register. Applications for information to be excluded from the Public Register on grounds of National Security should be made to the Secretary of State.

### Variations to the Permit

This Permit may be varied in the future (by the LA serving a Variation Notice on the Operator). If the Operator itself wants any of the Conditions of the Permit to be changed, it must submit a formal Application. The Status Log within the Introduction will include summary details of this Permit, variations issued up to that point in time and state whether a consolidated version of the Permit has been issued.

### Surrender of the Permit

Where the Operator intends to cease the operation of an installation (in whole or in part) The LA should be informed in writing, such notification must include the information specified in the EP Regulations.

### Transfer of the Permit or part of the Permit

Before the Permit can be wholly or partially transferred to another person, an Application to transfer the Permit has to be made jointly by the existing and proposed holders. A transfer will be allowed unless the LA considers that the proposed holder will not be the person who will have control over the operation of the installation or will not comply with the conditions of the transferred Permit.

### Annual Subsistence Fee

Under the EP Regulations the holder of a permit is required to pay a fee for the subsistence of the permit. This fee is payable annually on 1st April. You are advised that under the provisions of the EP Regulations, if you fail to pay the fee due promptly, Charnwood Borough Council may revoke the permit. You will be contacted separately each year in respect to this payment.

### Talking to us

Please quote the Permit Number if you contact Charnwood Borough Council about this Permit. To contact Charnwood Borough Council please use the telephone number 01509 634636 or any other number notified in writing to the Operator by Charnwood Borough Council for that purpose.

### **Right To Appeal**

Anyone who is aggrieved by the conditions attached to a Permit can appeal to the Secretary of State. Appeals must be sent within 6 months from the date of the permit (normally the date on the bottom of the permit).

Appeals should be addressed as follows:-

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

An appeal will not suspend the effect of the conditions appealed against; the conditions must still be complied with.

There are no forms or charges for appealing. However for an appeal to be valid, appellants are legally required to provide information detailed below:

- i. A statement of the grounds of appeal
- ii. A copy of any relevant permit
- iii. A copy of any relevant correspondence between the appellant and the regulator
- iv. A statement indicating whether the appellant wishes the appeal to be in the form of a hearing or dealt with by way of written representations.

At the same time, the notice of appeal and documents (i) and (iv) must be sent to the Council.

In determining an appeal against one or more conditions, the Regulations allow the Inspector or Secretary of State to affirm or quash conditions or to add new conditions.

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 an unlimited fine and/or 12 months imprisonment. In a Crown Court it is an unlimited fine and/or a 5 years imprisonment.

Our enforcement of your permit will be in accordance with the Regulator's Compliance Code.