



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

PERMIT REFERENCE NO: 121

VARIATION NOTICE

To: **Bradgate Cleaners**

Registered Office: **4 Bradgate Road Anstey Leicestershire LE7 7AA**

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 121 granted under regulation 13 (1) of the 2016 Regulations in respect of a dry cleaning activity.

Operated by: **Bradgate Cleaners**

At: **4 Bradgate Road Anstey Leicestershire LE7 7AA**

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
Ann Green	9 March 2020

Authorised on behalf of Charnwood Borough Council

Issued by:
Regulatory Services, Environmental Protection Southfields, Southfields Road,
Loughborough, Leicestershire LE1

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

**CHARNWOOD BOROUGH COUNCIL****POLLUTION PREVENTION AND CONTROL ACT 1999****ENVIRONMENTAL PERMITTING (ENGLAND AND WALES)
REGULATIONS 2016****PERMIT REF. NO. 121**

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

Bradgate Cleaners

Of registered office:

4 Bradgate Road Anstey Leicestershire LE7 7AA

To operate a dry cleaning activity at:

Bradgate Cleaners,

4 Bradgate Road Anstey Leicestershire LE7 7AA

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
Ann Green	09 March 2020

Authorised on behalf of Charnwood Borough Council

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

Introductory note

This introductory note does not form a part of the permit

The permit is issued under the Environmental Permitting (England and Wales) Regulations 2016 (SI 2016/1154), as amended, to operate an installation carrying out activities covered by the description in Schedule 14 (Solvent Emission Activities), of the Industrial Emissions Directive, namely any dry cleaning using organic solvents (hereinafter referred to as the 'Activity').

Status Log

The status log of the permit sets out the permitting history, including any variations issued.

<i>Detail</i>	<i>Date</i>	<i>Comment</i>
Permit issued	8 October 2007	
Variation Notice	28 February 2014	Varied permit issued
Variation Notice	09 March 2020	Consolidated Permit issued

Origins of the conditions contained in the permit

The Secretary of State has issued various guidance notes to local authorities to assist with determining conditions. The conditions within this permit have been derived from the following guidance note;

PG 6/46 (11) Statutory Guidance for Dry Cleaning

Process Description

The activity consists of dry cleaning using organic solvents (Perc) in a BOWE machine, with a load capacity of Seventeen kilograms and associated activities.

The installation boundary and key items of equipment mentioned in permit conditions are shown in the Appendices attached to this permit.

End of Introductory Note

The above named company is permitted to operate a dry cleaning installation containing the dry cleaning machine:

Make	Model	Load Capacity	Date of Installation	Dry cleaning solvent
BOWIE	P417	17Kg	21 December 2004	PER

subject to compliance with the following conditions:

Residual BAT condition

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 activity which is not specifically regulated by any condition of this permit.

Conditions

- Operations must be carried out in such a manner that no more than 20 grams of solvent per kilogram of product cleaned and dried shall be emitted as measured and reported annually. The 20 grams includes all organic solvents used within the installation e.g. dry cleaning solvent, water-proofing solutions and spot cleaning solutions.
- A weekly inventory of solvent usage, product cleaned and solvent waste sent for recovery or disposal shall be maintained and held on site for inspection by an authorised officer of Charnwood Borough Council for at least 12 months. Further, the operator shall retain records of solvent purchased for at least 12 months.

Note: The solvent management balance sheet for dry cleaning installations in Appendix 4 of Process Guidance Note PG6/45(11) can be used to demonstrate compliance with conditions (1) and (2) above.

- A copy of the following records shall be sent to Charnwood Borough Council by the 1st January each year:

Information to be sent to the Council	Frequency at which information shall be sent
(i) monthly inventory sheets and (ii) annual summary of inventory sheets showing compliance against condition 1	Once a year
the record of regular maintenance during the previous 12 months, referred to in condition 4	Once a year
a list of staff nominated and trained, in accordance with conditions 6 and 7	Once a year

4. The operator shall implement the schedule of procedures, checks and maintenance requirements to each dry cleaning machine as detailed in the manufacturer's instruction manual.
5. Charnwood Borough Council shall be advised in writing 14 days prior to any proposed significant alteration to the operation, or modification of the installation which may have an effect on emissions of VOC from the installation, in particular changes to the matters listed in condition (4).
6. All operating staff shall know where the operating manual for each dry cleaning machine can be found and have ready access to it.
7. All operating staff shall be trained in the operation of each dry cleaning machine and the control and use of dry cleaning solvents. The training received shall be recorded.
8. The machines shall be installed and operated in accordance with supplier recommendations, so as to minimise the release of VOC to air, land and water.
9. In the case of abnormal emissions, malfunction or breakdown leading to abnormal emissions the operator shall:
 - investigate immediately and undertake corrective action; **and**
 - adjust the process or activity to minimise those emissions; **and**
 - promptly record the events and actions taken.

In this condition abnormal emission will include any detectable solvent smell other than in the area of the dry cleaning machine.

10. In cases of non-compliance causing immediate danger to human health, or threatens to cause an immediate significant adverse effect upon the environment, operation of the activity shall be suspended; and Charnwood Borough Council informed within 24 hours.
11. Dry cleaning machines shall be operated as full as the type of materials to be cleaned will allow.
(For instance, full loads for light non delicates materials such as suits. Delicates and heavy materials, such as, wedding dresses and blankets may need to be cleaned in part loads).
12. Where cleaning solvents containing VOC are not received in bulk they shall be stored:
 - in the containers they were supplied in with the lid securely fastened at all times other than when in use; **and**

- within spillage collectors, of suitable size, made of impervious and corrosion-proof materials; **and**
- away from any drain which may become contaminated as a result of the spillage; and
- away from sources of heat and bright light; **and**
- with access restricted to only appropriately trained staff; **and**
- the lids of the containers shall only be removed when the container is next to the cleaning machine ready for filling. Cleaning solvents shall be obtained in containers of a size which allows the entire container to be emptied into the machine at each topping up. Once emptied the lid of the container shall be replaced securely.

(Note: from a health and safety point of view: a well ventilated area should be used).

13. Spot cleaning with organic solvents or organic solvent borne preparations shall only be carried out if no other method of treating a particular stain on the material to be cleaned is available.
14. The dry cleaning machine loading door shall be kept closed when not in use.
15. The dry cleaning machine loading door shall be closed before the start-up of the machine, and kept closed at all times through the drying and cleaning cycle.
16. The dry cleaning machine shall have interlocks to prevent start-up of the machine until the loading door is closed and to prevent opening of the loading door until the machine cycle has finished and the cage has stopped rotating.
17. The dry cleaning machine shall have interlocks to automatically shut down the machine under any of the following conditions:
 - cooling water shortage,
 - failure of the cooling ability of the still condenser,
 - failure of the cooling ability of the refrigeration system or
 - failure in the machine heating system resulting in the inability to dry the load.
18. The still, button trap and lint filter doors shall be closed before the start-up of the machine and kept closed at all times through the drying and cleaning cycle.
19. The dry cleaning machine shall have interlocks to automatically shut down the machine if the still, button trap and lint filter doors are not properly closed.
20. The still shall have a thermostatic control device or equivalent with which to set a maximum temperature, in accordance with manufacturers' recommendations for the solvent used.

21. The machine shall have a spillage tray with a volume greater than 110% of the volume of the largest single tank within the machine.
22. The dry cleaning machine shall have secondary water separator to minimise potential solvent losses.
23. Prior to disposal, containers contaminated with solvent shall be stored with the lids securely fastened to minimise emissions from residues during storage prior to disposal, and labelled so that all that handle them are aware of their contents.
24. Solvent contaminated waste, for example still residues, shall be stored:
 - in suitable sealed containers with the lid securely fastened at all times other than when in use; and
 - on a suitable impervious floor; and
 - away from any drains which may become contaminated with residues as a result of spillage,
 - away from sources of heat and bright light; and
 - with access restricted to only appropriately trained staff.

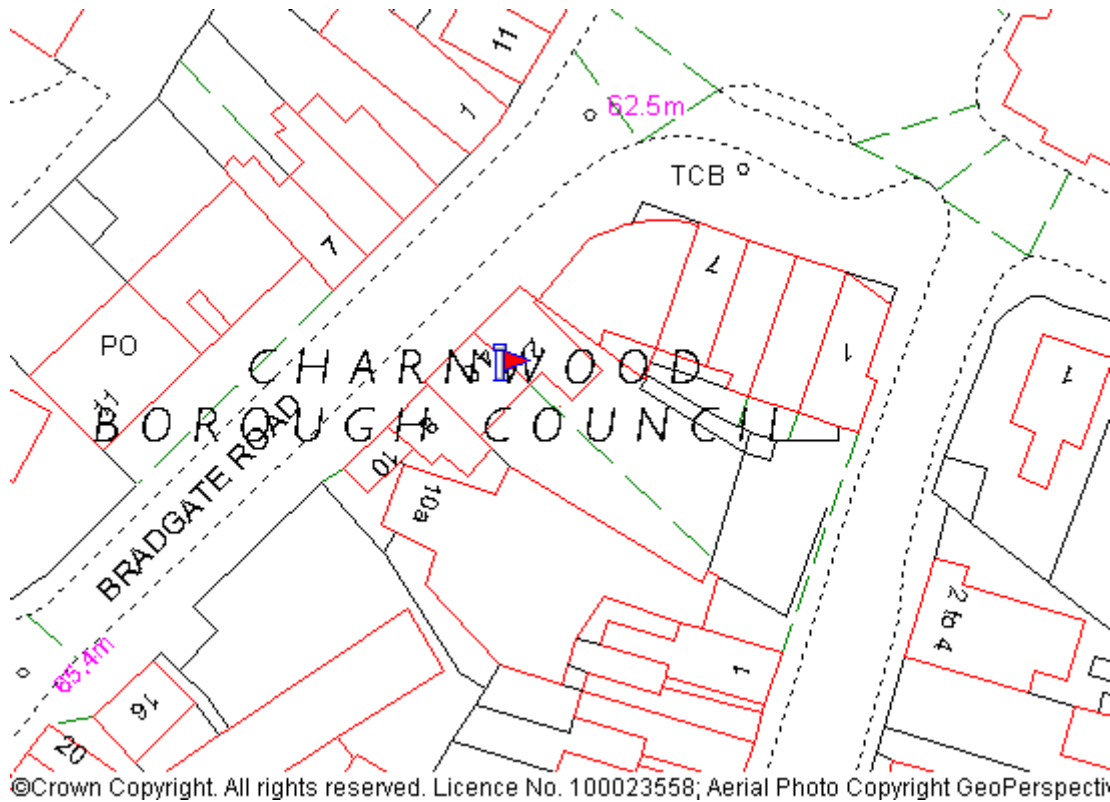
(Note: from a health and safety point of view: a well ventilated area should be used).
25. Equipment to clean up spillages shall be quickly accessible in all solvent handling and storage areas.
26. The operator shall maintain records incorporating details of all maintenance, testing, repair work carried out on the dry cleaning machine and the scales used to weigh the loads, along with details of training required under condition 7 above. The records shall be available within 7 days upon request by an authorised officer of Charnwood Borough Council.
29. Spares and consumables in particular, those subject to continual wear shall be held on site, or should be available at short notice from guaranteed suppliers, so that plant breakdowns can be rectified rapidly.

End of Condition

Appendix 1

Site Location

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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
Environmental Appeals Administration
Room 4/19 Eagle 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.