



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

**PERMIT REFERENCE NO: 070**

**VARIATION NOTICE**

To: **Farmer and Carlisle Ltd**

Registered Office: **Belton Road, Loughborough Leicestershire LE11 1ND**

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 070 granted under regulation 13 (1) of the 2016 Regulations in respect of the vehicle refinishing activity;.

Operated by: **Farmer and Carlisle Ltd**

At: **Belton Road, Loughborough, Leicestershire LE11 1ND**

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	20 February 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)



**CHARNWOOD BOROUGH COUNCIL**

**POLLUTION PREVENTION AND CONTROL ACT 1999**

**ENVIRONMENTAL PERMITTING (ENGLAND AND WALES)  
REGULATIONS 2016**

**PERMIT REF. NO. 070**

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

Name: **FARMER AND CARLISLE LTD**

whose registered office is:

**BELTON ROAD, LOUGHBOROUGH, LEICESTERSHIRE, LE11 1ND**

To operate a vehicle refinishing activity at:

**FARMER AND CARLISLE LTD**

**BELTON ROAD, LOUGHBOROUGH, LEICESTERSHIRE, LE11 1ND**

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	20 February 2019

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 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 Part 2 of Schedule 1 of the EP Regulations, to the extent authorised by the Permit, namely:

"Any activity of repainting or re-spraying road vehicles or parts of them if the activity may result in the release into the air of particulate matter or of any volatile organic compound and the carrying on of the activity is likely to involve the use of 1 or more tonnes of organic solvents in any period of 12 months”.

### *Status Log*

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

<b><i>Detail</i></b>	<b><i>Date</i></b>	<b><i>Comment</i></b>
Permit determined	20 November 2001	
Variation notice	13 January 2006	consolidated permit issued
Variation notice	11 December 2006	consolidated permit issued
Variation notice	19 March 2009	consolidated permit issued
Variation notice	28 March 2011	Revised permit issued
Variation notice	18 February 2013	Permit issued
Variation notice	8 January 2015	consolidated permit issued
Variation notice	20 February 2019	Legislative title update

### **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 6/34 (11) Respraying of Road Vehicles

### **Description of Process**

Coating materials are stored in the paint storeroom and mixed in the paint mixing room. The vehicles are sprayed in one of three spray booths: -

Spraybake M1000 Series Booth  
 Spraybake 808 Series Booth  
 Dalby 4 K Series panel oven.

The paint is applied with HVLP sprayguns operating at a maximum atomisation pressure of 67.5kPa (10psi). After use the guns are cleaned in a Unic solvent recycler/gun cleaning machine. (The workshop floor plan is shown in Appendix 2).

### **Plant Operation**

Prior to spraying, damaged vehicles are prepared in the body shop. All necessary mechanical repairs are completed with damaged body panels repaired or replaced. The former may involve the grinding and sanding of fillers. When these repairs are completed, the vehicle is prepared for re-painting with the parts of the vehicle which do not need to be painted being masked with paper/plastic and tape.

After preparing the required coatings in the paint mixing room, the operator takes the prepared mixture to one of the spray booths. The material is then applied to the vehicle or panel using a HVLP spraygun. The booths are fed with heated filtered air which is then passed through filters before being extracted.

The permitted activity includes all ancillary operations such as:

- Handling and storage of raw and waste materials containing or contaminated with VOC's;
- Preparation of vehicles for spraying, including dust generating processes such as grinding, sanding and welding;
- Paint mixing and gun cleaning processes.

### **Principle Emissions**

The key emissions from the process consist of VOC and particulate matter from spraying and coating activities. These emissions are discharged through 1 stack.

**End of Introductory Note**

The above named company is permitted to operate a vehicle refinishing installation subject to compliance with the following conditions:

### Permit Conditions

The installation boundary and key items of equipment mentioned in permit conditions are shown in the Appendix 1 & 2 attached to this permit.

### Non-VOC emissions

1. The non-VOC emission requirements, methods and frequency of monitoring set out in Table 1 below, shall be complied with.

Table 1 – non-VOC emission limits

Substance	Source	Emission limits	Type of Monitoring	Monitoring frequency
Particulate matter	From spray booths	10 mg /Nm <sup>3</sup>	By guarantee supplied by the spray booth constructor	None required

*All emissions shall be determined at the standard reference conditions of 273.15K and 101.3kPa, without correction for water vapour content.*

2. The introduction of dilution air to achieve emission concentration limits shall not be permitted.
3. The operator shall implement a maintenance schedule a copy of which shall be made available to a duly authorised officer of Charnwood Borough Council upon request. The operator shall inform Charnwood Borough Council in writing of any significant changes to the schedule.
4. Dusty wastes shall be stored in closed containers.
5. Dry sweeping of dusts and dusty wastes shall not be used.
6. The operator shall keep records of inspections, tests and monitoring in relation to the provisions specified in Table 1 above. In such cases:
  - ) current records shall be kept on site and made available to a duly authorised officer of Charnwood Borough Council to examine on request,
  - ) records shall be kept by the operator for at least two years.
7. In the case of abnormal emissions, or malfunction or breakdown leading to abnormal emissions the operator shall:

- ) investigate immediately and undertake corrective action,
- ) adjust the process or activity to minimise those emissions, **and**
- ) promptly record the events and actions taken,
- ) notify Charnwood Borough Council without delay, if the emission is likely to have an effect on the local community.

### VOC emissions

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

*For information, the individual bodyshop products that are covered by this permit are listed in Appendix 3 of Process Guidance Note 6/34 (11), extract provided in Appendix 3 of this permit.*

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

*For information, the maximum, application-ready VOC contents for individual categories of products are listed in Table 4.2 of Process Guidance Note 6/34 (11), extract provided in Appendix 4 of this permit.*

10. All paint spraying operations shall be carried out in a totally enclosed booth under negative pressure, to prevent fugitive emissions of VOCs.
11. Spray applied coatings shall be applied to passenger cars using high volume low pressure (HVLP) (maximum atomisation pressure 67.5kPa) spraying equipment.
12. All spray guns and equipment cleaning shall be carried out in an automatic, totally- enclosed equipment cleaning machine. The cleaning machine shall be provided with the minimum of exhaust ventilation that is necessary to prevent the fugitive emission of organic solvent vapour when the machine is opened for introduction or removal of equipment, or for the changing of cleaning solvent.
13. All spray gun testing and sprayout following cleaning shall be carried out in either an equipment cleaning machine with the extraction running or into a chamber which is provided with extraction which is running in accordance

with a written procedure, a copy of which shall be made available to an authorised officer of Charnwood Borough Council on request. The operator shall inform Charnwood Borough Council in writing of any significant changes to the written procedure.

14. Cleaning solvents shall be dispensed by a piston type dispenser or similar contained device, when used on wipes.
15. Solvent contaminated wipes and other wastes shall be handled in accordance with a written procedure a copy of which shall be made available to an authorised officer of Charnwood Borough Council upon request. The operator shall inform the Council in writing of any significant changes to the written procedure.
16. Organic solvent containment and spillage equipment shall be readily available in all organic solvent handling areas.
17. All solvent containing coatings, thinners and related materials and equipment cleaning materials shall be stored:
  - ) in the containers in which they were supplied, with the lid securely fastened at all times other than when in use;
  - ) within spillage collectors, of suitable impervious and corrosion-proof materials and capable of containing 110% of the largest container;
  - ) away from sources of heat.

*For information, these conditions should not conflict with the requirements of occupational health and safety regulations*

18. All solvent containing wastes shall be stored:
  - ) in suitable sealed containers with a securely fastened lid, and labelled so that all that handle them are aware of their contents;
  - ) within spillage collectors, of suitable impervious and corrosion-proof materials and capable of containing 110% of the largest container;
  - ) away from sources of heat.
19. Cleaning operations involving organic solvents shall be reviewed every two years, to identify opportunities for reducing VOC emissions. This will include identification of cleaning steps that can be eliminated or alternative cleaning methods. Charnwood Borough Council shall be provided with a report on the conclusions of the review, within eight weeks of it being completed.

20. Spares and consumables, particularly those subject to continual wear shall be held on site, or shall be available at short notice from guaranteed suppliers, so that spraybooth breakdowns can be rectified rapidly.
21. Waste solvents and waste coatings shall be recycled off site. Copies of receipts of waste materials sold for recycling shall be kept for three years.

**Visible and odorous emissions**

22. All releases to air, other than condensed water vapour, shall be free from persistent visible emissions.
23. All emissions to air shall be free from droplets.
24. There shall be no offensive odour beyond the site boundary as perceived by an authorised officer of Charnwood Borough Council.
25. Emissions from combustion processes shall in normal operation be free from visible smoke and in any case shall not exceed the equivalent of Ringelmann Shade 1, as described in British Standard BS 2742:1969.

**General Conditions**

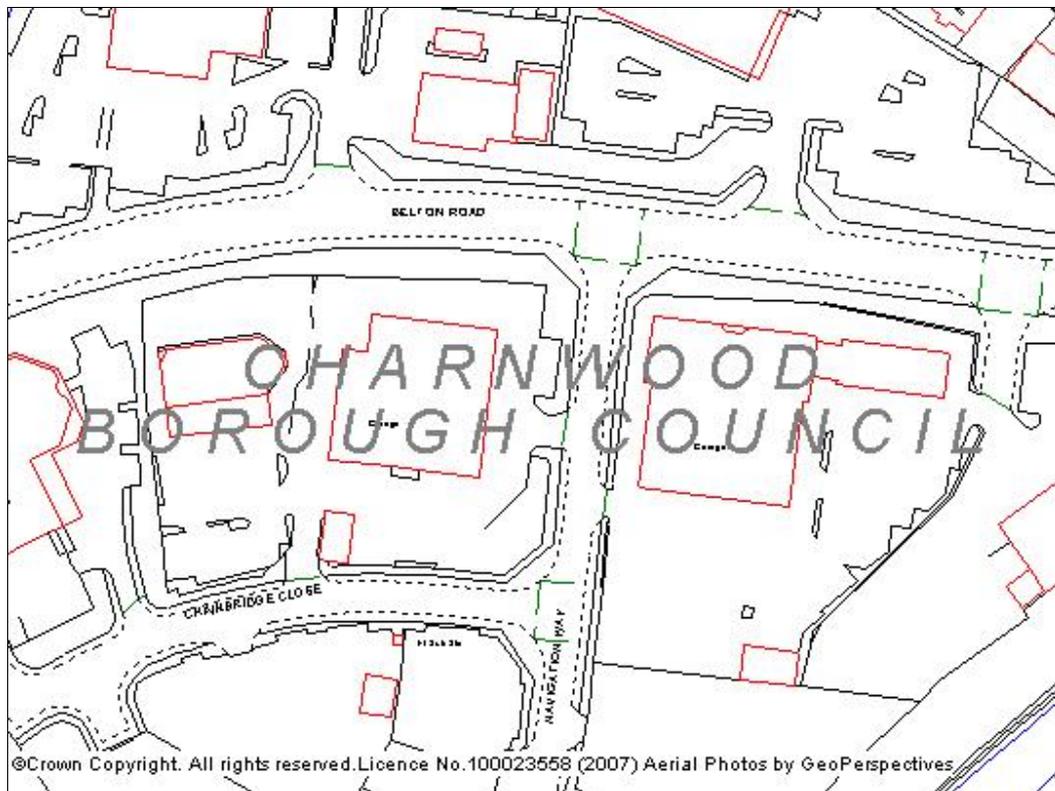
26. All emissions of particulates, isocyanates and VOCs shall be emitted from 1 stack. The stack shall be approximately 3 m above roof height of any buildings within 15M of the stack.
27. Staff at all levels shall receive the necessary training and instruction in their duties relating to control of the process and emissions to air. Particular emphasis shall be given to:
  - ) awareness of their responsibilities under this permit;
  - ) minimising emission on start up and shut down;
  - ) action to minimise emissions during abnormal conditions.
28. A record of staff training and instruction, comprising the name of the trainee and the subject-matter of the training, shall be maintained by the operator and shall be available to a duly authorised officer of Charnwood Borough Council on request.
29. A written record of all maintenance carried out in accordance with Condition 3 shall be made available for inspection by a duly authorised officer of Charnwood Borough Council on request.

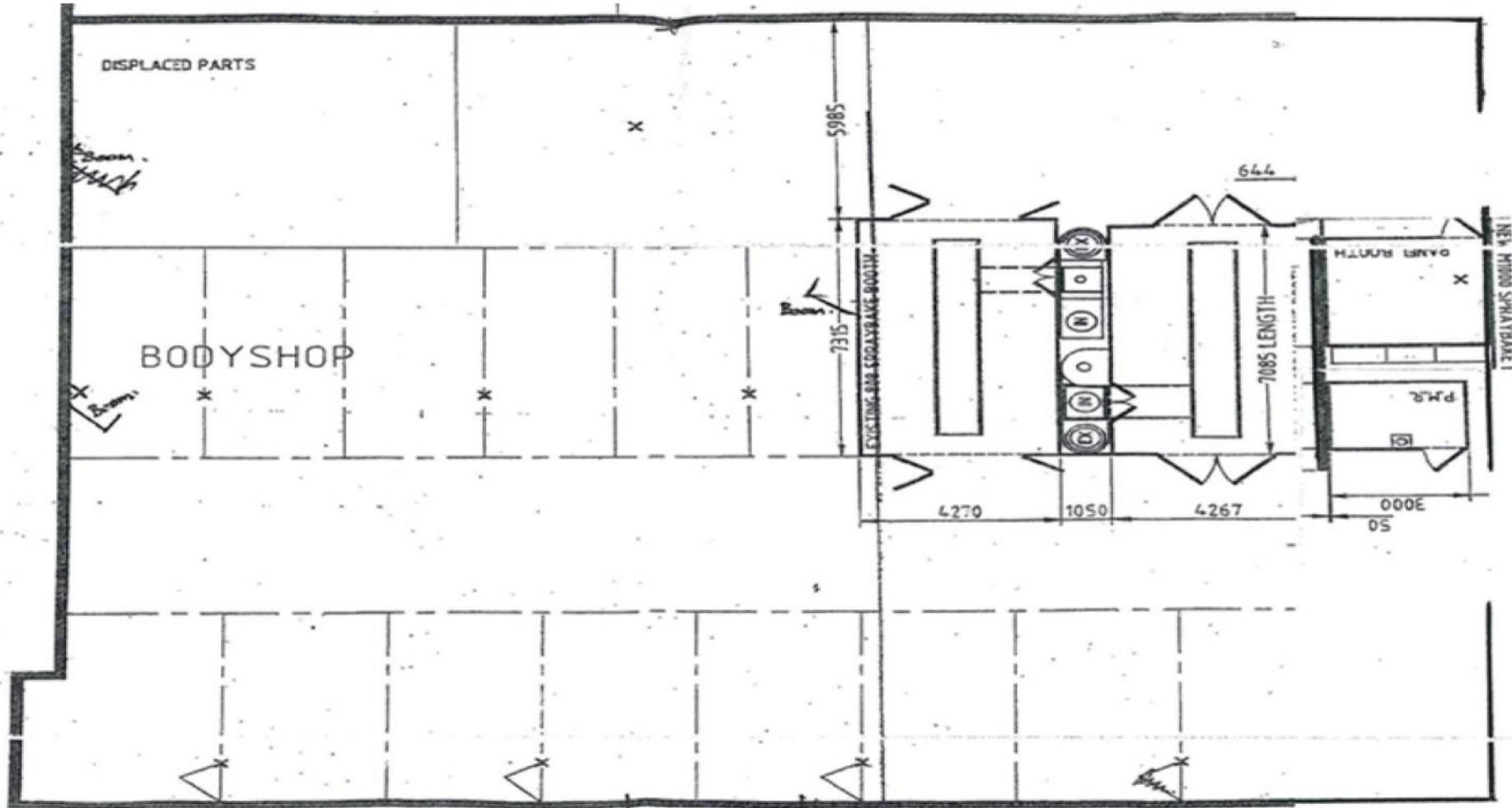
**End of Conditions**

Appendix 1

Site Location

“Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty’s Stationery Office © Crown Copyright 2000. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings”.





**Appendix 3****Extract from Appendix 3 PG 6/34 (11): Individual bodyshop products covered by this permit**

- a) 'preparatory and cleaning' means products designed to remove old coatings and rust, either mechanically or chemically, or to provide a key for new coatings:
- (i) preparatory products include gunwash (a product designed for cleaning spray-guns and other equipment), paint strippers, degreasers (including anti-static types for plastic) and silicone removers;
  - (ii) 'precleaner' means a cleaning product designed for the removal of surface contamination during preparation for and prior to the application of coating materials;
- b) 'Bodyfiller/stopper' means heavy-bodied compounds designed to be applied to fill deep surface imperfections prior to the application of the surfacer/filler;
- c) 'primer' means any coating that is designed for application to bare metal or existing finishes to provide corrosion protection prior to application of a primer surfacer:
- (i) 'surfacer/filler' means a coating designed for application immediately prior to the application of topcoat for the purpose of corrosion resistance, to ensure adhesion of the topcoat, and to promote the formation of a uniform surface finish by filling in minor surface imperfections;
  - (ii) 'general metal primer' means a coating designed for application as primers, such as adhesion promoters, sealers, surfacers, undercoats, plastic primers, wet-on-wet, non-sand fillers and spray fillers;
  - (iii) 'wash primer' means coatings containing at least 0,5 % by weight of phosphoric acid designed to be applied directly to bare metal surfaces to provide corrosion resistance and adhesion; coatings used as weldable primers; and mordant solutions for galvanised and zinc surfaces;
- d) 'topcoat' means any pigmented coating that is designed to be applied either as a single-layer or as a multiple-layer base to provide gloss and durability. It includes all products involved such as base coatings and clear coatings;
- e) 'base coatings' means pigmented coatings designed to provide colour and any desired optical effects, but not the gloss or surface resistance of the coating system;
- f) 'clear coating' means a transparent coating designed to provide the final gloss and resistance properties of the coating system;
- g) 'special finishes' means coatings designed for application as topcoats requiring special properties, such as metallic or pearl effect, in a single layer, high-performance solid-colour and clear coats, (e.g. anti-scratch and fluorinated clear-coat), reflective base coat, texture finishes (e.g. hammer), anti-slip, under-body sealers, anti-chip coatings, interior finishes; and aerosols.

**Appendix 4****Extract of Table 4.2 PG 6/34 (11) : Product categories and maximum application ready VOC contents**

	<b>Product Subcategory</b>	<b>coatings</b>	<b>VOC g/l(*)</b>
a	Preparatory and cleaning	Preparatory	850
		Pre-cleaner	200
b	Bodyfiller/stopper	All types	250
c	Primer	Surface/filler and general (metal) primer	540
		Wash primer	780
d	Topcoat	All types	420
e	Special finishes	All types	840
(*) g/l of ready for use product. Except for subcategory (a) any water content of the product ready for use should be discounted			

## 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.