



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

PERMIT REFERENCE NO: 024

VARIATION NOTICE

To: **Brett Landscaping Limited**

Registered Office: **Robert Brett House, Ashford Road, Canterbury, Kent,
CT4 7PP**

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 the conditions of Permit Reference 024 granted under regulation 13 (1) of the 2016 Regulations in respect of the blending and use of bulk cement.

Operated by: **Brett Landscaping Limited**

At: **Brett Landscaping and Building Products,
T/A Brett Landscaping Limited, Sibley Road, Barrow Upon
Soar, Leicestershire LE12 8LX**

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

A permit varied to reflect a change to the head officer address and the removal of the bagging plant is set out in Schedule 1 attached.

Name	Date
Paul Knight	25 November 2021

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



CHARNWOOD BOROUGH COUNCIL

POLLUTION PREVENTION AND CONTROL ACT 1999

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

PERMIT REF. NO.024

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

Brett Landscaping Limited

Registered office:

Robert Brett House, Ashford Road, Canterbury, Kent, CT4 7PP

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

at:

**Brett Landscaping and Building Products,
T/A Brett Landscaping Limited, Sibley Road, Barrow Upon Soar,
Leicestershire, LE12 8LX
(National Grid Ref: SK 590165)**

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
Paul Knight	25 November 2021

Authorised on behalf of Charnwood Borough Council

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

PERMIT 024**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:

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	30 March 1993	
Variation Notice	17 February 1995	Consolidated permit issued
Variation Notice	22 July 1999	Consolidated permit issued
Variation Notice	16 July 2002	Consolidated permit issued
Variation Notice	17 October 2003	Consolidated permit issued
Variation Notice	13 May 2004	Consolidated permit issued
Variation Notice	25 November 2009	Consolidated permit issued
Variation Notice	25 May 2011	Consolidated permit issued
Variation Notice	31 March 2015	Consolidated permit issued
Variation Notice	03 April 2017	Consolidated permit issued
Variation Notice	26 July 2019	Rumbling plant removed
Variation Notice	25 November 2021	Bagging plant removed and head office address updated

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

Cementitious materials are delivered by bulk road tankers which blow air entrained powder raw materials into the storage silos. Aggregates are delivered in bulk by lorry and tipped into storage bays. Aggregates are transferred, as necessary from the storage bays to the storage hoppers by mechanical loading shovels.

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From storage hoppers and silos, aggregates and cement are weighed before being mixed with water to form concrete. The ingredients which may be used to produce the concrete in all cases include water and cement. The other ingredients used depend upon the product but may include granite dust, various sizes of crushed granite, washed sand and iron oxide powdered pigments. Iron oxide pigments are delivered in 25Kg sacks and 1m³ bags. Bags and sacks are opened within the buildings where they are added automatically to dry aggregate as it passes on a conveyor or manually into the mixing vessel.

Once mixed the concrete is fed into feed drawers of the block press where it is compressed and/or vibrated in a mould. The concrete is then removed from the mould and allowed to cure before stocking.

Once blocks are cured, some of them are subject to further processing in order to create a decorative rough finish to the product. This can involve the use of grit blasting and size reduction techniques to achieve the desired end.

Cured blocks are packaged and stored in the open yard storage areas.

The concrete products manufacturing activities regulated under this permit incorporate:

- The storage of raw materials, (namely sand, aggregate, cement),
- The transportation and loading/unloading of these materials,
- The mixing and batching of these materials,
- The formulation into finished products,
- The handling, movement and storage of cured concrete products,
- The use of block splitting machinery,
- Grit blasting of concrete blocks,
- The handling, storage and disposal of any waste arising from the activity,
- Any plant, machinery or equipment designed to prevent pollutant emissions to the environment.

Plant Operation

The permitted activity manufactures concrete building products, using automated batching plant. The principal emissions are particulates associated with the handling of cementitious materials and aggregates. The layout of the site of the site is shown in Appendix 2. The main plant and production areas are as follows:

Aggregate storage hoppers - Storage hoppers fed directly from quarry owned by Tarmac Trading Ltd and discharged into lorries in an area enclosed on three sides, to serve the site. A water sprinkler system is provided to control dust in this area.

Trief and Kassel plant - Aggregate bays, loading hopper, radial conveyor, two enclosed storage bins, and two cement silos with enclosed air slides. Enclosed mixer and batching plant within main building. A water sprinkler system is provided to control dust in this area.

OMAG block paving plant - Covered feed hoppers, covered wind protected conveyors, four covered storage hoppers, pigment addition in enclosed building,

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holding hopper in main building, three silos with enclosed screw conveyors (two containing cement, one containing ground limestone). Weigh hopper and mixer in main building and a dryside process plant which processes the blocks into packs in readiness for delivery to the customer. There is also a temporary storage building which accommodates moulds, packaging and general materials.

Concrete Slab Production – Limestone Aggregate, Granite dust and washed sand brought in from outside. Overflow/buffer supplies of aggregate dust and sand are stored in one set of storage bays serving the two production buildings. Each slab plant has a set of low-level feed hoppers into which are fed supplies of aggregate dust and sand from the bays and aggregate from the main aggregate storage hoppers. Covered conveyors discharge into weight hoppers in main building. Each production building has two silos with enclosed screw conveyors (one containing cement and one containing pulverised fuel ash). The mixers are in the main building.

Shot-Blasting Process – The process involves pallets of paving slabs being fed into an automatic depallitiser before being passed through a shot-blasting unit by conveyor. The shot-blaster is fitted with a dust arrestment unit, capable of a capacity of 140 cubic metres per hour, which is situated between the secondary processing shop and shops 3 and 4.

Silos for Cementitious Materials

There are a total of 8 silos on site. These are listed in Table A below. All silos are fitted with Disa Silo Safe – 24 compact cartridge filters with reverse jet cleaning (as in the table below). All have spring-loaded pressure relief valves and high-level sensors. These activate an audible alarm and shut-off the fill pipe when silos are likely to be over-filled.

Table A – Silos at the installation					
Silo No.	Product	Building	Filter	High Level Indication	
				<i>Audible</i>	<i>Visual</i>
1 & 2	TRIEF/KASSEL	Building 1	RAJ	YES	YES
3 & 4	OMAG Plant -	Building 3	RAJ	YES	YES
8 & 9	PAVING 2 & 3	Building 4	RAJ	YES	YES
10 & 11	PAVING 4 & 5	Building 5	RAJ	YES	YES
RAJ- Reverse air jet filter					

PRINCIPLE EMISSIONS

Table B below identifies the abatement plant and emission sources that discharge to atmosphere. Emissions that are vented internally to the installation buildings are not listed and should be assumed contribute to fugitive emissions.

Table B Emission Sources		
Emission Point	Emissions	Abatement Plant
1. Bulk cement silos	Particulate	Reverse air jet filter

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2. Block Press	Particulate	Not Applicable (internal)
3. Shotblast machine	Particulate	Bag filter
4. External sources such as: I. storage bays, II. feed hoppers, III. conveyors, IV. waste storage area V. roadways	Particulate	

End of Introductory Note

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The above-named company is permitted to operate a cement blending packing and loading 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. Sampling shall be representative.

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
2	Droplets, persistent mist and fume	All emissions to air (except steam and condensed water vapour)	No droplets, no persistent mist, no persistent fume	Visual observations	On start-up and on at least two more occasions during the day

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. 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, such as silos, bag filters, cartridge filters and pressure relief valves and all monitoring devices, such as high level alarms, shall be calibrated and maintained in accordance with the manufacturer's instructions. Records shall be kept of such maintenance for at least three years.

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Silos

5. Bulk cement and all other cementitious materials held on site shall be stored in silos.
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. These storage bays shall be subject to water suppression and management techniques to minimise dust emissions. This shall include that materials are not be piled higher than the external wall of the bays and shall not be forward of the bays.

Belt Conveying

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

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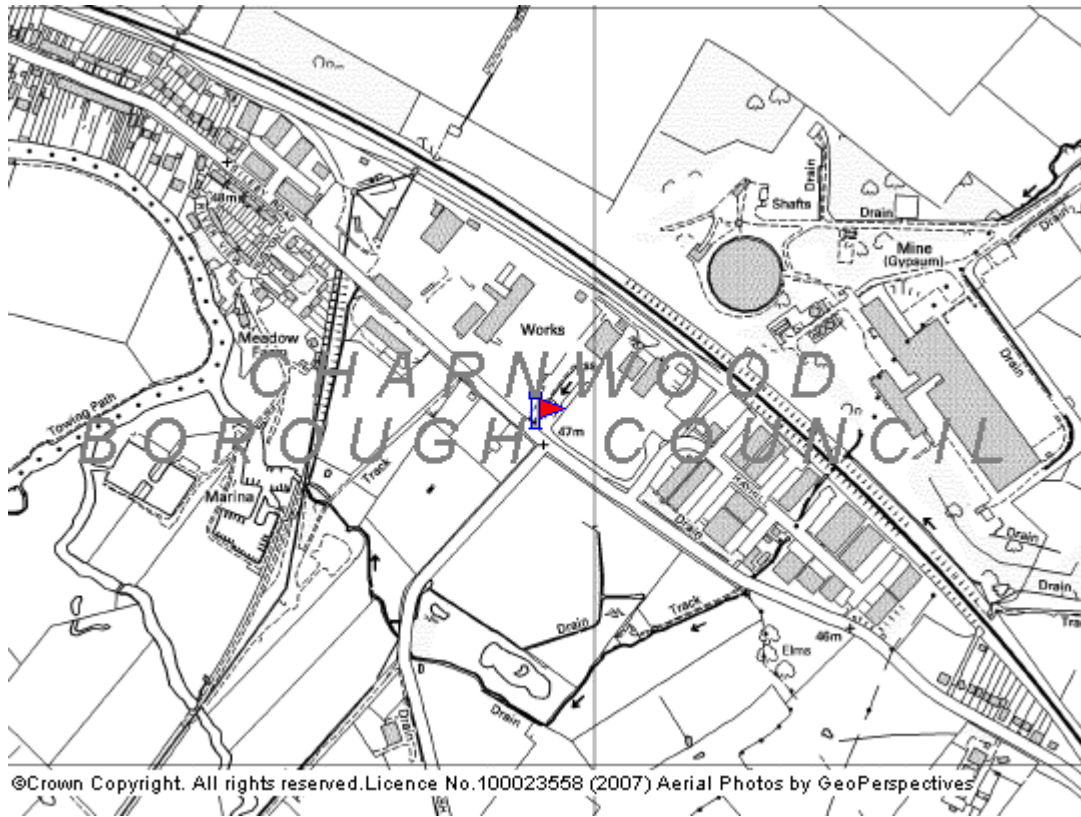
Techniques to control fugitive emissions

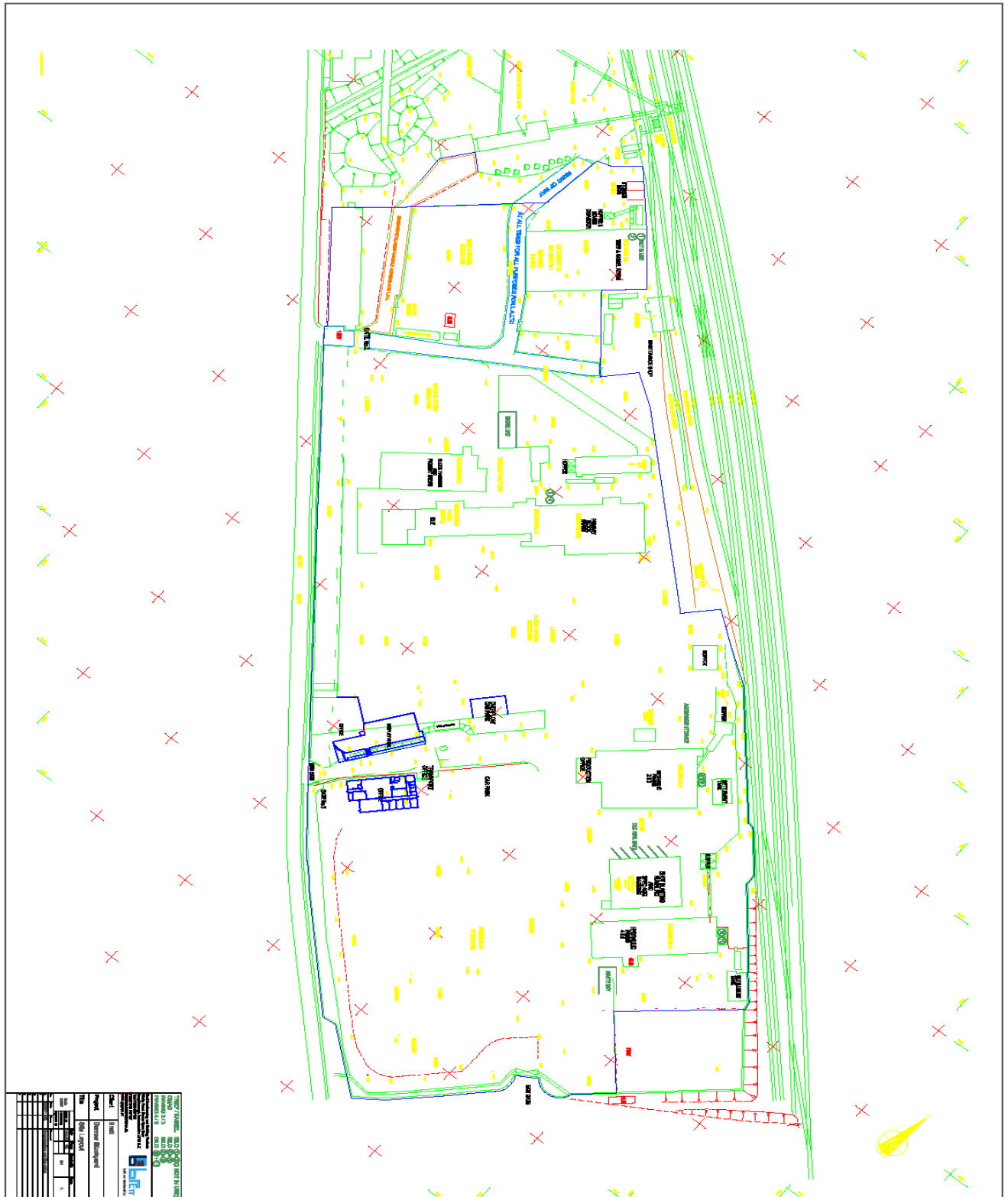
14. The fabric of process buildings shall be maintained so as to minimise visible dust emissions and doors shall be kept closed when not in use. Any spillages beneath structures shall be cleaned at least weekly.

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 and a copy of all manufacturers' instructions referred to in this permit shall be made available for examination by 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





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.