



PPC Permit ref: 009  
Variation ref: 003

Coventry City Council  
The Environmental Permitting (England and Wales) Regulations 2010, Regulation 20  
and Regulation 18 ***in relation to consolidated permits***

Variation Notice

To: **H Burbidge & Son Ltd, Burnsall Road, Coventry, CV5 6BS**

Coventry City Council ("the Council"), in the exercise of the powers conferred upon it by regulation 20 of the Environmental Permitting (England and Wales) Regulations 2010<sup>1</sup> ("the 2010 Regulations") hereby gives you a notice as follows-

The Council has decided to vary the conditions of permit reference PPC/009 granted under regulation 13(1) of the 2010 Regulations in respect of the operation of the installation at:

**H Burbidge & Son  
Burnsall Road  
Canley  
Coventry  
CV5 6BS**

The variation of the conditions of the permit and date [s] on which they are to take effect are specified in Schedule 1 to this notice. A consolidated permit is set out in Schedule 1.

Signed on behalf of Coventry City Council

..... Date.....

**Senior Environmental Protection Officer**  
An authorised officer of the Council

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<sup>1</sup> SI 2010 No.675

PPC Permit ref: 009  
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**Schedule 1**

All conditions contained within Permit reference number PPC/009 shall be deleted. All amendments to Permit reference number PPC/009 listed in all previous variation notices shall be deleted. Permit Reference number PPC/009 shall be varied with immediate effect to read as follows:

### *Guidance for operators receiving a Variation Notice*

(This guidance does not form part of the Variation Notice, but it is for the guidance of those served with the notice.) Further guidance can be found in the PPC General Guidance Manual.

### Dealing with a Variation Notice

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 Schedules attached to the notice explain which conditions have been amended, added or deleted and the dates on which these have effect.

The Council may have included a 'consolidated permit', which takes into account these and previous variations. Where a consolidated permit is not included this variation notice must be read in conjunction with your permit document.

### Offences

Failure to comply with a Variation Notice is an offence under regulation 38(2) of the 2010 Regulations. A person guilty of an offence under this regulation could be liable to (i) a fine of up to £50,000 or imprisonment for a term not exceeding 6 months or both; or (ii) to an unlimited 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.

### Appeals

Under regulation 31 and Schedule 6 of the 2010 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 2010 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 2010 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.

The test of whether information is confidential for the purposes of being withheld from the public register is complex and is explained, together with the procedures, in chapter 8 of the PPC General Guidance Manual.

### 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.

**Schedule 1 to Variation PPC/009/003**

**POLLUTION PREVENTION & CONTROL ACT 1999  
ENVIRONMENTAL PERMITTING (ENGLAND AND WALES)  
REGULATIONS 2010**

**DOCUMENT A : PERMIT**

**H Burbidge and Son Ltd**

Reference Number **PPC/009**

Coventry City Council ("the Council") in accordance with Regulation 13(1) of the Environmental Permitting (England & Wales) Regulations 2010 ("The Regulations"), hereby permits:

**H Burbidge and Son Ltd**

Whose registered office is:

**Burnsall Road  
Canley  
Coventry  
CV5 6BS**

to operate a Part B installation involving the manufacture of timber and wood based products as prescribed in Section 6.6 Part B (a) of Schedule 1 to The Regulations, at:

**H Burbidge & Son  
Burnsall Road  
Canley  
Coventry  
CV5 6BS**

The permit is subject to the conditions specified in this document consisting of 9 pages and comprising documents A, and B, Appendix 1 and plan PPC/009/A

Signed.....

**Simon Brake, Assistant Director – Communities and Health  
A person authorised to sign on behalf of the Council.**

Dated .....

## **SCOPE**

The installation comprises not just any relevant unit carrying out a Part B activity listed in Schedule 1 Part 2 to the Regulations, but also directly associated activities which have a technical connection with that activity and which could have an effect on pollution.

All pollutant concentrations shall be expressed at reference conditions of 273K and 101.3kPa, without correction for water vapour content.

### **Technical Guidance documents used in the preparation of this permit:**

- Secretary of States Guidance Note PG6/02(12) – Statutory guidance for the working of timber and manufacture of wood-based products
- Secretary of State's Guidance – General Guidance Manual on Policy and Procedures for A2 and B installations. April 2012

**Date Annual Fee Required:** 1st April of each financial year

**Date For Full Compliance:** Date of Permit Issue

**Permit Prepared By:** Neil Chaplin

## **LEGISLATION**

1. Pollution Prevention and Control Act 1999.
2. The Environmental Permitting (England & Wales) Regulations 2010 (as amended)

## **BRIEF DESCRIPTION OF THE INSTALLATION REGULATED BY THIS PERMIT**

Definitions referred to in this permit

- An **Activity** is an industrial activity forming part of an installation. Different types of activity are listed within Schedule 1 of the PPC Regulations and are broadly broken down into industrial sectors. Other “associated” activities may also form part of an installation.
- An **Installation** comprises not just any relevant unit carrying out a B activity listed within Schedule 1 to the PPC Regulations, but also directly associated activities which have a technical connection with a schedule 1 activity and which could have an effect on pollution.
- An **Operator** is the person (e.g. a company or individual) who has control over the operation of an installation.
- **Authorised Officer** shall mean an officer authorised to carry out duties under the Pollution Prevention and Control Act 1999 and subordinate regulations
- **Logbook** shall mean any electronic or paper means of storage of the required information as agreed by the regulator
- **Local Authority** shall mean Coventry City Council
- **Due diligence** the use of these words in the odour boundary condition means that there shall not be a breach of the condition if the operator can show that he/she employed the BAT. Accordingly, any emission of offensive odour where the operator can show that he/she employed BAT ought not to give rise to the Regulator issuing proceedings against the operator for the breach of an odour boundary condition.
- **Best Available Techniques (BAT)** In relation to any aspect of the process not regulated by specific conditions in this permit, then Best Available Techniques shall be used:

For the purposes of the Environmental Permitting (England & Wales) Regulations 2010 “best available techniques” means the most effective and advanced stage in the development of activities and their methods of operation which indicates the practical suitability of particular techniques for providing in principle the basis for emission limit values designed to prevent and, where that is not practicable, generally to reduce emissions and the impact on the environment as a whole; and for the purpose of this definition –

- a) “available techniques” means those techniques which have been developed on a scale which allows implementation in the relevant industrial sector, in the economically and technically viable conditions, taking into consideration the cost and advantages, whether or not the techniques are used or produced inside the United Kingdom, as long as they are reasonably accessible to the operator;
- b) “best” means, in relation to techniques, the most effective in achieving a high general level of protection of the environment as a whole;
- c) “techniques” includes both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.
- d) Further guidance can be obtained from the Secretary of State’s Guidance - Environmental Permitting General Guidance Manual on Policy and Procedures for A2 and B Installations.

The general location of the Authorised Process is shown on the plan PPC/009/A. The installation boundary is marked in red and the location of the wood dust trailer marked in blue.

**Description of Installation**

Timber and wood based products are manufactured using sawing, drilling, sanding, shaping, turning and planing using a variety of individual wood working machines.

All woodworking machines are served by the local extract ventilation system for the removal of wood dust and shavings to wood dust storage trailers marked on the attached plan numbered PPC/009/A. The extraction system is fitted with filter bags/socks

The trailers when full to capacity are attached to lorry cabs and removed from site for disposal, being replaced with empty ones.

**Table 1**

**List of Process Areas within the Installation and Associated Emission Points, Pollutants of Concern and Abatement Plant Required**

Substance	Source	Emissions Limit	Monitoring Required	Monitoring Frequency
Particulate	Whole site	No visible emission	Visual observation	On start up and at least twice more daily
Particulate	Dust extraction system	No visible emission	Visual observation	Daily
Droplets, mist and fume	All emissions to air	No droplets or persistent mist or fume	Visual observation	On start up and at least twice more daily

## **DOCUMENT B**

### **CONDITIONS**

**All conditions shall have immediate effect unless stated otherwise.**

#### **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.

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.

3. All plant and equipment capable of causing, or preventing, emissions and all monitoring devices shall be calibrated and maintained in accordance with the manufacturer's instructions.

#### **Storage of materials**

4. Dusty materials (including dusty wastes) shall only be stored in the wood dust trailer as detailed on the plan attached to this permit and shall be subject to suppression and management techniques to minimise dust emissions.

#### **Loading, unloading and transport**

5. The transportation and handling of wood dust and wood particles shall be carried out using the pneumatic handling systems
6. When wood dust is moved using site transport, it shall be held in enclosed containers.
7. No potentially dusty materials (including wastes) shall leave the site other than by use of the wood dust trailer or in enclosed or sealed receptacles.

#### **Arrestment Equipment**

8. Replace all filter media within the bag filtration system every 4 years

#### **Techniques to control fugitive emissions**

9. The fabric of the enclosure around wood dust trailer shall be maintained so as to minimise visible dust emissions.

#### **Records and training**

10. Written or computer records of all tests and monitoring shall be kept by the operator for at least 2 years. They [and a copy of all manufacturers instructions referred to in this permit] shall be made available for examination by the Council.
11. 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.

**Best available techniques**

12. The best available techniques shall be used to prevent or, where that is not practicable, reduce emissions from the installation in relation to any aspect of the operation of the installation which is not regulated by any other condition of this permit.
  
13. If the operator proposes to make a change in operation of the installation, he must, at least 14 days before making the change, notify the regulator in writing. The notification must contain a description of the proposed change in operation. It is not necessary to make such a notification if an application to vary this permit has been made and the application contains a description of the proposed change. In this condition "change in operation" means a change in the nature or functioning, or an extension, of the installation, which may have consequences for the environment.

## **APPENDIX 1 - SUPPLEMENTARY NOTES**

These notes do not comprise part of the Permit but contain guidance relevant to the Permit.

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

### **Inspections and Powers of Entry**

Regular inspections will be carried out by officers of the Council (the Local Authority Inspectors) to check and ensure full compliance with the Permit conditions and residual duties. These inspections may be carried out without prior notice.

Under section 108(6) of the Environment Act 1995 authorised Local Authority Inspectors have been granted powers of entry into any premises for the purposes of discharging relevant duties.

### **Reviews**

The Local Authority has a statutory duty to review the permit at least once every 6 years or in the following circumstances set out in Regulation 34(1) of the Environmental Permitting (England and Wales) Regulations 2010:

- a) The pollution from the installation is of such significance that the existing emission limit values for the permit need to be revised or new emission limit values need to be included in the permit
- b) Substantial changes in BAT make it possible to reduce emissions from the installation or mobile plant significantly without imposing excessive costs; or
- c) Operational safety of the activities carried out in the installation or mobile plant requires other techniques to be used

### **Health and Safety**

This Permit is given in relation to the requirements of the Environmental Permitting (England and Wales) Regulations 2010. It must not be taken to replace any workplace responsibilities the operator has under Health & Safety legislation. Whenever emission limits quoted in this Permit conflict with occupational exposure limits set under the Health and Safety at Work Act 1974 to secure the health, safety or welfare of persons at work, the tighter limit should prevail. The Installation must be operated in order to protect persons at work as well as the environment. In achieving conditions in this Permit the operator must not adopt any course of action that would put at risk the health, safety or welfare of persons at work.

### **Other Statutory Requirements**

This Permit does not detract from any other statutory requirement, such as the need to obtain planning permission, hazardous substances consent, discharge consent from the Environment Agency, building regulations approval, or a waste disposal licence.

This Permit does not authorise a contravention of any other enactment or any order made, granted or issued under any enactment, nor does it authorise a contravention of any rule or breach of any agreement. The Operator is advised to consult the relevant Planning Department regarding changes that may be required as a result of this Permit (e.g. stack heights) as they may require planning permission.

### **Transfer of Permits**

Where the operator of an installation wishes to transfer, in whole or in part, his permit to another person, the operator and the proposed transferee shall jointly make an application to the regulator to effect the transfer. Such an application shall be accompanied by the permit and any fee prescribed in respect of the transfer.

In the case of partial transfer, where the original operator retains part of the permit, the application must make clear who will retain control over the various parts of the installation. The application must include a plan identifying which parts of the site and which activities the operator proposes transferring.

The local authority will then determine whether to allow the transfer within a two-month period, unless the local authority and the applicants agree a longer period.

Where the local authority approves the transfer, the transfer will take effect from the date requested by the operator or a date that may be agreed by the local authority and the applicants.

### **Variation to Permits**

Variation to permits may be initiated either by the local authority or the operator, either in response to changes in the operation of an installation or if new conditions are needed to deal with new matters. Variations may be required in response to the following.

- In response to the findings of a periodic review of conditions.
- In response to the findings of an inspection.
- New or revised sector guidance notes

The operator should apply to the Local Authority in order to vary a permit under Regulation 20(1) of the Regulations. The application must be in writing and, in accordance with Part 1 of Schedule 5 to the Regulations contain:

- The name, address and telephone number of the operator.
- The address of the installation.
- A correspondence address.
- A description of the proposed changes.
- An indication of the variations the operator would like to make.
- Any other information the operator wants the authority take account of.

### **Substantial Change**

A substantial change means, in relation to an installation, a change in operation, which in the opinion of the local authority may have significant negative effects on human beings or the environment.

Where the local authority deems that a proposed variation constitutes a substantial change, the operator will be informed of the process to follow.

### **Noise**

This Permit does not include reference to noise. Statutory noise nuisance is regulated separately under the provisions of Part III of the 1990 Act.

### **Appeals**

An Appeal can be made against the conditions in, or variations to this Permit as per Part IV of the Regulations. Appeals are made to the Planning Inspectorate who acts on behalf of the Secretary of State. Appeals against conditions within a Permit must be submitted within 6 months of the date of issue of the permit.

Appeals against variation notices must be submitted within 2 months of the date of issue of the notice. Appeals should be despatched on the day they are dated and sent to:

The Planning Inspectorate  
Environment Team, Major and Specialist Casework  
Room 4/19 – Kite Wing  
Temple Quay House, 2 The Square  
Temple Quay  
BRISTOL  
BS1 6PN

### HMSO Publications

All HMSO publications can be ordered by telephone on Tel: 0870 600 5522,  
Fax: 0870 600 5533 or e-mail: [book.orders@tso.co.uk](mailto:book.orders@tso.co.uk)

### PLAN A to PPC/009 - GENERAL LOCATION

Installation boundary is shown in red. Approximate location of dust collection trailer and shown in blue:



People Directorate, Environmental Protection  
Coventry City Council Room 314,  
Broadgate House, Coventry, CV1 1NH  
Tel: 0500 834 3333  
Fax: 024 7683 1840

H Burbidge & Son Permit PPC/009 Plan A

