

Permitting decisions

Partial Surrender and Variation

We have decided to grant the variation and accept the surrender of part of the permit for Tangmere Recycling Centre operated by Woodhorn Group Limited.

The partial surrender and variation numbers are EPR/DB3703HG/S003 & EPR/DB3703HG/V004.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

This decision document provides a record of the decision making process. It:

- highlights [key issues](#) in the determination
- summarises the decision making process in the [decision checklist](#) to show how all relevant factors have been taken into account

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit and the variation/surrender notice. The introductory note summarises what the notice covers.

Key issues of the decision

Partial Surrender and Variation

This decision document is for two permit applications. The first application is a partial surrender application, it does not involve any surrender of land. The application is to remove the treatment activities from the wood chipping operation and allow a reduction in the annual throughput of waste permitted under the wood chipping operation from 10,000 tonnes to 2,000 tonnes per year.

The description of wood chipping operation in table S1.1 has been amended to 'A8: Wood storage operation' to reflect the fact that treatment is no longer allowed under this activity.

The second application is a variation, which transfers the 8,000 tonnes annual throughput that is surrendered from the wood chipping operation to the composting activity. This means that the site is now authorised to accept 73,000 tonnes per year under the composting activity and 2,000 tonnes per year under the wood storage activity. The total annual throughput for the site is 75,000 tonnes per year.

Odour Management Plan and improvement conditions

The application required an updated odour management plan due to the increase in tonnage being allocated to the composting activity which has the potential to increase the risk of odour emission. We agreed that this requirement could be referenced as an improvement condition and assessed once the variation had been completed. An improvement condition referenced as IC2 has been included in the permit to ensure that an updated document is submitted to the Agency by the 01 September 2018. IC1 which specifies infrastructure improvements required on the site is already written into the permit from the variation numbered EPR/BP3898LH/V006, this improvement condition has also been extended to 01 September 2018 as it has been identified that the operator has not yet completed this.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential.
The facility	
The regulated facility	<p>We considered the extent and nature of the facilities at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN 2 'Defining the scope of the installation', Appendix 1 of RGN 2 'Interpretation of Schedule 1', guidance on waste recovery plans and permits.</p> <p>The permitted regulated facilities have changed as a result of the partial surrender. The waste operation activity is now restricted to wood storage operation only. The description of Activity A8 of Table S1.1 has changed from 'Wood chipping operation' to 'Wood storage operation'. Treatment is no longer allowed under this activity.</p> <p>The activities are defined in table S1.1 of the permit.</p>
The site	
Site condition report (Surrender)	<p>The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports.</p> <p>There has been no reduction in land as a result of the partial surrender, therefore there is no need for an assessment of whether the site has been returned to a satisfactory state.</p>
Biodiversity, heritage, landscape and nature conservation	The application is not within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.
Permit conditions	
Updating permit conditions during consolidation	We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permit.
Changes to permit conditions as a consequence of the surrender	<p>The permit conditions have changed as a result of the partial surrender.</p> <p>Treatment activities have been removed from the 'A8 Wood chipping operation' and as a result the activity has been renamed as 'A8 Wood storage operation' in Table S1.1. The tonnages within the Tables S2.2 and S2.3 have been altered to reflect the transfer of 8,000 tonnes of annual throughput from the wood storage operation to the composting activities.</p>

Aspect considered	Decision
Improvement programme (Variation)	Based on the information on the application, we consider that we need to impose an improvement programme. See key issues section.
Emission limits	No emission limits have been added, amended or deleted as a result of this variation.
Operator competence	
Management system	There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	<p>We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit.</p> <p>Paragraph 1.3 of the guidance says:</p> <p>“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p>We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.</p> <p>We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.</p>