

Permitting decisions

Part surrender

We have decided to accept the surrender of part of the permit for Rugeley Power Station operated by Rugeley Power Limited.

The permit number is EPR/EP3538LB/S005

We are satisfied that the necessary measures have been taken to avoid any pollution risk and to return the site to a satisfactory state. We consider in reaching that decision we have taken into account all relevant considerations and legal requirements.

Purpose of this document

This decision document provides a record of the decision making process. It 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 surrender notice. The introductory note summarises what the notice covers.

Decision checklist

Aspect considered	Decision
Receipt of application	
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	The permitted regulated facilities have not changed as a result of the partial surrender. This partial surrender removes the area of the land for coal storage. The golf course (lagoon 1 and 2) was never permitted and was never part of the operation under the environment Protection Regulation (EPR). The area was drawn within the permit boundary for simplification. It is currently a green space.
The site	
Extent of the surrender application	The operator has provided a plan showing the extent of the site of the facility that is to be surrendered. We consider this plan to be satisfactory.
Pollution risk	We are satisfied that the necessary measures have been taken to avoid a pollution risk resulting from the operation of the regulated facility.
Satisfactory state	We are satisfied that the necessary measures have been taken to return the site of the regulated facility to a satisfactory state. In coming to this decision we have had regard to the state of the site before the facility was put into operation.
Permit conditions	
Changes to permit conditions as a consequence of the surrender	The permit conditions have changed as a result of the partial surrender. The directly associated activity, A7 Table S1.1 – storage of fuel has been removed from the permit.
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	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 surrender. Paragraph 1.3 of the guidance says: “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

Aspect considered	Decision
	<p data-bbox="528 226 1366 282">factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p data-bbox="528 331 1433 483">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 data-bbox="528 533 1425 685">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>