

Permitting decisions

Bespoke permit

We have decided to grant the permit for The Sovereign Distillery operated by Halewood International Limited
The permit number is MP3137JY.

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 summarises the decision making process in the decision checklist to show how all relevant factors have been taken in to account.

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
- shows how we have considered the [consultation responses](#).

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

Read the permitting decisions in conjunction with the environmental permit. The introductory note summarises what the permit covers.

Key issues of the decision

General Management – Environmental Management System

As part of its ongoing commitment to sustainable and responsible development and to regulatory compliance, Halewood has developed and will implement a documented site-specific EMS. Measures are undertaken to ensure that this is communicated, understood and effectively maintained throughout the Facility.

Odour

Halewood International Ltd (Halewood) operate a manufacturing, processing, bottling, storage and distribution facility (the Facility) for the supply of alcoholic drinks to the retail sector. The site is located west of Tarbock Island (the M62/M57/A5300 junction), off the A5080 and opposite the Chapel Brook Brewers Fayre. The site is bounded immediately to the southwest by extensive residential housing in Tarbock Green, with the A580 lying adjacent to the southeast. Wilson Road lies along the northeast perimeter of the site with industrial buildings on the other side of the road, including a household waste recycling centre. Further

industry is present northwest of the site. The wider area beyond the site comprises a mixture of suburban residential housing, industrial areas and agricultural fields.

There are no offensive odours from the Facility; the EA guidance note 'H4 – Odour Management' (Appendix 3 – Modelling odour exposure) classes breweries and some related food and drink manufacturers as having 'less offensive' odours. Odour risk is further minimised through the use of the BioAmp system (Effluent Treatment Plant) for treating any trade effluent – this improves the quality of the effluent and hence its odour is further reduced.

It should also be noted that the Facility has had no previous complaints regarding odour during its operation

Noise and vibration

The site operation is between 06:00 Monday to 06:00 Saturday, with occasional operation on Saturdays 06:00 to 14:00 at the Facility, and vehicle movements are limited to normal business hours. A noise impact assessment has been completed, in terms of the EP application the following significant noise sources have been identified on site and considered in terms of their contribution at Nearest Sensitive Receptors (NSRs) and impact:

- i. Production plant adjacent to the Tank Farm area
- ii. Cooling tower fan drive located adjacent to Tank Farm area.
- iii. Loading and offloading of glass into waste skips by forklift trucks along north to north east service yard.
- iv. Forklift truck reversing around northern end of Site.

The results of the data analysis and prediction calculations have concluded the following:

- i. Noise from the operation of the production plant forms the most significant noise source on site relative to NSRs. Other noise sources identified as significant include the cooling tower and glass offloading operations.
- ii. The representative background sound levels identified over the weekend period for daytime between 0700-2300 hours was shown to vary between 50dB to 56dB LA90. During night-time periods the background levels were shown to vary between 45dB to 49dB LA90.
- iii. The noise contribution at NSRs from identified significant noise sources have been calculated using noise prediction modelling. The results show that the production plant, cooling tower and glass offloading activity would produce adverse to significant adverse noise impacts according to BS4142: 2014.
- iv. By applying BAT and identifying practicable noise mitigation measures, the resultant noise source levels are likely to result in producing a low impact magnitude at NSRs according to BS 4142: 2014.
- v. Residual Impacts: Assuming the above mitigation measures (or similar) can be introduced, it is expected that with the implementation of the measures proposed within this report to control noise from plant identified as being significant, the site would reduce noise levels to acceptable levels in accordance with BS4142 following maximum residual impacts would occur.

Basic noise prevention measures are employed at the Facility, such as the presence of a fence between the Facility and residential receptors, insulation of mechanical equipment where appropriate, and the avoidance of noisy activities at night. Process machinery is located inside enclosed buildings. Plant items undergo regular maintenance.

At this time we do not require a site specific Noise Management Plan, however the permit conditions enable the Environment Agency to require the operator to develop and implement a NMP if deemed necessary.

Fugitive Emissions

There is a potential for fugitive emissions, however management and controls further to those listed above for odour and noise are in place to minimise them:

- Air emissions from the boiler are dispersed from a stack at each boiler to ensure appropriate emission dispersion. Detailed modelling has shown the impact of the Facility can be screened out as 'not significant'.
- There are no direct emissions to land from the Facility. All activities on site (deliveries, offloading and distribution off site of raw materials), are undertaken within areas of concrete hardstanding, therefore minimising the percolation of contaminants to the ground below.
- All drainage within the process area is contained and goes directly to an on-site effluent treatment plant, removing risk from containment failure or vandalism. Residues from the Facility that cannot be

reused are disposed of suitably. There are procedures in place to deal with spills, with suitable equipment provided for clean-up. The risk of fugitive emissions to land is therefore minimal.

- Leak of water from treatment plant is reduced through daily monitoring of flow from the water tank treatment plant, regular maintenance and sufficient storage capacity.

Emissions to Water

Storm water drainage is located at various points around the site, to minimise surface water run-off. There are no direct emissions to surface water from the Facility. Drainage within process areas is fully contained and goes directly to the effluent treatment plant (ETP), with an isolation system in place to prevent the release of contaminated firewater in an emergency. Water from building roofs in the process area is also directed to the ETP plant under the contained drainage.

Refrigerant

There are three chilled water plants at the facility which use multiple refrigerants:

Chiller Plant	Location	Refrigerant Plant
Main Chiller Water Plant 1, Circuit 1	Inside Plant Room	R-134a
Main Chiller Water Plant 1, Circuit 2	Inside Plant Room	R-134a
Main Chilled Water Plant 2, Circuit 1	Inside Plant Room	R-134a
Main Chilled Water Plant 2, Circuit 2	Inside Plant Room	R-134a
Main Chilled Water Plant 3, Circuit 1	Inside Plant Room	R-407C
Main Chilled Water Plant 3, Circuit 2	Inside Plant Room	R-407C
Tank Farm Coldroom (3°C)	Pallet Storage Yard	R-404A

Halewood use an external company to carry out regular checks and maintenance on the refrigerant systems. This therefore minimises the risk of any leaks from the refrigerant systems.

It is acknowledged that HFC-134a is regulated by the EU and is included in the list for 'phase down'. This will be replaced once practicable with another refrigerant suitable for use.

The BREF provides guidance on the use of refrigerants without ozone depletion potential (ODP), and with low global warming potential (GWP), although this is not a BAT conclusion. The use of the refrigerants listed above in relation to the BREF for the Food, Drink and Milk Industries is considered as follows:

- R-134a (or 1,1,1,2-Tetrafluoroethane) is a haloalkane refrigerant, with a lower GWP than other refrigerants such as R-12 (its GWP is approximately 1,430) and an insignificant ODP.
- R-407C is a mixture of hydrofluorocarbon (HFC) refrigerants (namely R-32, R-125 and R-134a). It is seen as an environmentally friendly refrigerant, with a GWP of approximately 1,770 and an ODP of zero.
- R404A is a HFC blend that is widely used in low and medium temperature refrigeration applications, such as those used commercially. It is the widely accepted alternative to CFC R502. Its GWP is approximately 3,922 and it has an ODP of zero.

Point source emissions

Emissions to air

Point source emissions to air arise from the operation of three gas fired boilers. Each boiler has a rated thermal input of approximately 1.6 MWth.

Point source emissions from the boiler comprise carbon dioxide (CO₂) and water along with oxides of nitrogen (NO_x) and particulate matter (PM).

All emissions process contributions except (NO_x) can be considered insignificant at screening test 1:

- the long-term (annual mean) process contribution less than 1% of the long-term environmental standard; and
- the short-term (24-hour mean or shorter) process contribution less than 10% of the short-term environmental standard

In terms of NO_x; initially the assessment showed that the overall impact from the process contributions could not be classed as 'insignificant' using the methodology above (Screening Test 1). The predicted impacts

exceed the screening criteria for the annual mean nitrogen dioxide objectives, and therefore require further detailed assessment (Screening Test 2):

- The short term process contribution is more than 20% of the relevant short term environmental standard minus twice the long term background concentration; and/or
- the sum of the background concentration and process contribution exceed 70% of the appropriate long term standard.

Where these criteria are met, then the impacts are considered to be insignificant. The predicted impacts exceed the screening criteria for the annual mean nitrogen dioxide detailed assessment. No further assessment is required for nitrogen dioxide against the 1-hour mean objective.

The annual mean point of maximum impact lies within the industrial estate and is not an area of relevant exposure (i.e. residential area) for annual mean nitrogen dioxide. Therefore, the annual mean AQAL does not apply at the point of maximum impact. In addition, when the baseline concentration is included, the annual mean PEC at the point of maximum impact is <70% of the AQAL, and it can be concluded that the impact is 'not significant'.

The detail modelling has been audited and we agree with the conclusion.

The fire-fighting sprinkler system utilises 2 diesel generators. As the generators will only operate in the event of a fire, they are not considered to be a point source of emissions to air. They are tested weekly to ensure effective operation in case of an emergency. The total hours of testing will equate to less than 50 hours per annum, therefore the generators are classed as emergency generators and do not need to comply with the emission limits and monitoring requirements of the specified generator regulations.

Medium Combustion Plant Directive (MCPD):

An 'existing combustion plant' is defined in the Medium Combustion Plant Directive (MCPD) as a plant put into operation before 20 December 2018, with a 'new combustion plant' defined as a plant other than an existing combustion plant.

Boiler 1 is therefore defined as an 'existing MCP' as it was put into operation before 20 December 2018. Boilers 2 and 3 will be defined as 'new MCPs'.

In accordance with the requirements of the MCPD, periodic measurements for NO_x and CO will be taken at least every three years, with the first measurements carried out within 4 months of the grant of a permit to the plant or within 4 months of the date of operation of the boilers, whichever is latest. The results of emissions monitoring will be reported to the EA as appropriate.

Emissions to surface water and ground water

There are no direct emissions to surface water from the Facility. Drainage within process areas is fully contained and goes directly to the effluent treatment plant (ETP. Water streams that do not need treatment e.g. uncontaminated cooling water or uncontaminated run-off water) are segregated from waste water that has to undergo treatment, thus enabling uncontaminated water recycling. Uncontaminated surface water runoff is considered to be 'low risk' and is discharged directly to storm drainage. It is not considered that isolation measures are necessary for these areas.

Any spillages or firewater resulting from process areas will be directed to the wastewater sump and the wastewater treatment plant. The maximum storage capacity available for the storage of contaminated effluent will be 70,000 litres.

It is considered very unlikely that a fire event will occur in areas where uncontaminated surface water run-off discharges to storm drains (such as car parking areas). In the unlikely event that firewater arises from these areas, this will continue to be discharged to sewer via the storm drainage.

Surface water run-off from the wine room, spirit room and tanker unloading area roofs will be directed towards the wastewater treatment plant. All other rainwater will be discharged directly to storm drainage as uncontaminated runoff.

Emissions to sewer

The treated effluent from the ETP links to sewer under a Trade Effluent Consent from United Utilities Water PLC. The sewer runs to the local Huyton Waste Water Treatment Works, which discharges to the Netherley Brook. The trade effluent consent is subject to certain conditions. A daily discharge limit of 350m³ has been

agreed, with waste water solely derived from the manufacturing and bottling of alcoholic beverages. Prior to discharge to sewer, trade effluent and wastewater is treated in an on-site ETP.

Drainage within process areas is fully contained and goes directly to the waste water treatment plant with an isolation system in place to prevent the release of contaminated firewater in an emergency.

Effluent Treatment Plant (ETP):

All drainage within the process area is contained and goes directly to an on-site effluent treatment plant. Residues from the Facility that cannot be reused are disposed of suitably. There will be procedures in place to deal with spills, with suitable equipment provided for clean-up. The risk of fugitive emissions to land is therefore minimal

The plant utilises a BioAmp 5000 CCU system to improve the quality of the effluent by reducing COD and suspended solids alongside improving other wastewater parameters. The system involves the addition of naturally-occurring (and environmentally friendly) 'Free-Flow' bacteria to break down the effluent and improve water quality. Each day, 3 litres of live 'Free-Flow' liquid is dispensed automatically into the BioAmp incubator. The unit is maintained at optimum temperatures for bacterial growth by means of an air conditioning unit, with a mixture of nutrients fed to the bacteria to encourage growth. After 24 hours, the entire contents of the vessel (120 litres) is fed to the 60,000 l mix/retention tank ETP via an effluent drainage sump, and the process is reset. The whole process is controlled by an inbuilt computer.

The pH is monitored and adjusted in a 7,000 l reaction tank prior to discharge to sewer. The pH correction is carried out using 35% sulphuric acid and 32% caustic soda liquor to adjust levels to those agreed in the Trade Effluent Consent.

An 'Oxy-Digester' aeration system is also present in the ETP to increase dissolved oxygen levels in the effluent, hence improving the rates of bacterial breakdown.

Process monitoring of the effluent is undertaken on-site. Volume, flow rates and pH are automatically recorded daily. Monitoring of the trade effluent is undertaken by an external company, who attend the site on a weekly basis (and produce monthly reports) to check operation of the effluent monitoring and dosing facilities, record tank levels and flow rates, check pH probes and manage and arrange analysis of effluent samples among other tasks. Their monthly report also includes information on compliance with volume consent limits agreed, provides maintenance suggestions and quotations, and reports on any health and safety issues. A minimum of 48 samples of effluent are required to be taken each year for chemical analysis. United Utilities sample and analyse the trade effluent regularly for composite charging and monitoring purposes, with measurements of suspended solids, pH, flow, BOD and COD taken.

The discharge from the wastewater plant can be inhibited in the event of an emergency or non-compliance (such as exceedances of the emission limits within the Trade Effluent Consent).

Storage

Raw materials

Raw materials are delivered to the Facility via road in HGVs. The HGVs enter the site via a manned gatehouse off Wilson Road. They are then directed to designated areas for glass and tanker unloading as appropriate. Raw materials are stored on site in both solid and liquid form. All liquid ingredients are stored in a contained environment, secondary containment consists of hardstanding concrete beneath all raw material storage and there is bunding on the hydrochloric acid, caustic and sulphuric acid tanks. Tertiary containment is provided by the contained drainage system. Procedures are in place for the clean-up of spills or leaks, with tanks and silos regularly inspected for faults. The drainage from these process areas goes directly to the ETP. Unloading of raw materials is undertaken on areas of concrete hardstanding with contained drainage, to minimise any potential impacts from spills or leaks. The drainage from these process areas goes directly to a waste water treatment plant

Diesel Fuel Storage

Diesel is contained in local daily service tanks, topped up with a portable supply of diesel when required. The diesel tanks are double-skinned and self-bunded. Spill kits are available nearby in the event of a spill.

Storage and Distribution

Once the products have been manufactured and packaged appropriately, they are transferred for storage in high-bay racking warehouses prior to distribution to customers. Products are transferred from the high-bay racking to loading bays using fork lift trucks. Product is loaded onto HGV's for transport off-site.

Chemical Storage

Flammable liquids stored on-site include ethanol and other spirits/alcohols. 96% ethanol was assessed against the requirements of the COMAH (Control of Major Accident Hazards) thresholds for flammable liquids. The ethanol stored at the Facility falls under section P5c, however, the qualifying quantities for lower tier COMAH requirements are 5,000 tonnes, the quantities stored at the Facility is significantly less than this. The other spirits and alcohols stored at the Facility are either equally or less flammable than the 96% ethanol assessed against the COMAH regulations, and also stored in similar quantities. Hence, these substances do not qualify for either upper tier or lower tier COMAH requirements either.

In accordance with the Health and Safety at Work Act 1974, and more specifically the COSHH Regulations 2002, Halewood has a number of measures in place to protect employees from hazardous substances. An approved substance register is held on-site to be administered by the H&S manager. Before any new substance is introduced on-site, the departmental manager is first required to assess whether a less hazardous substance would be suitable for the task and can be used. Approval for new substances must be sought in writing, including sprays, liquids, gases, powders and other chemical mixtures. A set approval method is in place which includes the completion of a COSHH risk assessment, which is reviewed by both the quality manager and the H&S manager. All hazardous materials are stored in secure, ventilated areas with correctly labelled containers and containment measures in place for any spills. In addition, the applicant ensures that any flammable liquids on-site are stored in accordance with the COMAH regulations.

Other procedures in place:

- Storage areas of water treatment chemicals will be bunded and located on areas of hardstanding. Drainage in these areas will be contained and directed to the wastewater treatment plant.
- The storage areas for waste oils and batteries will be self- bunded and located on areas of hardstanding.
- Diesel will be stored in a double-skinned tank, bunded and located on an area of hardstanding.

Resource efficiency and waste management

Cleaning In Place (CIP)

CIP systems are in place at different parts of production, with flush systems primarily utilised. The systems are not run at set time intervals, however they are used frequently after changes in product type on each production line, or for the cleaning of tanks in all areas. A cleaning matrix is used to decide which cleaning method is necessary. 'Pre-rinsing' of lines and hoses with compressed air is utilised to recover as much product as possible and minimise waste. The SCADA system has CIP 'recipes' that have been optimised for the appropriate vessels/plants, and to reduce water use. Cleaning is applied if required. This prevents any wastes from hardening. To reduce water and raw material usage, recycling of water and chemicals is used. Recovered water is used for initial tank rinsings, alongside recirculation of caustic detergent back to its make-up tank during the detergent cleaning stage, once the caustic interface is detected. The control on recycling is based on conductivity.

Waste recovery or disposal

The main solid residue streams arising from the Facility are:

1. Glass: Glass residues are generated when any glass bottles delivered to the Facility are damaged or deemed unfit for purpose during the bottling process.
2. Scrap Metal: Scrap metal is generated from the canning lines when cans are damaged or deemed unfit for purpose.
3. Plastic, Cardboard and General Waste: Plastic, cardboard and general wastes arise mainly from the packaging and palletising of products prior to distribution.

Where appropriate, residues are recycled. In addition to the solid residues listed above, residues from the ginger plant are periodically disposed of via removal of the slurry under HMRC supervision to be composted in a lagoon off-site.

Liquid Waste

There is approximately 400 l of wastes in total from the gin stills including water wash out, comprising small volumes of alcohol, water and waste botanicals. This waste is slowly drained to leave botanical residues behind, which are disposed of in general waste due to their non-hazardous nature. Any liquid wastes are disposed of via the on-site effluent treatment plant.

Neutral spirit re-distillation stills are as follows:

- 1 x 450 l taking 24 hours, with a waste of 200 l;
- 1 x 1800 l taking 3 days, with a waste of 800 l; and

- 3 x 4500 l taking 3 days, with wastes of 2000 l each.

The waste from the re-distillation of neutral spirit is a very weak solution of alcohol and water.

Water Usage

To reduce water and raw material usage, recycling of water and chemicals is used on the CIP systems. Recovered water is used for initial tank rinsings, alongside recirculation of caustic detergent back to its make-up tank during the detergent cleaning stage, once the caustic interface is detected. The control on recycling is based on conductivity. Post-rinse water is also recovered. Additional water-usage efficiency is achieved through the use of fixed spray balls on washdown tanks.

Water streams that do not need treatment (e.g. uncontaminated cooling water or uncontaminated run-off water) are segregated from waste water that has to undergo treatment, thus enabling uncontaminated water recycling.

Water for firefighting is sourced from an unmetered towns water supply. Water is stored in a dedicated firewater tank with a capacity of approximately 662 m³.

Energy efficiency

Electricity and Gas: The Facility currently uses approximately 7,000 MWh of electricity per annum, and 3,500 MWh of gas.

A full ESOS report was carried out for the Facility in July 2015. The ESOS report presents a number of recommendations to improve energy efficiency at the Facility. The Facilities Management Team at the site have already carried out a large number of improvements regarding energy efficiency, such as the installation of LED lighting at points around the site.

Each building is generally self-contained, and so heating or cooling is provided based on the nature of the activities present. 2014/15 data from the ESOS report stated an annual energy consumption of approximately 13,200 MWh.

The ESOS report describes some monitoring systems already in place at the Facility at the time the report was written. These include tank level monitoring and compressed air monitoring. The report also recommended the installation of AMR (Automated Meter Reading) which the Facility subsequently implemented. This captures energy consumption data throughout the day in order to monitor real-time energy consumption. Common techniques to improve energy efficiency at the Facility include the following:

- Burner regulation and control is in place on the new boilers;
- Any motors when replaced are energy efficient;
- Boiler blowdown is minimised by an auto controller;
- A compressor control system is installed;
- A water divert system is installed at the pasteurisation plants;
- Leak surveys are carried out on the compressed air system and checks done during routine maintenance;
- All heated pipework is lagged;
- Variable speed drives are installed where applicable, also on some compressors; and
- The Facility has a 211 kWp solar panel array installed on a warehouse roof at the Facility, which reduces reliance on the use of grid electricity. They were commissioned in October 2012. System data from February 2019 showed that the panels have resulted in a CO₂ avoidance of 950 tonnes since their commissioning, and have provided over 1350 MWh of electricity.

This is in accordance with the requirements of the final BREF for the Food, Drink and Milk Industries to minimise the consumption of energy. Sub-metering is also utilised as BAT at the Facility.

Other Processes

Laboratories are located adjacent to the depalletising and glass-unloading areas, for chemical testing of substances. Parameters and substances tested include % alcohol, density, colour, haze, SO₂ (free and total), preservatives, sweeteners, total acidity, pH and dissolved CO₂ in product.

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.
Consultation	
Consultation	<p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website.</p> <p>We consulted the following organisations:</p> <ul style="list-style-type: none"> • Health & Safety Executive • Director of Public Health • Public Health England • Knowsley Council <p>The comments and our responses are summarised in the consultation section.</p>
Operator	
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.
The facility	
The regulated facility	<p>We considered the extent and nature of the facility/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 extent of the facility defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.</p>
The site	
Extent of the site of the facility	The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility including the discharge points. The plan is included in the permit.
Site condition report	<p>The operator has provided a description of the condition of the site, which we consider is not satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.</p> <p>We have advised the operator what measures they need to take to improve</p>

Aspect considered	Decision
	the site condition report.
Biodiversity, heritage, landscape and nature conservation	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and/or protected species or habitats identified in the nature conservation screening report as part of the permitting process.</p> <p>We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.</p> <p>We have not consulted Natural England on the application. A Habitats Risk Assessment Stage 1 was completed and sent to Natural England for information only. The decision was taken in accordance with our guidance.</p>
Environmental risk assessment	
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory.</p>
Operating techniques	
General operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p>
Operating techniques for emissions that do not screen out as insignificant	<p>Emissions of NO₂ cannot be screened out as insignificant. We have assessed whether the proposed techniques are BAT.</p> <p>The proposed techniques/ emission levels for emissions that do not screen out as insignificant are in line with the techniques and benchmark levels contained in the technical guidance and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs and BAT Conclusions, and ELVs deliver compliance with BAT-AELs.</p>
Permit conditions	
Use of conditions other than those from the template	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.
Improvement programme	<p>Based on the information on the application, we consider that we need to impose an improvement programme.</p> <p>We have imposed an improvement programme:</p> <ol style="list-style-type: none"> 1. The operator shall develop a written noise management plan in line with the Environment Agency's Guidance for Noise and submit it for approval by the Environment Agency. The operator shall implement

Aspect considered	Decision
	<p>the approved noise management plan, from the date of approval by the Environment Agency.</p> <p>2. The Operator shall undertake a review of all containment measures on site to ensure they comply with the requirements as set out in CIRIA Report C736. The operator shall produce a final report to reflect this review and submit it to the Environment Agency for approval in writing. Where any shortfalls in the containment measures are identified, the operator shall include a timescale for improvements within the written report.</p> <p>3. The operator shall carry out an assessment in accordance with our Environment Agency Guidance H5 Site condition report – guidance and templates and the European Commission Guidance concerning baseline reports under Article 22(2) of Directive 2010/75/EU on industrial emissions (2014/C 136/03), to consider whether they wish to set baseline reference data for any relevant substances of concern taking into account the condition of pollution prevention measures. Additionally, if storing/using hazardous substances on site, the operator will need to complete a Stage 1 – 3 assessment in line with the guidance set out within our EC Commission Guidance on baseline reports, to determine whether baseline reference data is required for hazardous substances.</p> <p>If as a consequence of this assessment, the Site Condition Report will be subject to modifications, the Operator shall submit a revised Site Condition Report to the Environment Agency for approval. The completed site condition report shall meet the Industrial Emissions Directive Baseline Reporting requirements as stated in Environmental Permitting (England & Wales) Regulation (2016) regulation 35(1) Schedule 7(5)(m).</p>
Emission limits	<p>ELVs or equivalent parameters based on BAT have been set for the following substances.</p> <ul style="list-style-type: none"> • NO₂ • Carbon monoxide <p>These ELVs have been set in accordance with the requirements of the Medium Combustion Plant Directive. We made these decisions in accordance with our guidance.</p>
Monitoring	<p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.</p> <p>These monitoring requirements have been imposed in order to meet the emission limit values for new medium combustion plants.</p> <p>We made these decisions in accordance with the Medium Combustion Plant Directive.</p> <p>Based on the information in the application we are satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate.</p>
Reporting	We have specified reporting in the permit.

Aspect considered	Decision
	<p>The reporting requirements are in regard to emissions, annual production and performance parameters.</p> <p>We made these decisions in accordance with The Food and Drink Sector TGN EPR 6.10.</p>
Operator competence	
Management system	<p>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.</p> <p>The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.</p>
Relevant convictions	<p>The Case Management System has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.</p>
Financial competence	<p>There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.</p>
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>

Consultation

The following summarises the responses to consultation with other organisations, our notice on GOV.UK for the public, newspaper advertising, and the way in which we have considered these in the determination process.

Responses from organisations listed in the consultation section

Response received from
Public Health England
Brief summary of issues raised
PHE has concerns in relation to Air quality, Accidents and Hazards, Noise, Odour and Biological (vermin/pest control)
Summary of actions taken or show how this has been covered
Pest control is managed within the permit by condition 3.6. The remaining concerns have been addressed in the key issues section.