

Permitting decisions

Bespoke permit

We have decided to grant the permit for Iceland Manufacturing Limited operated by Iceland Manufacturing Limited.

The permit number is EPR/NP3303PY.

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
- 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.

Description of activities

This installation manufactures up to 199 tonnes per day of soups and sauces, noodle pots, and frozen ready meals. The facility has been operating for a number of years but has not had an Environmental Permit. This permit authorises this activity under Section 6.8 Part A(1)(d)(iii) of the Environmental Permitting (England and Wales) Regulation 2016 (EPR 2016).

The following manufacturing activities are undertaken at the installation:

- Receipt and storage of raw materials. Fresh, frozen, dried and liquid raw and cooked ingredients are delivered to the site in bulk and stored in freezers, cold stores, IBCs and a variety of sealed containers.
- Handling of ingredients and cooking of raw materials.
- Storage and handling of waste materials, from the generation of waste to the dispatch for disposal recovery.
- Packaging and freezing of finished products, storage and dispatch.

Key issues of the decision

Emissions to air

The operator submitted an Air Quality Impact Assessment, reference: *LE13467/EQ-001*, dated February 2017. This assessed the risk from the existing boiler at the installation, which will be permitted for the first time under this application. The assessment calculated the process contribution (PC) for short term and long term impacts of oxides of nitrogen (NOx) from the boiler at the closest receptors for human health and ecological sensitivity.

Human health

To screen out a PC for any substance it must meet both of the following criteria:

- the short-term PC is less than 10% of the short-term environmental standard
- the long-term PC is less than 1% of the long-term environmental standard

If both of these criteria are met, no further assessment of the substance is required.

The short-term PC for NOx screened out at this stage and can therefore be considered insignificant. The long-term PC for NOx did not screen out as insignificant at this stage. Therefore the operator carried out a second stage of screening. Calculating the long term predicted environmental concentration (PECs) of PCs to air that were not screened out in the first stage.

In the second stage of screening if both of the following requirements are met further assessment of that substance is not necessary:

- the short-term PC is less than 20% of the short-term environmental standards minus twice the long-term background concentration
- the long-term PEC is less than 70% of the long-term environmental standards

The long-term PEC for NOx met the requirements listed above and no further assessment was required.

Pollutant	Environmental standard	Background	Process Contribution (PC)		Predicted Environmental Concentration (PEC)	
Unit	µg/m³	µg/m³	µg/m³	% of Environmental standard	µg/m³	PEC % of Environmental standard
NO ₂ Hourly mean	200	53.31	18.88	9.44	--	--
NO ₂ Annual mean	40	21.94	1.3	3.26	23.24	58.10

¹these figures were taken from the air quality impact assessment referenced above

Habitats assessment

Rochdale Canal Special Area of Conservation (SAC) is 4,200m from the installation, and Ashton Canal Local Wildlife Site (LWS) is 1,367m from the installation at the closest points.

The combustion process at the PPC installation is not considered 'relevant' for assessment under the Agency's procedures which cover the Conservation (Natural Habitats &c.) Regulations 1994 (Habitats Regulations). This was determined by referring to the Agency's guidance 'AQTAG014: Guidance on identifying 'relevance' for assessment under the Habitats Regulations for installations with combustion processes.' Thus no detailed assessment of the effect of the releases from the installation's combustion processes on SACs, SPAs and Ramsar sites is required.

The only other relevant emissions produced by this site are discharged to foul sewer under a consent from United Utilities, who have placed their own emission limits on the discharge.

It is therefore considered that the operation of this installation is unlikely to have a significant impact on the protected habitat sites within screening distance.

Noise

The site is located in a mixed industrial and urban area, with several existing industrial and commercial uses immediately bordering the north, south, east and west. The nearest residential property, Gorton Parks Care Home, is located approximately 155m to the south-west of the site. Additional residential properties are located at Goring Avenue, over 210m to the east of the site. The nearest commercial property is located Gorton (MCC) depot office, approximately 19m to the west of the site.

The site operates day and night, with production predominantly taking place during the day and cleaning of the site happening at night, however some pieces of equipment are operational 24 hours a day, or are automatically triggered to come on so could be operating at any time. All production activities are undertaken within the buildings. There are a number of items of plant externally, most notably two compactors to the west of the site.

A Noise Impact Assessment (NIA) was submitted as part of the application, and updated with additional monitoring undertaken during determination. The NIA refers to baseline sound monitoring undertaken on several dates in November 2019 and October 2020 to derive ambient and background sound levels at the nearest noise sensitive receptor (NSR) and to determine source sound levels for the plant items which are currently in operation at the site. The assessment describes numerical spreadsheet-based calculations of existing plant at the NSR, acoustic feature corrections, determination of rating sound levels at the NSR and comparison of the rating levels to the background sound levels, to determine the BS4142 impact outcome.

Having reviewed the assessment we are satisfied that the measurement location is representative of the nearest residential and receptor to the site, and that sufficient measurements have been obtained. We agree with the consultant conclusions for the nearest residential receptor, that there is likely to be a low impact from noise from the installation on Gorton Parks care home both during the day and night periods, this is true for continuous operations involving the majority of the plant and occasional operations involving the nitrogen tank. The receptor on Goring Avenue was checked and found to be further away than Gorton Parks care home and shielded from the external plant to the west of the site by the buildings on the installation, it was therefore not considered further. The nearest commercial property was not included in the audit of the assessment as our guidance and BS 4142: 2014 +A1: 2019 only consider residential receptors.

The following measures are in place at the installation to control noise:

- Regular maintenance of all plant and equipment
- Both the main boiler and the spiral refrigeration plant are housed in their own buildings with doors kept closed and operate on demand
- Waste is transferred through the building using wheelie bins or a pump truck to reduce the use of forklift trucks

- Between 10 PM and 6 AM the site is operated with minimal personnel, although security and an engineering crew are on site 24/7 for essential maintenance. If contractors are required on site outside of working hours it is only to repair essential equipment and would be done under a full RAMS of the work to be carried.
- Vehicles visiting site are required to turn engines off when stationary, avoid slamming doors, beeping horns etc. and this is monitored by security.
- Cold trailer units are switched from diesel to electric when used on site with the diesel engines only use if there is a power cut.

We consider that the above measures represent BAT and broadly follow the noise hierarchy outlined in our H3 part 2 guidance on 'Noise Assessment and Control'.

Odour

We have reviewed the odour management plan, submitted 13/11/2020 and titled: *ENV MPL 01 Odour Management Plan V2*, in accordance with our guidance on odour management.

The key parts of the process with the potential to produce odour have been identified as unloading ingredients, cooking, chilling of soups and sauces and the disposal of waste.

- Ingredients arrive on the site in a variety of sealed containers and many ingredients arrive frozen or dried. In the event of a breakdown stock can be moved to an off-site facility to prevent odour or waste.
- Steam and odour from the cooking process is removed through extraction, with ozone units injecting ozone into the airflow prior to the main extraction fans.
- The products are chilled via vacuum or evaporative cooling, the discharge from the vacuum cooling process goes to foul sewer via an odour control system utilising carbon filters.
- Waste is separated into solid food waste, liquid waste, general waste and bulk mixed non-food waste, the latter of which is not anticipated to be odorous. The solid food waste and the general waste are both stored in sealed compactors, liquid waste is pumped into IBCs, both to prevent odour and pests.

The odour abatement equipment on site is regularly checked and serviced, and its effectiveness reviewed. The odour management plan also details the monitoring which will be carried out, the complaints procedure, and the action which will be taken following a number of potential incidents.

We consider that the odour management plan is satisfactory.

BAT assessment

Table 1 Comparison of Indicative BAT with key measures proposed by the operator		
BAT ref.	Indicative BAT	Key measures proposed
1	Implement and adhere to EMS that incorporates the requirements as set out in BATC	<p>A summary of the EMS was submitted with the application and assessed against our guidance.</p> <p>The site uses an EMS system called SHEEN safety Health Environment Engineering, the system follows ISO 14001 but the site is not accredited.</p> <p>Aspects not covered have been included in the permit as improved condition IC1.</p>

2	Increase resource efficiency and reduce emissions	<p>The site currently monitors electricity, gas and water usage.</p> <p>Table S4.3 of the permit requires annual reporting of water, energy, and raw materials used as well as waste disposed of.</p> <p>Trade effluent is regularly tested, see BAT reference 3 below.</p> <p>An annual service is carried out on the boiler and combustion figures recorded, table S3 .1 in the permit details monitoring requirements for emissions to air, see BAT reference 5 below.</p> <p>Aspects of this indicative BAT which are not yet being met on site and have been put into the permit as improvement conditions IC1 and IC2.</p>
3	Monitor key process parameters at key locations for emissions to water	<p>Process effluent is discharged to sewer under a consent from the sewerage operator, United Utilities. United Utilities regularly test for COD, BI-COD, PH and suspended solids, and issue an analysis report to the site.</p>
4	Monitor emissions to water to the required frequencies and standards	<p>Table S3 .2 of the permit set monitoring requirements for the discharge of uncontaminated site surface water via an interceptor which drains to Corn brook.</p>
5	Monitor channelled emissions to air to the required frequencies and standards	<p>Table S3.1 in the permit details the monitoring requirements for emissions to air, which have been set in line with Schedule 25A, and the impacts demonstrated to be insignificant by the Air Quality Assessment submitted with the application.</p>
6	Increase energy efficiency	<p>Production of an Energy Efficiency Plan has been added to the permit as part of improvement condition IC1.</p>
7	Reduce water consumption and the volume of waste water discharged	<p>The operator has confirmed the process uses a number of water saving techniques. These include use of satellite units to dose chemicals at the correct rate for cleaning, this is done using medium pressure hoses with high intensity pressure nozzles and foam. Condensate from Vac Cooling is reused for cleaning and washrooms. Small equipment is cleaned continuously throughout the day and the lines are cleaned every night after production has finished.</p> <p>Surface water run-off from external surfaces such as roofs and car parks is directed to surface water rather than effluent treatment.</p>
8	Prevent or reduce the use of harmful substances	<p>All chemicals for hose pipes are automatically dosed at the manufacturer's recommendations. All Chemicals on site have MSDS on file.</p>
9	Prevent emissions of ozone depleting	<p>This has been added to the permit as an improvement</p>

	substances and of substances with high global warming potential	condition, IC3.
10	Increase resource efficiency	All waste streams are segregated. Recyclables including cardboard are bailed on site and sent for recycling. Food waste is sent for Anaerobic digestion. Any waste left over from these processes is sent to Energy from Waste. The site is signed up to WRAP and has reduced food waste by 62.4% since 2016.
11	Provision of appropriate buffer storage capacity for waste water	This is not applicable for the installation as wastewater is not stored on site.
12	To reduce emissions to water	Site has underground settling tank, with grease and fat separation. As there are no direct emissions of process effluent, all effluent discharge is via sewer, therefore BAT AELs do not apply.
13	Noise - management plan, prevent or reduce noise emissions	N/A, a management plan has not been considered necessary as the noise impact assessment concluded there was a low risk from the site.
14	Noise minimisation, prevent or reduce noise emissions	The noise impact assessment submitted with the application demonstrated that there was a low risk of noise from the site impacting the nearest sensitive receptor, we therefore consider the existing measures to represent BAT without further mitigation being required.
15	Prevent or reduce odour emissions	As part of this application and odour management plan has been submitted, reviewed and approved against our guidance on odour. This includes odour monitoring, responding to incidents and complaints, and odour prevention.

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"> • Manchester Council Environmental Health and Planning departments • Food Standards Agency • Health and Safety Executive • Public Health England <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 at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN 2 'Defining the scope of the installation'.</p> <p>The extent of the facility is 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 plans which we consider are satisfactory, showing the extent of the site of the facility. The plan is included in the permit.
Site condition report	The operator has provided a description of the condition of the site, which we consider is not satisfactory as it does not include baseline data. The decision was taken in accordance with our guidance on site condition reports. Because of this the operator has agreed to take liability for any contamination

Aspect considered	Decision
	of the soil or groundwater found within the permit boundary upon surrender of the permit which could be attributable to the operation of the permit. We are satisfied with this agreement.
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>Rochdale Canal Special Area of Conservation (SAC) is 4,200m from the installation, and Ashton Canal Local Wildlife Site (LWS) is 1,367m from the installation at the closest points.</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. 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>
Climate change adaptation	<p>We have assessed the climate change adaptation risk assessment.</p> <p>We consider the climate change adaptation 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 screen out as insignificant	<p>Emissions of Oxides of Nitrogen (NO and NO₂ expressed as NO₂) have been screened out as insignificant, and so we agree that the applicant's proposed techniques are BAT for the installation.</p> <p>We consider that the emission limits included in the installation permit reflect the BAT for the sector.</p>
Odour management	<p>We have reviewed the odour management plan in accordance with our guidance on odour management.</p> <p>We consider that the odour management plan is satisfactory.</p> <p>See key issues section.</p>

Aspect considered	Decision
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 to ensure that operation on the site will represent BAT, further detailed in the key issues.</p>
Emission limits	<p>ELVs have been set for the following substances:</p> <p>Oxides of Nitrogen (NO and NO₂ expressed as NO₂) – 120 mg/m³</p> <p>We have imposed a stricter ELV than that required by Schedule 25A in respect of Oxides of Nitrogen as modelling was carried out based on this ELV, and the impacts demonstrated to be insignificant.</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>The monitoring requirements for emissions to air have been imposed in order for the operator to demonstrate compliance with the emission limits specified in the permit. The operator will carry out monitoring in accordance with the relevant MCERTS methods.</p> <p>We made these decisions in accordance with MCP technical guidance <i>Medium Combustion Plant guidance</i>: https://www.gov.uk/guidance/medium-combustion-plant-and-specified-generator-permits-how-to-comply</p> <p>The monitoring requirements for point source emissions to water (other than sewer) have been imposed to ensure that the water draining to Corn Brook is uncontaminated.</p>
Reporting	<p>We have specified reporting in the permit.</p> <p>This has been included in order to measure the performance of the site with regards to water usage, energy usage and raw materials usage.</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 and National Enforcement Database have 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>
Growth Duty	

Aspect considered	Decision
<p>Section 108 Deregulation Act 2015 – Growth duty</p>	<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 and our notice on GOV.UK for the public, 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
<p>The response highlighted a number of receptors, the closest of which was a care home and a public library 20 m from the site boundary.</p> <p>Air quality - the response also identified Air Quality Management Areas close to the site and noted that there would be frequent deliveries and distributions with the potential to impact air-quality. Concerns were raised over the background concentrations used for the Air Quality Assessment and a lack of air-quality monitoring data.</p> <p>Fire prevention - a number of comments were made regarding the contents of a Fire Prevention Plan submitted with the application.</p> <p>Odour - the response notes that the EA should be satisfied appropriate mitigation and controls are in place to reduce the effect odour on nearby receptors.</p> <p>Noise - PHE note that the assessment provided shows that predicted levels exceed the required limits unless mitigation is used. A recommendation is made to engage with the local authority.</p> <p>Site condition report - the site condition report only covers a portion of the permitted site, and a limited amount of ground investigation has been undertaken.</p>
Summary of actions taken or show how this has been covered
<p>The closest residential receptor, the care home highlighted, has been included in assessments for air-quality, odour, and noise, it is considered the installation is unlikely to have an impact on the care home. The public library referred to in the response is in fact offices for library services As it is a place of work it is not considered a receptor for odour or noise, and due to the duration of time it is expected people would spend there it is only considered as a receptor for short-term NO_x, not long-term. We have reviewed the air-quality assessment and found this receptor remains within the air-quality standards for this pollutant.</p> <p>Air-quality - we have reviewed the air-quality assessment and are satisfied that the risk to both ecological and human health receptors is not significant. The installation is outside of the AQMA therefore under our guidance it does not need to be considered in the assessment. The emissions from traffic is not something we are able to consider under the scope of permitting. We have checked the assessment against the most up-to-date background data and have come to the same conclusion as the assessment submitted.</p> <p>Fire prevention - a fire prevention plan is not assessed for this type of installation and therefore although the plan was submitted it was not included in the assessment made for determination.</p> <p>Odour - we have assessed the odour management plan submitted with the application as well as asking some further questions during determination and are satisfied that the updated plan submitted during determination and included in the operating techniques table of the permit follows our guidance on odour and represents BAT for the installation, using appropriate mitigation and controls.</p> <p>Noise – the noise impact assessment submitted with the application showed the potential for noise from the site to impact a commercial premises close to the site. As our guidance on noise only recognises residential properties as sensitive receptors the noise impact assessment was updated to look at the impacts at the nearest residential receptor. The assessment found that the impact at the nearest residential receptor was low both during the day and night periods, this is true for continuous operations involving the majority of the plant and occasional operations involving the nitrogen tank. The local authority were consulted on this application and did not provide a response.</p>

Site condition report - the installation has a history of similar activity on the site and baseline data was not provided with the application. The operator has agreed to take responsibility for any pollution found on the surrender of the permit which could reasonably be assumed to have originated from the installation.