

Permitting Decisions- Bespoke Permit

We have decided to grant the permit for Weeford Quarry operated by Tarmac Trading Limited.

The permit number is EPR/BP3328SP/A001.

The permit was granted on 29/07/2024.

The application is for an environmental permit to operate an asphalt recycling facility at Weeford Quarry near Sutton Coldfield. The site is centred at national grid reference (NGR) SK1397002329. The Installation will take waste asphalt and hazardous and non-hazardous tar-bound road planings to produce a recycled asphalt product for use in civil engineering and road improvements. There are no direct emissions of pollutants from the site and measures are in place to control fugitive emissions of dust.

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 to show how the main 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.

Decision considerations

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

The consultation requirements were identified in accordance with the Environmental Permitting (England and Wales) Regulations (2016) and our public participation statement.

The application was publicised on the GOV.UK website.

We consulted the following organisations:

- Health & Safety Executive (HSE)
- UK Health Security Agency (UK HSA)
- Local Authority
- Local Authority Environmental Health Dept.

The comments and our responses are summarised in the [consultation responses](#) section.

Operator

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 regulated facility

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 RGN2 'Defining the scope of the installation, Appendix 1 of RGN 2 'Interpretation of Schedule 1', guidance on waste recovery plans and permits.

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.

The Applicant originally applied to treat hazardous and non-hazardous waste under one S5.3 Part A(1)(a)(ii) physico-chemical, hazardous waste treatment activity. In accordance with our guidance and Regulatory Guidance Series, No. RGN 2, Understanding the meaning of regulated facility, the proposed treatment of non-hazardous tar bound road planings for recovery, is regulated as a waste operation. This necessitated the inclusion of a non-hazardous waste treatment; waste operation and the issued permit is a twin Installation and Waste permit.

The site

The operator has provided a plan which we consider to be satisfactory.

These show the extent of the site of the facility including the discharge points.

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 satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.

Nature conservation, landscape, heritage and protected species and habitat designations

We have checked the location of the application to assess if it is within the screening distances we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is within our screening distances for these designations.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report as part of the permitting process.

We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified.

The decision was taken in accordance with our guidance.

Environmental risk

We have reviewed the operator's assessment of the environmental risk from the facility.

The operator's risk assessment is satisfactory.

General operating techniques

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.

The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.

Raw materials

We have specified limits and controls on the use of raw materials and fuels.

Cement (CEM2) shall be in accordance with EN 197-1 or an equivalent or superseded standard.

Bitumen for foaming shall comply with BS EN 12591 or an equivalent or superseded standard.

Pulverised Fuel Ash (PFA) (also known as fly ash), shall meet the standards set out in the Quality Protocol for PFA. The PFA product shall be screened and conditioned in accordance with BS EN 13055:2016 or an equivalent or superseded standard.

Waste types

We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.

We are satisfied that the operator can accept these wastes for the following reasons:

- they are suitable for the proposed activities;
- the proposed infrastructure is appropriate; and
- the environmental risk assessment is acceptable.

Emission Limits

We have decided that emission limits are not required in the permit.

Reporting

We have specified reporting in the permit.

Annual reporting is required for the parameters set in tables, S4.1 and S4.2.

We made these decisions in accordance with The Environmental Permitting (England and Wales) Regulations 2016.

Management System

We are not aware of any reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.

The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.

Technical Competence

Technical competence is required for activities permitted.

The operator is a member of the CIWM/WAMITAB scheme.

Financial competence

There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.

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.

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 factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”

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.

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.

Consultation Responses

The following summarises the responses to consultation with other organisations, 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 The UK Health Security Agency (UKHSA).

Brief summary of issues raised: UK HSA raised concerns about potential fugitive emissions of dust arising from activities at the Installation. They were satisfied the measures proposed by the applicant are appropriate to mitigate the risks. They noted that they had no significant concerns regarding the risk to the health of the local population from the installation.

Summary of actions taken: no actions necessary.