

Permitting decisions- Surrender

We have decided to accept the part surrender of the permit for Ulverston Pharmaceuticals operated by Glaxo Operations UK Limited.

The permit number is EPR/BM4350ID.

The surrender notice with consolidation number is EPR/BM4350ID/S006

The decision was issued on 19/06/2025.

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 this decision that 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 to show how the main relevant factors have been taken into account.

We have assessed the aspects that are changing as part of this part surrender we have not revisited any other sections of this permit.

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

About this application

The Installation is a pharmaceutical manufacturing facility which, since 2006, has operated a number of Part A(1) listed activities under the Environmental Permitting (England & Wales) Regulations 2016 (EPR), and Directly Associated Activities.

Following a reduction in the volume and scope of product manufacturing operations, the site is now producing only the Antibiotics Waxetil and Axetil and is currently in an end-of-life period. As a result, decommissioning of manufacturing facilities and phased demolition of manufacturing plant, administrative buildings, warehouses, solvent recovery units and tank farms, cooling towers and the boiler house is taking place.

This partial surrender is for removal of the following areas of land (approximately 7.64ha) and the following activities (Directly Associated Activities) from the permit:-

- *The northern portion of the main site,*
- *An area including the old cold store,*
- *An area including the former Hammerside Tank.*
- Solvent Recovery (AR4)
- Material handling (cold store) (part of AR6 - other activities will remain for AR6, so AR6 will be retained).

Read the permitting decisions in conjunction with the surrender notice and consolidated permit.

Permitting decisions- Surrender

Key issues of the decision

At the time of making this application for partial surrender dated (24/01/2025), the application sought for removal of the following areas of land, from the permitted site boundary.

- The northern portion of the main site,
- An area of land that includes the old cold store,
- An area of land that includes the former Hammerside Tank.

This encompasses a total area of approximately 8.0ha, and also included the following listed activities and directly associated activities:-

Table 1 – Parts of the permit you want to surrender

Ulverston Pharmaceuticals					
Installations only			Description of the waste facility	Description of the mining waste operation	Standard facility
Schedule 1 references	Description of the activity	Directly associated activity			
Section 1.1A(1)(a)	Burning fuel				
Section 5.4A(1)(a)(ii)	Effluent Treatment				
Section 4.5A(1)(a)	Producing Pharmaceuticals				
DAA	Water Cooling				
DAA	Solvent Recovery				

The following emission points were notified for removal (update provided on 13/06/2025):

A1, A2, A3, A4, A5, A6, A7, A8, A9, A13, A14, A15, A17, A18, A19, A20, A21, A22, A23, A24, A25, A26, A27, A28, A29, A30, A31, A32, A33, A34, A36, A38, A44, A48, A49, A50, A51, A52, A56, A57, A58, A59, A60, A61, A62, A63, A71, A72, A73, A74, A75, A76, A77, A78, A79, A80, A81, A82, A83, A84, A85, A86, A87, A88, A89, A90, A91, A92, A93, A94, A95, A96, A97, A98, A99, A100, A101 - A168, A169 - A171, A172 – A177, A180, A181, A182, A183, A184, A185, A186, A187 - A192, A193, A194 and A195

We sought clarity from the applicant on 30th April 2025, on activities to be removed, as there appeared to be conflicting statements between the application documents (site condition report vs. application forms).

The application contact provided clarification on 01/05/2025 (see column A below).

An inspection was carried out by the Environment Agency site officer (Area) and Groundwater Contaminated Land (GWCL) officer on 07/05/2025. The findings from this are shown for comparison in the following table (column B) :-

COLUMN A	COLUMN B
Clarification from applicant on areas for surrender	FINAL Inspection of areas for surrender, prior to completing decision.
<p>We can confirm that the application is only seeking to surrender parts of the permitted activities and hence a partial surrender has been applied for. Clarification on the activities being surrendered and those remaining is as follows:</p> <ol style="list-style-type: none"> 1. The majority of the pharmaceutical production has ceased, and manufacturing facilities demolished. Only production of antibiotics Waxetil and Axetil remain. On this basis whilst many of the activities previously carried out under the Section 4.5 A(1)(a) activity have ceased this activity will need to remain in the permit 2. Similarly, the main boiler house operated under the Section 1.1 A(1)(a) has also ceased operation and has been demolished. However single boiler that operated under this activity remains in operation under the permit. 3. The wastewater treatment plant operated under the 5.4 A(1)(a)(ii) activity is no longer operational and has been demolished. This activity is being surrendered from the permit. 4. The solvent activities have all ceased and associated plant has been demolished. Therefore, this DAA is being surrendered. 	<p>The northern portion of the main site, the coldstore, the Hammerside tank : these locations / parts of the site are as described in the site condition report – i.e. These can be surrendered.</p> <p>The cold store and the warehouse (land they wanted to sell) still contains materials relating to the activity. These have not been cleared of materials, as suggested in the application. NOT ready for surrender, despite their intentions.</p> <ol style="list-style-type: none"> 1. Section 4.5 A(1)(a) activity to remain, and not part of surrender. 2. Section 1.1A(1)(a) activity to remain, and not part of surrender. 3. The S5.4 (effluent treatment) activity has not ceased. This is incorrect and cannot be removed by surrender. The activity is still ongoing. 4. The solvent recovery activity has ceased and can be included within the surrender.

<p>5. The water-cooling DAA has similarly ceased and been demolished. Therefore, this DAA is being surrendered.</p> <p>The activities subject to the partial surrendered are therefore the 5.4 A(1)(a)(ii) activity and the solvent and water cooling DAAs. On this basis the partial surrender application fee was based on the surrender of the 5.4 A(1)(a)(ii) activity.</p>	<p>5. The water cooling DAA activity has not ceased. This is incorrect and cannot be removed by surrender. The activity is still ongoing.</p>
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As a result, it was identified that the application was factually incorrect in various areas, and required a significant update to provide correction to the application in terms of activities that have ceased operation, cleared of any pollution sources, and thus ready for surrender.

The applicant was given the opportunity to amend their application and provide updates to this. This was provided on 16/05/2025.

Amendments to the application included:

- Drawing 2 : A revised site plan showing the new extent of the area to be partially surrendered. *This comprises an area including the northern portion of the main site, the coldstore, the hammerside tank, and DAA activity AR4 (solvent recovery).* **This now aligns to the inspection report from area.**
- Drawing 4 : A revised site plan showing the new extent of the area that will remain in the period following the partial surrender. **This now aligns to the inspection report from area.**
- Application form E2 : A revised list of activities / DAAs for surrender. This now only lists the solvent recovery activity (DAA) and the cold store. **This now aligns to the inspection report from area.**
- Updated Surrender SCR : revised area and activities:-
 - *The northern portion of the main site,*
 - *An area including the old cold store,*
 - *An area including the former Hammerside Tank.*

This encompasses a total area of approximately 7.64ha (Hereafter referred to as the 'Site')

Surrender of the following activities and DAAs,

- *Solvent Recovery (AR4)*
- *Material handling (cold store) (part of the activities forming AR6, as other activities will remain AR6 will also remain in the permit for those activities)*

This now aligns to the inspection report from area.

Decision considerations

Confidential information

No claim for commercial or industrial confidentiality has been made.

The Operator

We have identified that the companies house address for company number **00711851** is incorrect in the permit. This should have been amended / applied for as a change when this occurred.

The existing permit refers to:-

- **980 Great West Road, Brentford, Middlesex, TW8 9G**

Companies House listed address:-

- **79 New Oxford Street, London, United Kingdom, WC1A 1DG**

This is not a transfer as the company number has not changed. We have performed this as an administrative change as part of this decision.

Identifying confidential information

We have not identified information provided as part of the application that we consider to be confidential.

The decision was taken in accordance with our guidance on confidentiality.

The regulated facility

The permitted regulated facilities have changed as a result of the partial surrender.

The following activities will remain in the permit:-

- AR1 : Section 4.5 A(1)(a) Producing pharmaceutical products
- AR2 : Section 1.1 A(1)(a) Burning any fuel in an appliance with a rated thermal input of 50 or more megawatts
- AR3 : Section 5.4 A(1)(a)(ii) Disposal of non-hazardous waste with a capacity exceeding 50tonnes per day involving - physico-chemical treatment
- AR5 : DAA Water Cooling
- AR6 : DAA Material Handling

The site

The extent of the facility has changed as a result of the partial surrender.

The operator has provided a plans (in their amended application documents) which we consider to be satisfactory. These show the extent of the site of the facility.

The plans show the location of the part of the installation to which this permit applies on that site.

The plan is included in the permit.

Extent of the surrender application

The operator has provided an amended plan (16/05/2025) showing the extent of the site of the facility that is to be surrendered. This was not satisfactory and we required a further revised plan. This was provided on 11/06/2025).

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, having regard to the state of the site before the facility was put into operation.

We consulted with area groundwater and contaminated land on the surrender SCR, via a SCRET. In addition, the GWCL officer attended the site inspection with area officer (prior to application amendment). The conclusion from this consultation is :-

Sufficient information has been supplied to show that pollution risk has been removed and that the site is in a satisfactory state – accept the application to surrender the permit.

Changes to permit conditions as a consequence of the surrender

The permit conditions have changed as a result of the partial surrender.

- Table S1.1 (relating to condition 2.1.1) has been amended to reflect the activities partially surrendered, and those to remain going forward.
- Schedule 7 (relating to condition 2.2.1) has been amended to reflect the permit boundary change.

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 accept this partial 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 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.