Introduction

When to use this form

This environmental permitting regime is known as and referred to as Local Authority Pollution Prevention and Control (‘LAPPC’). Installations permitted under this regime are known as Part ‘B’ installations. Use this form if you are sending an application for a ‘Part B’ permit to a Local Authority under the Environmental Permitting (England and Wales) Regulations 2007 (“the EP Regulations”).

Before you start to fill in this form

You are strongly advised to read the relevant parts of the DEFRA general guidance manual issued for LA-IPPC and LAPPC, republished in 2008 and available at http://www.defra.gov.uk/environment/ppc/localauth/pubs/guidance/manuals.htm. This contains a list of other documents you may need to refer to when you are preparing your application, and explains some of the technical terms used. You will also need to read the relevant Process Guidance note. The EP Regulations can be obtained from The Office of Public Sector Information, or viewed on their website at: http://www.opsi.gov.uk/stat.htm.

Which parts of the form to fill in

You should fill in as much of this form as possible. The appropriate fee must be enclosed with the application to enable it to be processed further. When complete return to: Room 3.73, Economy & Environment, Engineering & Environmental Services, Council Offices, Wellington Road, Ashton-under-Lyne, Tameside, OL6 6DL.

Other documents you made need to submit

There are a number of other documents you may need to send us with your application. Each time a request for a document is made in the application form you will need to record a document reference number for the document or documents that you are submitting in the space provided on the form for this purpose. Please also mark the document(s) clearly with this reference number and the application reference number, if you have been given one, it will be at the top of the form overleaf. If you do not have either of these, please use the name of the installation.

Using continuation sheets

In the case of the questions on the application form itself, please use a continuation sheet if you need extra space; but please indicate clearly on the form that you have done so by stating a document reference number for that continuation sheet. Please also mark the continuation sheet itself clearly with the information referred to above.

Copies

Please send the original and 5 copies of the form and all other supporting material, to assist the Authority in conducting any necessary consultation process.
If you need help and advice
We have made the application form as straightforward as possible, but if you need any advice on how to set out the information we need please contact Craig Richardson on (0161) 342 2389 or email at craig.richardson@tameside.gov.uk.
LA-PPC Application Form: to be completed by the operator

For Local Authority use

<table>
<thead>
<tr>
<th>Application Reference:</th>
<th>Officer Reference:</th>
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</table>

A1 Applicant details

A1.1 Name of the installation

__________________________________________________________________________

A1.2 Please give the address of the site of the installation

__________________________________________________________________________

Postcode

Telephone

Ordnance Survey national grid reference 8 characters, for example, SJ 123 456 (can be obtained from typing postcode into one of the on-line mapping sites).

A1.3 Existing permits:
Please give details of any existing LAPPC or LA-IPPC authorisation for the installation, or any waste management licences or water discharge consents, including reference number(s) and type(s):

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

Please provide the information requested below about the “Operator”, which means the person who it is proposed will have control over the installation in accordance with the permit (if granted)

A2.1 The Operator – Please provide the full name of company or corporate body

__________________________________________________________________________

Trading/business name (if different)

__________________________________________________________________________

Registered Office address

__________________________________________________________________________

Postcode:
Principal Office address (if different)

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________

Postcode: ____________________

Company registration number

__________________________________________________________________________

A2.2 Holding Companies

Is the operator a subsidiary of a holding company within the meaning of Section 1159 of the Companies Act 2006?

No ☐

Yes ☐ name of ultimate holding company

__________________________________________________________________________

Registered office address

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________

Postcode: ____________________

Principal Office address (if different)

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________

Postcode: ____________________

Company registration number:________________________
A3.1 Who can we contact about your application?

It will help us to have someone who we can contact directly with any questions about your application. The person you name should have the authority to act on behalf of the operator. This could be an agent or consultant rather than the operator.

Name ____________________________________________________________
Position ____________________________________________________________
Address ___________________________________________________________________
________________________________________________________________________
________________________________________________________________________
Postcode: ______________________________________________
Telephone number ________________________________
Fax Number ____________________________________________
Email address ____________________________________________
B1 About the Installation

Please fill in the table below with details of all current activities in the operation at the whole installation.

In **Column 1, Box A**, please identify all activities listed in Schedule 1 to the EP Regulations that are, or are proposed, to be carried out in the stationary technical unit of the installation.

In **Column 1, Box B** please identify any directly associated activities that are, or are proposed, to be carried out on the same site which:

* have a technical connection with the activities in the stationary technical unit
* could have an effect on pollution

In **Column 2, for Boxes A and B** please quote the Chapter number, Section number, then paragraph and sub-paragraph number as shown in Part 2 of Schedule 1 to the EP Regulations. For example, *Manufacturing glass where the use of lead or any lead compound is involved*, would be listed as Chapter 3, Section 3.3, Part B(b).

**B1.1 Installation table for new permit application**

<table>
<thead>
<tr>
<th>COLUMN 1</th>
<th>COLUMN 2</th>
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</thead>
<tbody>
<tr>
<td>Box A</td>
<td>Box B</td>
</tr>
<tr>
<td>Activities in the Stationary Technical Unit</td>
<td>Directly associated activities</td>
</tr>
<tr>
<td></td>
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<td></td>
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|          | Section in Schedule 1 to the EP Regulations |
|          | Schedule 1 References (if any) |
|          |                                  |
|          |                                  |
|          |                                  |
|          |                                  |
B1.2 Why is the application being made?

☐ The installation is new

☐ The installation is existing, but changes to the installation or to the EP Regulations means that an LAPPC Part B permit is now required.

B1.3 Site Maps

Please provide:-

* A suitable map showing the location of the installation clearly defining extent of the installation(s) in red

Doc Reference ____________________

* A suitable plan showing the layout of activities on the site, including bulk storage of materials, waste storage areas and any external emission points to atmosphere

Doc Reference ____________________

B2 The Installation

Please provide written information about the aspects of your installation listed below. We need this information to determine whether you will operate the installation in a way which all the environmental requirements of the EP Regulations are met.

B2.1 Describe the proposed installation and activities and identify the foreseeable emissions to air from each stage of the process (this will include any foreseeable emissions during start up, shut down and any breakdown/abnormal operation)

The use of process flow diagrams may aid to simplify the operations

Doc Reference ____________________

B2.2 Once all foreseeable emissions have been identified in the proposed installation activities, each emission should be characterised (including odour) and quantified.

- **atmospheric emissions** should be characterised under the following

  (i) point source, (e.g. chimney/vent, identified by a number and detailed on a plan)

  (ii) fugitive source (e.g. from stockpiles/storage areas).

If any monitoring has been undertaken please provide the details of emission concentrations and quantify in terms of mass emissions. If no monitoring has been undertaken please state this. (*Emission concentration = e.g. milligrams per cubic metre of air; mass emission = e.g. grams per hour, tonnes per year*)
**LA-PPC Application Form: to be completed by the operator**

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**B2.3** For each emission identified from the installations’ activities, describe the current and proposed technology and other techniques for preventing or, where that is not practicable, reducing the emissions. If no techniques are currently used and the emission goes directly to the environment, without abatement or treatment this should be stated.

Doc Reference  ____________________

**B2.4** Describe the proposed systems to be used in the event of unintentional releases and their consequences. This must identify, assess and minimise the environmental risks and hazards, provide a risk bases assessment of any likely unintentional releases, including the use of historical evidence. If no assessments have been carried out please state.

Doc Reference:  ____________________

**B2.5** Describe the proposed measures for monitoring all identified emissions including any environmental monitoring, and the frequency, measurement methodology and evaluation procedure proposed. (e.g. particulate matter emissions, odour etc.) Include the details of any monitoring which has been carried out which has not been requested in any other part of this application. If no monitoring is proposed for an emission please state the reason.

Doc Reference  ____________________

**B2.6** Provide detailed procedures and policies of your proposed environmental management techniques, in relation to the installation activities described.

Doc Reference  ____________________

**B3  Impact on the Environment**

**B3.1** Provide an assessment of the potential significant local environmental effects of the foreseeable emissions (for example, is there a history of complaints, is the installation in an air quality management area?)

Doc Reference  ____________________

**B3.2** Are there any sites of special scientific interest (SSSIs) or European protected sites which are within either

- 2 kilometres for an installation which includes Part B combustion, incineration (but not crematoria), iron and steel, and non-ferrous metal activities, or
- 1 kilometre for Part B mineral activities and cement and lime activities, or
- ½ a kilometre for all other Part B activities 2 kilometres of the installation?

No  □  Yes  □  please give names of the sites
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**B3.3** Provide an assessment of whether the installation is likely to have a significant effect on such sites and, if it is, provide an assessment of the implications of the installation for that site, for the purposes of the Conservation (Natural Habitats etc) Regulations 1994 (see Appendix 2 of Annex XVIII of the General Guidance Manual).

Doc Reference ____________________

**B4 Environmental Statements**

**B4.1** Has an environmental impact assessment been carried out under The Town and Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999/293, or for any other reason with respect to the installation.

No ☐

Yes ☐ *Please supply a copy of the environmental impact assessment and details of any decision made*

Doc Reference ____________________

**B5 Additional information**

Please supply any additional information which you would like us to take account of in considering this application.

Doc Reference ____________________
C1  Fees and Charges

The enclosed charging scheme leaflet gives details of how to calculate the application fee. Your application cannot be processed unless the application fee is correct and enclosed.

C1.1  Please state the amount enclosed as an application fee for this installation.

£ ____________. Cheques should be made payable to: Tameside MBC

We will confirm receipt of this fee when we write to you acknowledging your application.

C1.2  Please give any company purchase order number or other reference you wish to be used in relation to this fee.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

C2  Annual subsistence charges

If we grant you a permit, you will be required to pay an annual subsistence charge, failure to do so will result in revocation of your permit and you will not be able to operate your installation.

C2.1

Please provide details of the address you wish invoices to be sent to and details of someone we may contact about fees and charges within your finance section.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Postcode: __________________ Telephone: __________________

C3  Commercial confidentiality

C3.1  Is there any information in the application that you wish to justify being kept from the public register on the grounds of commercial confidentiality?

No □

Yes □

Please provide full justification, considering the definition of commercial confidentiality within the EP regulations.

Doc Reference __________________
C3.2 Is there any information in the application that you believe should be kept from the public register on the grounds of national security?

No ☐

Yes ☐

Do not write anything about this information on the form. Please provide full details on separate sheets, plus provide a copy of the application form to the Secretary of State for a Direction on the issue of National Security.

C4 Data Protection

The information you give will be used by the Local Authority to process your application. It will be placed on the relevant public register and used to monitor compliance with the permit conditions. We may also use and or disclose any of the information you give us in order to:

- consult with the public, public bodies and other organisations,
- carry out statistical analysis, research and development on environmental issues,
- provide public register information to enquirers,
- make sure you keep to the conditions of your permit and deal with any matters relating to your permit,
- investigate possible breaches of environmental law and take any resulting action,
- prevent breaches of environmental law,
- offer you documents or services relating to environmental matters,
- respond to requests for information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 (if the Data Protection Act allows),
- assess customer service satisfaction and improve our service.

We may pass on the information to agents/representatives who we ask to do any of these things on our behalf.

It is an offence under Regulation 38 of the EP Regulations, for the purpose of obtaining a permit (for yourself or anyone else) to:

- make a false statement which you know to be false or misleading in a material particular,
- recklessly make a statement which is false or misleading in a material particular.

If you make a false statement

- we may prosecute you, and
- if you are convicted, you are liable to a fine or imprisonment (or both).
C5  Declaration: previous offences (delete whichever is inapplicable)

I / We certify

EITHER

No offences have been committed in the previous five years which are relevant to my / our competence to operate this installation in accordance with the EP Regulations.

OR

The following offences have been committed in the previous five years which may be relevant to my / our competence to operating this installation in accordance with the Regulations:

__________________________________________________________________________

Signature:_________________________________________________________________
Name:____________________________________________________________________
Position:___________________________________________________________________
Date:_____________________________________________________________________
* Where more than one person is defined as the operator, all should sign. Where a company or other body corporate – an authorised person should sign and provide evidence of authority from the board of the company or body corporate.
GUIDANCE ON COMMERCIAL CONFIDENTIALITY

An operator may request certain information in relation to a LA-IPPC or LAPPC permit to remain confidential i.e. not be placed on the public register. The onus is on the operator to provide a clear justification for each item he or she wishes to be kept from the register.

What is commercially confidential information?

The guiding principle is that information should be freely available to the public; therefore local authorities and operators should consider this issue carefully. Information which may be considered commercially confidential, in relation to an individual is that which if its being contained within the register would prejudice, to an unreasonable degree, the commercial interests of that individual or other person.

Any operator who seeks to have information kept from the public register for reasons of commercial confidentiality should demonstrate that disclosure of the information would negate or significantly diminish the commercial advantage he or she has over a competitor. This might, for instance, relate to preserving the secret of a new process technology, or of a particular raw material or catalyst, or of the capacity of the activity, or some specific feature which if known to competitors might diminish a legitimate commercial advantage. Such cases are most likely to arise in relation to the information contained in applications for a permit or for variations which involve a substantial change, where the local authority will need detailed information about the activity. It will not normally be appropriate to withhold information from the register in response to a general claim that disclosure might damage the reputation of the operator and hence the commercial competitiveness of the business. Local authorities should also take into account whether the information at issue could be obtained or inferred from other publicly accessible sources.

The operator must request the exclusion of commercially confidential information from the public register at the time of the application. The operator should provide clear justification for each item wishing to be kept from the register. It will not be sufficient to say, for example, that the raw material to be used in the activity is a trade secret and that consequently no details of the activity must be made publicly available. The amount of information excluded from the register should be kept to the minimum necessary to safeguard the applicant’s commercial advantage. It may assist the local authority if the information the operator considers to be commercially confidential is submitted in a way which will allow it to be easily removed should the claim be granted, for example on separate pages, marked ‘claimed confidential’.

The local authority must determine this request within 28 days of the date of such an application. The local authority may only determine claims from the information provided to them; if an application does not clearly demonstrate that information should be legitimately protected, the local authority must determine that it is not confidential. The local authority should issue a Determination Notice detailing their decision. This can specify a time period over which the information is to remain commercially confidential. The operator may appeal to the Secretary of State within 21 days of the notification of the decision.

If the local authority fails to notify the operator of its determination within 28 days of the date of the application, then the operator may write to the local authority confirming that the request has not been determined and that this constitutes deemed refusal of the application for commercial confidentiality. The operator may appeal within 21 days of the end of the original 28 day determination period against such a deemed refusal.

When should material be placed on the public register?

If the commercial confidentiality application is refused: In the event of an express or deemed refusal of such a request the local authority must inform the operator and should not place the material on the public register until after the 21 day appeal period.
In the event of an appeal to the Secretary of State being made within the 21 day period, the information in question should not be placed on the public register until 7 days after the outcome of an unsuccessful appeal or within 7 days of an appeal being withdrawn.

Determinations in respect of commercial confidentiality expire after four years, or after a shorter period if specified in the determination notice. The operator may apply to the local authority for the information to remain commercially confidential. The local authority should then determine this application in the normal way above.

If the operator does not apply for an extension local authorities are required to place all previously commercially confidential information on the public register.

Local authorities should ensure that a system is in place to prompt this action. It is good practice for local authorities to remind operators that they are nearing the end of the four year time period and they may wish to reapply for commercial confidentiality, although operators should not rely on authorities to provide this service.

If the application is granted: In the event of commercial confidentiality being granted the public register must include a statement that certain information has been withheld and stating the reasons why, plus whether this information is relevant to a permit condition, and whether the permit condition has been complied with.

Partial granting: The local authority may consider that certain areas of the information requested to be kept commercially confidential are such, and others are not. Partial granting of commercial confidentiality can be made by detailing such within the determination notice. The operator may appeal against this in the normal manner.

If the operator does not apply for commercial confidentiality

The operator may not decide to apply for commercial confidentiality of his or her information, yet it may appear to the local authority that certain information may be commercially confidential. In this case the local authority should give notice to the operator that the information is required to be held on a public register, and give the person reasonable opportunity to object and make representations justifying the objection to its inclusion in the register. The local authority must then take into account such representations and determine whether the information is indeed commercially confidential under the procedure outlined above.

Monitoring Data

If the granting of commercial confidentiality relates to monitoring data a statement must be placed in the public register to this effect. This must indicate that monitoring data has been withheld and whether the relevant permit conditions have been complied with. The operator will need to apply to the local authority to have the monitoring information excluded in the usual way. The notice of the local authority’s determination in respect of the monitoring information may also provide for subsequent monitoring data furnished by the operator falling within a specific description to be excluded from the register on the grounds of commercial confidentiality.