

DATE: 07 November 2023  
MY REF: Licensing & Regulatory Committee  
YOUR REF:  
CONTACT: Democratic Services  
TEL NO: 0116 272 7640  
EMAIL: committees@blaby.gov.uk

**To Members of the Licensing & Regulatory Committee**

Cllr. Nick Chapman (Chairman)  
Cllr. Janet Forey (Vice-Chairman)

Cllr. Shabbir Aslam  
Cllr. Royston Bayliss  
Cllr. Stuart Coar  
Cllr. Susan Findlay

Cllr. Helen Gambardella  
Cllr. Paul Hartshorn  
Cllr. Becca Lunn  
Cllr. Roger Stead

Cllr. Matt Tomeo  
Cllr. Bev Welsh  
Cllr. Jane Wolfe

Dear Councillor,

A meeting of the **LICENSING & REGULATORY COMMITTEE** will be held in the Council Chamber - Council Offices, Narborough on **WEDNESDAY, 15 NOVEMBER 2023** at **5.30 p.m.** for the transaction of the following business and your attendance is requested.

Yours faithfully



**Louisa Horton**  
**Monitoring Officer**



## **AGENDA**

1. Apologies for Absence

2. Disclosures of Interests from Members

To receive disclosures of interests from Members (i.e. the existence and the nature of those interests in respect of items on this agenda).

3. Minutes (Pages 3 - 4)

To approve and sign the minutes of the meeting held on 15 June 2023 (enclosed).

4. Environmental Permit for Sand Cast Lead Conservation Limited (Pages 5 - 10)

To consider the report of the Environmental Health, Housing & Community Services Group Manager (enclosed).

## **LICENSING & REGULATORY COMMITTEE**

Minutes of a meeting held at the Council Offices, Narborough

**THURSDAY, 15 JUNE 2023**

### **Present:-**

Cllr. Nick Chapman (Chairman)  
Cllr. Janet Forey (Vice-Chairman)

Cllr. Susan Findlay  
Cllr. Helen Gambardella  
Cllr. Paul Hartshorn

Cllr. Becca Lunn  
Cllr. Roger Stead  
Cllr. Matt Tomeo

Cllr. Bev Welsh  
Cllr. Jane Wolfe

### **Substitutes:-**

Cllr. Roy Denney (In place of Cllr. Stuart Coar)

### **Officers present:-**

Isaac Thomas - Democracy Support Officer

### **Apologies:-**

Cllr. Shabbir Aslam, Cllr. Royston Bayliss and Cllr. Stuart Coar

## **28. DISCLOSURES OF INTERESTS FROM MEMBERS**

No disclosures were received.

## **29. MINUTES**

The minutes of the meeting held on 15 February 2023, as circulated, were approved and signed as a correct record.

**30. LICENSING ACT 2003 STATEMENT OF LICENSING POLICY**

Considered – Report of the Environmental Health Manager.

**RECOMMENDATIONS TO COUNCIL**

1. That, following consideration of the consultation responses and agreement of any subsequent amendments, the Statement of Licensing Policy 2023 – 2028 be agreed.
2. That delegated authority be given to the Group Manager of Environmental Health, Housing & Community Services, in conjunction with the Portfolio Holder and the Chairman of Licensing and Regulatory Committee, to make minor amendments to the policy should they be required as a result of changes in legislation or best practice guidance.

Reasons:

1. It is appropriate that members of the Licensing & Regulatory Committee review and agree the Policy.
2. This is to ensure that any last minute amendments to the Policy whilst in draft form can be incorporated into the final Policy submitted to Council in July 2023 prior to it coming into effect on 1<sup>st</sup> September 2023.

**THE MEETING CONCLUDED AT 5.53 P.M.**

**Blaby District Council**  
**Licensing & Regulatory Committee**

<b>Date of Meeting</b>	15 November 2023
<b>Title of Report</b>	<b>Environmental Permit for Sand Cast Lead Conservation Limited</b>
<b>Report Author</b>	Environmental Health, Housing & Community Services Group Manager

**1. What is this report about?**

- 1.1 This report is to advise members of the work undertaken in relation to an application submitted for an environmental permit for a business within the district. The report is being brought before this Committee in response to petitions from resident's submitted to Full Council on 18th April 2023.

At the meeting of Council it was referred to the Environmental Services Manager and the Licensing and Regulatory committee to consider.

**2. Recommendation**

- 2.1 That the contents of this report are noted by Members.

**3. Reason for Decision Recommended**

- 3.1 In response to the petitions from resident's submitted to Full Council on 18<sup>th</sup> April 2023 it is appropriate that Members are aware of the concerns of local residents regarding this specific Environmental Permit application. The report details the work undertaken, process followed and decisions made by authorised Officers of the Council.

**4. Matters to consider**

- 4.1 Background

The Environmental Permitting (England and Wales) Regulations 2016 (the Regulations) form the basis of regulatory and enforcement action for permitted processes across the UK. There are specific guidance notes relating to individual process types which allow for Local Authority regulation in conjunction with the Environment Agency and their Local Authority Environmental Permitting Unit.

The aim of the Regulations is to streamline the legislative system for industrial and waste installations into a single permitting structure for those activities which have the potential to cause harm to human health or the environment.

There are 34 permitted installations regulated by Blaby District Council, these range from petrol stations, to mobile crushers, to Croft Quarry. All of the installations within Blaby District are known as Part B activities.

The Part B installations are permitted under this regime to control emissions related to air only.

The Environmental Permitting Regulations require operators to obtain a permit in order to:

- protect the environment and human health
- deliver permitting and compliance effectively and efficiently in a way that provides increased clarity and minimises the administrative burden on both the regulator and the operators of facilities
- encourage regulators to promote best practice in the operation of regulated facilities.

A permit is a document issued by a local authority allowing a person to operate an installation or mobile plant subject to conditions. A permit will not be granted if the local authority considers that the applicant will not be the person who will have control over the operation of the installation or mobile plant.

The operator must, after the grant of the permit, ensure that the installation or mobile plant is operated to comply with the conditions of the granted permit.

The role of the regulator (Blaby District Council) is to ensure that the requirements of the permit are complied with.

#### Sand Cast Lead Conservation Ltd determination of permit.

An environmental permit application was received from the operator of Sand Cast Lead Conservation Ltd for parts of his business process. The application was deemed to be received late (i.e. the business was already trading) so the additional fee was applied to the application as a consequence of this (allowed for within the Regulations).

An initial consultation process was started, as required by the Regulations, but was terminated on 6<sup>th</sup> March 2023 by the Environmental Services Manager following the discovery of an administrative error in the process.

The Environmental Services Manager (ESM) undertook a site visit on 8<sup>th</sup> March 2023 to discuss the application with the Operator, scrutinise the application form and request additional information.

During this time the ESM also contacted other Local Authorities for guidance on permitting a non-ferrous foundry process as Blaby District Council has not permitted a process of this nature before.

Taking into account the knowledge of heightened resident concerns in the local area a decision was taken to consult on a radius of 300m from the application site to ensure multiple receptors were consulted – this included: 324 local addresses, the local Primary School, Parish Councillors, the United Kingdom Health Security Agency (UKHSA) , the Environment Agency (EA) and the application was also noted on the Council's website.

A copy of the application form and the Process Guidance note were made available for public view by appointment at the Council Offices throughout the consultation period.

We received 27 comments, 1 petition that had been held at the local Primary School, 1 petition from local residents and the application in the Council offices was viewed by 5 members of the public.

Consultation comments were received the UKHSA, who requested further information in relation to the process. This was provided by the applicant and sent to the UKHSA.

Throughout the consultation period the Environmental Services team were in contact with the EA, who were used as a "Critical Friend" role to review the application documents and provide guidance on the conditions issued at part of the permit.

During this time the Operator also had a stack emissions test carried out and the results were provided to the Council – showing a Lead level of 0.002 mg/m<sup>3</sup> Total Particulate Matter level of 0.03\* (\*this figure is only applied to readings that are lower than the limit of detection)

At the close of the consultation, the decision was made to grant the issue of a Permit with conditions to allow for appropriate regulation.

A limit of  $\leq 1$  mg/m<sup>3</sup> has been imposed on the Permit to ensure any lead emissions are within safe limits.

A limit of 4 mg/m<sup>3</sup> has been imposed on the Permit to ensure that Total Particulate Matter emissions are within safe limits.

These more stringent limits have been implemented following guidance from the Industrial Emissions Directive 2010/75/EU (Integrated Pollution Prevention and Control), which places lower limits on this type of activity than stated in the Process Guidance Note.

Following the grant of the Permit, Officers have risk assessed the process utilising a DEFRA approved tool and it has been determined that quarterly inspections will take place to ensure compliance with the Permit conditions.

The Process has been given a High-risk rating, with the next risk-based compliance assessment due to take place in January 2024.

#### 4.2 Relevant Representations

Relevant Representations received from members of the public and statutory consultees were considered in the determination of this application.

#### 4.3 Appropriate Consultations

The initial consultation was terminated on 6<sup>th</sup> March 2023 due to an administrative error.

A second consultation took place over a 30 day period beginning on 14<sup>th</sup> March 2023.

#### 4.4 Significant Issues

Relevant legislation and technical guidance notes are used by the Environmental Services team to determine any permit application received.

The technical guidance notes also state that wherever possible, the Council should work with the business to enable a permit to be issued allowing the business to trade but with appropriate permit conditions limiting emissions to air.

There are no issues relating to Human Rights, Human Resources, Equalities, Public Health Inequalities and Climate Local.

### 5. Other significant issues

- 5.1 In preparing this report, the author has considered issues related to Human Rights, Legal Matters, Human Resources, Equalities, Public Health Inequalities, and Climate Local and there are no areas of concern.

### 6. Appendix

- 6.1 None



## **7. Background paper(s)**

- 7.1 The Environmental Permitting (England and Wales) Regulations 2016
- 7.2 Process Guidance Note 2/04(13) Statutory guidance for iron, steel and non-ferrous foundry processes Revised: July 2013
- 7.3 Environmental permitting: Core guidance For the Environmental Permitting (England and Wales) Regulations 2016 (SI 2016 No 1154) Last revised: March 2020
- 7.4 Best available techniques (BAT) reference document for the non-ferrous metals industries  
Industrial Emissions Directive 2010/75/EU (integrated pollution prevention and control)

## **8. Report author's contact details**

Caroline Harbour

[Caroline.Harbour@Blaby.gov.uk](mailto:Caroline.Harbour@Blaby.gov.uk)

Environmental Health, Housing &  
community Services Group Manager  
0116 272 7543

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