

The Pollution Prevention and Control (District Councils) Charging Scheme (Northern Ireland) 2007

Department of the Environment

1 April 2007

A Charging Scheme made under Regulation 22 of The Pollution Prevention and Control Regulations (Northern Ireland) 2003 in respect of permits granted under those Regulations



Department of the
Environment

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A CHARGING SCHEME MADE UNDER REGULATION 22 OF THE POLLUTION PREVENTION AND CONTROL REGULATIONS (NORTHERN IRELAND) 2003 IN RESPECT OF PERMITS GRANTED UNDER THOSE REGULATIONS

The Pollution Prevention and Control (District Councils) Charging Scheme (Northern Ireland) 2007

The Department of the Environment, in exercise of the powers conferred on it by Regulation 22 of The Pollution Prevention and Control Regulations (Northern Ireland) 2003, hereby makes the following charging scheme.

Citation and commencement

1. This charging scheme may be cited as The Pollution Prevention and Control (District Councils) Charging Scheme (Northern Ireland) 2007 and shall come into operation on 1st April 2007. This scheme supersedes The Pollution Prevention and Control (District Councils) Charging Scheme (Northern Ireland) 2005.

Interpretation

2. (1) In this scheme, unless the contrary intention appears:

“activity” means any activity carried on as part of a Part C installation whether or not described in Schedule 1 to the Regulations, and in a case where an activity falls within two or more descriptions in Schedule 1 to the Regulations, that activity shall be regarded for the purposes of this scheme as falling within that description which fits it most aptly;

“permit” means a permit granted under Regulation 10 of the Regulations;

“the 1997 Order” means The Industrial Pollution Control (Northern Ireland) Order 1997;

“the Department” means the Department of the Environment

“the Regulations” means The Pollution Prevention and Control Regulations (Northern Ireland) 2003 and expressions used in this charging scheme shall have the same meaning as in the Regulations.

(2) For the purposes of this scheme references to “installation” or “Part C installation” shall be taken to include references to “mobile plant” or “Part C mobile plant”, unless the contrary intention appears, and where the context requires shall mean only that part of the installation which is the subject of the permit or the application for a permit.

(3) Subject to paragraph (4), references to the number of Part C activities to which a permit relates means the number of Part C activities which are carried out in the installation.

(4) Where an installation carries out two or more Part C activities then, for the purpose of paragraph (3) –

- (a) in so far as those activities fall within the same Section of Part 1 of Schedule 1 to the Regulations, they shall be treated as a single activity;
- (b) in so far as the same operator carries out at the same location two or more of the Part C activities mentioned in the same head below and described by reference to the provisions of Part 1 of Schedule 1 to the Regulations, they shall be treated as a single activity –

- (i) Section 2.1 (Ferrous Metals) and Section 2.2 (Non-Ferrous Metals);
 - (ii) Section 3.1 (Production of Cement and Lime) and Section 3.5 (Other Mineral Activities);
 - (iii) Section 3.5 (Other Mineral Activities) and Section 3.6 (Ceramic Production);
 - (iv) Section 6.4 (Coating Activities, Printing and Textile Treatments) and Section 6.5 (The Manufacture of Dyestuffs, Printing Ink and Coating Materials);
 - (v) Section 6.6 (Timber Activities) and paragraph (c) of Part C of Section 1.1 in so far as it relates to any activity for the burning of waste wood.
- (c) in so far as the same operator carries out at the same installation one or more of the activities specified in Section 7 of Part 1 of Schedule 1 to the Regulations (SED Activities) together with one or more of the Part C activities mentioned in the heads below and described by reference to the provisions of Part 1 of Schedule 1 to the Regulations, they shall be treated as a single activity –
- (i) Section 2.1 (Ferrous Metals);
 - (ii) Section 2.2 (Non-Ferrous Metals);
 - (iii) Section 2.3 (Surface Treating Metals and Plastic Materials);
 - (iv) Section 6.4 (Coating Activities, Printing and Textile Treatments);
 - (v) Section 6.5 (The Manufacture of Dyestuffs, Printing Ink and Coating Materials);
 - (vi) Section 6.7 (Activities Involving Rubber);
 - (vii) Section 6.8 (The Treatment of Animal and Vegetable Matter and Food Industries).
- (d) in all other cases where Part C activities fall within different Sections of Part 1 of Schedule 1 to the Regulations they shall be treated as separate activities.

Application

3. This scheme applies to:

- (1) an application made on or after 1st April 2007 under regulation 10(1) of the Regulations for a permit to carry on a Part C installation;
- (2) the subsistence of a permit to carry on a Part C installation;
- (3) the variation of the conditions of a permit to carry on a Part C installation;
- (4) an application made on or after 1st April 2007 under regulation 18 of the Regulations for the transfer, in whole or in part, of a permit to carry on a Part C installation to another person.

Permit Application Charge

- 4.** A permit application charge must accompany every application for a new permit.
- 5.** (1) Except in the cases described in paragraph (2), the permit application charge shall be £1,355 multiplied by the number of activities carried out in the installation.
- (2) In the case of an application relating to an activity described in –
 - (a) paragraph (b) of Part C of Section 1.1 of Part 1 of Schedule 1 to the Regulations which has a net rated thermal input of less than 0.4 megawatts;
 - (b) paragraph (b) of Part C of Section 1.2 of Part 1 of Schedule 1 to the Regulations;

- (c) the table in Part C of Section 7 of Part 1 of Schedule 1 to the Regulations as “dry cleaning”, or
- (d) paragraph (b) of Part C of Section 6.4 of Part 1 of Schedule 1 to the Regulations which relates to the carrying out of vehicle refinishing activities consisting of the coating of road vehicles as defined in article 1 of the Directive 70/156/EEC¹, or part of them, carried out as part of vehicle repair, conservation or decoration outside of the manufacturing installations,

the application fee shall be £130.

(3) In the event of an application for a permit being withdrawn, no refund of the application fee will be made.

Annual subsistence charges

6. An annual subsistence charge shall be payable in respect of the subsistence of a permit to operate a Part C installation on the date of coming into effect of the permit; and on each first day of April thereafter.

7. (1) Subject to Article 8, except in the cases described in paragraph (2), the annual subsistence charge shall be £845 multiplied by the number of activities carried out in the installation.

(2) In the case of an activity described in –

- (a) paragraph (b) of Part C of Section 1.1 of Part 1 of Schedule 1 to the Regulations which has a net rated thermal input of less than 0.4 megawatts;
- (b) paragraph (b) of Part C of Section 1.2 of Part 1 of Schedule 1 to the Regulations;
- (c) the table in Part C of Section 7 of Part 1 of Schedule 1 to the Regulations as “dry cleaning”, or
- (d) paragraph (b) of Part C of Section 6.4 of Part 1 of Schedule 1 to the Regulations which relates to the carrying out of vehicle refinishing activities consisting of the coating of road vehicles as defined in article 1 of the Directive 70/156/EEC¹, or part of them, carried out as part of vehicle repair, conservation or decoration outside of the manufacturing installations,

the subsistence charge shall be £130.

8. (1) Subject to paragraph (2), in the case of a permit coming into effect after the start of the financial year (1st April), the subsistence charge for that year shall be the annual subsistence charge as provided by paragraph 7 of this scheme adjusted pro rata to the period beginning with the 1st day of the month following the permit coming into effect and ending on the last day of March following.

(2) In the case of a permit which replaces a previous authorisation under the 1997 Order, coming into effect after the start of the financial year (1st April), the subsistence charge shall be the annual subsistence charge as provided by paragraph 7 of this scheme less any subsistence charge paid for the year for the authorisation under the 1997 Order, adjusted pro rata to the period beginning with the 1st day of the month following the permit coming into effect and ending on the last day of March following.

¹ Council Directive 70/156/EEC of 6 February 1970 on the approximation of laws of the Member States relating to the type-approval of motor vehicles and their trailers, OJ L 23/02/1970, pages 1 to 15

Variation Charges

9. A variation charge shall be payable where the enforcing authority serves on the operator a notice under paragraph 4(5) of Part 2 of Schedule 7 to the Regulations.

10. (1) Except in the cases described in paragraph (2), the variation charge shall be £865.

(2) In the case of an activity described in –

- (a) paragraph (b) of Part C of Section 1.1 of Part 1 of Schedule 1 to the Regulations which has a net rated thermal input of less than 0.4 megawatts;
- (b) paragraph (b) of Part C of Section 1.2 of Part 1 of Schedule 1 to the Regulations;
- (c) the table in Part C of Section 7 of Part 1 of Schedule 1 to the Regulations as “dry cleaning”, or
- (d) paragraph (b) of Part C of Section 6.4 of Part 1 of Schedule 1 to the Regulations which relates to the carrying out of vehicle refinishing activities consisting of the coating of road vehicles as defined in article 1 of the Directive 70/156/EEC¹, or part of them, carried out as part of vehicle repair, conservation or decoration outside of the manufacturing installations,

the variation charge shall be £85.

Transfer Charges

11. A transfer charge shall accompany an application to transfer, in whole or in part, a permit for a Part C installation, made under regulation 18 of the Regulations.

Transfer of Whole

12. (1) Except in the cases described in paragraph (2), the transfer charge for an application to transfer the whole of a permit shall be £135.

(2) In the case of an activity described in –

- (a) paragraph (b) of Part C of Section 1.1 of Part 1 of Schedule 1 to the Regulations which has a net rated thermal input of less than 0.4 megawatts;
- (b) paragraph (b) of Part C of Section 1.2 of Part 1 of Schedule 1 to the Regulations;
- (c) the table in Part C of Section 7 of Part 1 of Schedule 1 to the Regulations as “dry cleaning”, or
- (d) paragraph (b) of Part C of Section 6.4 of Part 1 of Schedule 1 to the Regulations which relate to the carrying out of vehicle refinishing activities consisting of the coating of road vehicles as defined in article 1 of the Directive 70/156/EEC¹, or part of them, carried out as part of vehicle repair, conservation or decoration outside of the manufacturing installations,

the transfer charge shall be £15.

Transfer of Part

13. (1) Except in the cases described in paragraph (2), the transfer charge for an application to transfer part of a permit shall be £405.

(2) In the case of an activity described in –

- (a) paragraph (b) of Part C of Section 1.1 of Part 1 of Schedule 1 to the Regulations which has a net rated thermal input of less than 0.4 megawatts;
- (b) paragraph (b) of Part C of Section 1.2 of Part 1 of Schedule 1 to the Regulations;

- (c) the table in Part C of Section 7 of Part 1 of Schedule 1 to the Regulations as “dry cleaning”, or
- (d) paragraph (b) of Part C of section 6.4 of Part 1 of Schedule 1 to the Regulations which relates to the carrying out of vehicle refinishing activities consisting of the coating of road vehicles as defined in article 1 to the Directive 70/156/EEC¹, or part of them, carried out as part of vehicle repair, conservation or decoration outside of the manufacturing installations,

the transfer charge shall be £40.

Surrender of a permit

- 14.** A notification under regulation 20 of the Regulations to surrender all or part of a permit authorising the operation of one or more Part C installations or Part C mobile plant shall not give rise to a fee.

Payments

- 15.** Any fees or charges payable under this scheme shall be paid to the relevant enforcing authority.

Sealed with the Official Seal of the Department of the Environment on 22nd March 2007

(L.S.)

Wesley Shannon
A Senior Officer of the Department of the Environment