

Our ref: WK/202201540  
Please ask  
for: Ben Atkinson  
Email: ben.atkinson@ipswich.gov.uk



M G Kerry  
14 Leslie Road  
Ipswich  
Suffolk  
IP3 9PL

Grafton House  
15-17 Russell Road  
Ipswich Suffolk  
IP1 2DE

[www.ipswich.gov.uk](http://www.ipswich.gov.uk)

16<sup>th</sup> June 2022

Dear Sir/Madam

**Re: The Environmental Permitting Regulations 2010, Regulation 65(5)**

Further to my email on the 24/05/22 we do not appear to have received your outstanding balance.

Please find enclosed a Revocation Notice.

I would advise you that operating without a permit is a prosecutable offence.

Yours sincerely,



Ben Atkinson  
Public Protection Officer (Environmental Protection)  
Environmental Health



## Revocation Notice

EP Permit Ref: EP37/3/LB  
Revocation Ref: wk/202201540

**Ipswich Borough Council**  
**The Environmental Permitting Regulations 2010**  
**Regulation 65(5)**



To: M G Kerry, 14 Leslie Road, Ipswich, Suffolk, IP3 9PL.

Ipswich Borough Council ("the Council"), in the exercise of the powers conferred upon it by regulation 22 of the Environmental Permitting (England and Wales) Regulations 2010 ("the 2010 Regulations") hereby gives you notice as follows -

On the basis that it the Council considers that you have failed to pay a charge specified in the scheme made under regulation 65(1) of the 2010 Regulations (overleaf), the permit reference EP37/3/LB granted to you by this Council on 24/03/2014 is hereby revoked.

**The permit reference EP37/3/LB is hereby revoked with effect from 8<sup>th</sup> July 2022.** (not being less than 20 working days from the date of this notice).

Signed on behalf of Ipswich Borough Council:



Ben Atkinson  
Public Protection Officer  
An authorised officer of the Council

Date: 16<sup>th</sup> June 2022

Any queries regarding this invoice, please contact: Pollution Services 01473 433115

To discuss payment, please contact : Corinne Colby-Powell 01473 433767



M G Kerry  
4 Leslie Road  
Ipswich  
Suffolk  
IP3 9PL

# Your Invoice



**SIGN UP FOR E-BILLING**

**NOW**

Save paper, save time!

See overleaf

Financial Services  
Grafton House  
15-17 Russell Road  
Ipswich Suffolk  
IP1 2DE

VAT REG. NO. 104175311

CUSTOMER A/C NO. **40546171**

INVOICE NO. **50391390**

DATE (TAX POINT)

14/04/2021

DESCRIPTION	QUANTITY	COST	CHARGE (EXC.VAT)	VAT	VAT RATE %
Pollution Services Environmental Protection Act 1990 Part One For the period 01/04/2021 - 31/03/2022  Respraying of Road Vehicles  Unit 4, 14 Leslie Road IP3 9PL	1.00	228.00	228.00	0.00	0.00

- Payment terms are net 30 days from Invoice date. Payment must reach your account before Due date.
- Interest will be charged on overdue Invoices from the due date under the Late Payment of Commercial Debts (Interest) Act 1998.
- All payments received will be deemed to come from person(s) named above.

TOTALS	228.00
TOTAL VAT	0.00
TOTAL DUE £	228.00
<b>DUE DATE</b>	<b>14/05/2021</b>

SEE OVERLEAF FOR PAYMENT DETAILS

# Guidance for Operators receiving a Revocation Notice

(This guidance does not form part of the Revocation Notice, but it is for the guidance of those served with the Notice. Further guidance can be found in the PPC General Guidance Manual.)



## Dealing with a Revocation Notice

This Notice revokes the permit (in whole or in part) for operation of the installation specified in the Notice.

The revocation/partial revocation takes effect from the date given in the Notice. From that date onwards continuation of the operation of the installation or that part specified will constitute an offence.

## Appeals

Except in the case of a revocation for non-payment of charges, operators have the right of appeal against a revocation notice under regulation 31(2)(f) of the 2010 Regulations. The right to appeal also does not apply in circumstances where the notice implements a direction of the Secretary of State/Welsh Ministers given under regulations 61 or 62 or a direction or when determining an appeal.

Appeals against a Revocation Notice will suspend the operation of the Notice. Appeals do not have the effect of suspending permit conditions.

**Notice of appeal against a revocation notice must be given before the date specified for revocation of the permit.** The Secretary of State/Welsh Ministers may in a particular case allow notice of appeal to be given after the expiry of this period, but would only do so in the most compelling circumstances.

## How to Appeal

There are no forms or charges for appealing. However, for an appeal to be valid, appellants (the person/operator making the appeal) are legally required to provide the Secretary of State or Welsh Minister with the following (see paragraphs 2(1) and (2) of Schedule 6 of the 2010 Regulations):

- written notice of the appeal;
- a statement of the grounds of appeal;
- a copy of any relevant application;
- a copy of any relevant environmental permit;
- a copy of any relevant correspondence between the appellant and the regulator;
- a copy of any decision or notice which is the subject matter of the appeal; and
- a statement indicating whether the appellant wishes the appeal to be in the form of a hearing or dealt with by way of written representations.

Appellants should state whether any of the information enclosed with the appeal has been the subject of a successful application for confidentiality under regulation 48 of the 2010 Regulations, and provide relevant details – see below. Unless such information is provided all documents submitted will be open to inspection. Further guidance on commercial confidentiality can be found in chapter 8 of the PPC General Guidance Manual.

## Where to send your appeal documents

Appeals should be despatched on the day they are dated, and addressed to:

The Planning Inspectorate  
Environment Team, Major and Specialist Casework  
Room 4/04 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol, BS1 6PN

If an appeal is made, the main parties will be kept informed about the next steps, and will also normally be provided with additional copies of each other's representations.

To withdraw and appeal – which may be done at any time – the appellant must notify the Planning Inspectorate in writing and copy the notification to the local authority who must in turn notify anyone with an interest in the appeal.

### **Costs**

The operator and local authority will normally be expected to pay their own expenses during an appeal. Where a hearing or inquiry is held as part of the appeal process, by virtue of paragraph 5(6) of Schedule 6, either the appellant or the authority can apply for costs. Applications for costs are normally heard towards the end of the proceeding and will only be allowed if the party claiming them can show that the other side behaved unreasonably and put them to unnecessary expense. There is no provision for costs to be awarded where appeals are dealt with by written representatives.

### **Offences**

The operation of an installation subject to LA-IPPC or LAPPC without the benefit of a permit is an offence under regulation 38(3) of the 2010 Regulations. A person guilty of an offence under this regulation could be liable to (i) on conviction in the Magistrates Court, a fine of up to £50,000 or to imprisonment for a term not exceeding 6 months or both; or (ii) on conviction in the Crown Court, to an unlimited fine or imprisonment for a term not exceeding five years or both (regulation 38).