

Our ref: WK/202301846

Email:
ben.atkinson@ipswich.gov.uk



Company Secretary
D Cannon Ltd
9 Stradbroke Grove
Ilford, Essex
IG5 0DN

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

www.ipswich.gov.uk

Wednesday 7th June 2023

Dear Sir/Madam

Re: Environmental Permitting Regulations 2016, Regulation 66(5)
Address: Bourne Bridge Service Station, Wherstead Road, Ipswich, Suffolk, IP2 8LR

I write following a further breach of the above Regulations which arises from the failure to pay your annual subsistence fee.

Therefore, please find a Revocation Notice.

This notice revokes the permit for operation of the installation specified in the Notice.

The revocation takes effect from the date given in the Notice. **From that date onwards, continuation of the operation of the installation will constitute an offence.**

Yours sincerely



Ben Atkinson
Public Protection Officer (Environmental Protection)
Environmental Health
Public Protection



Ipswich Borough Council
Grafton House
15-17 Russell Road
Ipswich
IP1 2DE

WK/202301846
EP Permit Reference: EP27/5/LB

Notice

The Environmental Permitting (England and Wales) Regulations 2016, Regulation 66(5)

Revocation Notice

Recipient

Name
Company Secretary

Address
D Cannon Ltd, 9 Stradbroke Grove, Ilford, Essex, IG5 0DN

Address of Permitted Operation

Bourne Bridge Service Station, Wherstead Road, Ipswich, Suffolk, IP2 8LR

Revocation

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 2016 ("the 2016 Regulations") hereby gives you notice as follows -

On the basis that the Council considers that you have failed to pay a charge specified in the scheme made under regulation 66(1) of the 2016 Regulations, the permit reference EP27/5/LB granted to you by this Council on 9th December 2013 is **HEREBY REVOKED** with effect from **Thursday 29th June 2023** (not being less than 20 working days from the date of this notice).

Officer

Signature:

Name:
Ben Atkinson

Title:
Public Protection Officer

Date:
Thursday 8th June 2023

Contact address:
Environmental Protection, Grafton House, 15-17 Russell Road, Ipswich, IP1 2DE

Email:
ben.atkinson@ipswich.gov.uk

Notes

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(1)(f) of the 2016 Regulations. The right to appeal also does not apply in circumstances where the notice implements a direction of the Secretary of State 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 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 with the following (see paragraphs 2(1) and (2) of Schedule 6 of the 2016 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 2016 Regulations, and provide relevant details – see below. Unless such information is provided all documents submitted will be open to inspection.

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 an 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 proceedings 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.

Advice

If you do not understand the contents of this notice or would like to know more about it please contact the local authority. If you would like to receive independent advice about the contents of this notice, your rights and obligations then please contact a solicitor.

Warning

Unless the regulator withdraws a revocation notice, an environmental permit ceases to have effect on the date specified in the notice:

1. in the case of a revocation in whole, entirely,
2. in the case of a partial revocation, to the extent of the part revoked.

The operation of an installation subject to LA-IPPC or LAPPC without the benefit of a permit is an offence under regulation 38(1) of the 2016 Regulations. A person guilty of an offence under this regulation could be liable to (i) on conviction in the Magistrates Court, a fine or to imprisonment for a term not exceeding six months or both; or (ii) on conviction in the Crown Court, to a fine or imprisonment for a term not exceeding five years or both (regulation 38).

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Schedule

Action to be taken to withdraw revocation.	Date(s) of completion.
Payment of subsistence fee and late payment fee to be made in full	Wednesday 28 th June 2023
Notify case officer when paid	

Signed on behalf of Ipswich Borough Council



Signature:

Date: Thursday 8th June 2023

Ben Atkinson
Public Protection Officer