



EP Permit ref: B19/93  
Transfer ref: PPC02/18  
Variation ref: PPC03/18

**Huntingdonshire District Council  
The Environmental Permitting (England and Wales) Regulations 2016, as  
amended  
Regulation 20 and 21**

**Transfer and Variation Notice**

To Henkel UK Operations Limited, 5 Cromwell Road, St Neots,  
Cambridgeshire PE19 1QL

Huntingdonshire District Council ("the Council"), in the exercise of the powers conferred upon it by regulation 20 and 21 of the Environmental Permitting (England and Wales) Regulations 2016 as amended ("the 2016 Regulations") hereby gives you notice as follows-

The Council has agreed to transfer and vary the permit reference P19/93 granted under regulation 13(1) of the 2016 Regulations from Daxx UK Ltd to Henkel UK Ltd in respect of the operation of the installation at:

**5 Cromwell Road  
Eynesbury  
St Neots  
PE19 1QL.**

The transfer and variation of the permit as well as the date on which this is to take effect are specified in Schedule 1 to this notice. A consolidated permit as varied by this notice is set out in Schedule 2.

Signed on behalf of Huntingdonshire District Council

A handwritten signature in black ink, consisting of a series of loops and strokes, positioned above a dotted line.

Head of Community  
An authorised officer of the Council

Date: 13 June 2018

EP Permit ref: B19/93  
Transfer ref: PPC02/18  
Variation ref: PPC03/18

**Schedule 1**

Variation to the permit	Date on which the transfer is to take place
Transfer permit to: <b>HENKEL UK OPERATIONS LTD</b> <b>5 CROMWELL ROAD</b> <b>ST NEOTS</b> <b>CAMBRIDGESHIRE</b> <b>PE19 1QL</b>	<b>June 2018</b>
<b>Vary Permit to update legislation and conditions 1 and 2 to bring in line with PG note.</b> <b>Note:</b> <b><i>The layout of the Permit has also been updated, however only conditions 1 and 2 have been changed as agreed.</i></b>	<b>June 2018</b>

Signed on behalf of Huntingdonshire District Council



.....  
Head of Community  
An authorised officer of the Council

Date: 13 June 2018

EP Permit ref: B19/93  
Transfer ref: PPC02/18  
Variation ref: PPC03/18

**Schedule 2**

Permit reference P19/93 as transferred and varied by this notice.

(Insert permit).

## **Guidance for operators receiving a Transfer/Variation Notice**

(This guidance does not form part of the Transfer 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 Transfer/Variation Notice**

This notice varies the registered operator and the terms of the permit specified in the Notice and may amend or delete certain existing conditions and/or adding new conditions. The Schedules attached to the notice explain which conditions have been amended, added or deleted and the dates on which these have effect.

The Council may have included a 'consolidated permit', which takes into account these and previous variations. Where a consolidated permit is not included this variation notice must be read in conjunction with your permit document.

### **Offences**

Failure to comply with a Transfer/Variation Notice is an offence under regulation 38(2) of the 2016 Regulations. A person guilty of an offence under this regulation could be liable to (i) a fine of up to £50,000 or imprisonment for a term not exceeding 6 months or both; or (ii) to an unlimited fine or imprisonment for a term not exceeding 5 years or both, depending on whether the matter is dealt with in the Magistrates or Crown Court.

### **Appeals**

Under regulation 31 and Schedule 6 of the 2016 Regulations operators have the right of appeal against the conditions attached to their permit by a variation notice. The right to appeal 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 when determining an appeal.

Appeals against a Transfer/Variation Notice do not have the effect of suspending the operation of the Notice. Appeals do not have the effect of suspending permit conditions, or any of the mentioned notices.

Notice of appeal against a Transfer/Variation Notice must be given within **two months** of the date of the variation notification, which is the subject matter of the appeal. 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 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

Or for appeals in Wales:

The Planning Inspectorate  
Crown Buildings  
Cathays Park  
CARDIFF  
CF10 3NQ

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.

### Confidentiality

An operator may request certain information to remain confidential, ie not be placed on the public register. The operator must request the exclusion from the public register of confidential information at the time of supply of the information requested by this notice or any other notice. The operator should provide clear justification for each item wishing to be kept from the register. The onus is on the operator to provide a clear justification for each item to be kept from the register. It will not simply be sufficient to say that the process is a trade secret.

The test of whether information is confidential for the purposes of being withheld from the public register is complex and is explained, together with the procedures, in chapter 8 of the PPC General Guidance Manual.

### National security

Information may be excluded from the public register on the grounds of National Security. If it is considered that the inclusion of information on a public register is contrary to the interests of national security, the operator may apply to the Secretary of State/Welsh Ministers, specifying the information and indicating the apparent nature of risk to national security. The operator must inform the local authority of such an application, who will not include the information on the public register until the Secretary of State/Welsh Ministers has decided the matter.

