



**Cyfoeth
Naturiol
Cymru**
**Natural
Resources
Wales**

Statutory Notice

**Environmental Permitting (England and Wales) Regulations 2016
Regulation 22**

NOTICE OF REVOCATION OF ENVIRONMENTAL PERMIT

Mr Tyrone Roger Hallett
c/o Flat 1
Llys Gosen
Maddox Street
Tonypandy
CF40 2RR

Environmental permit number: EPR/NP3495FS

Regulated facility: TRH Salvage Recovery, Glamorgan Yard, off 1 Arthur Street.

Under Regulation 22 of the Environmental Permitting (England and Wales) Regulations 2016 **Natural Resources Wales** may revoke an environmental permit. **Natural Resources Wales** has decided to revoke the environmental permit for this regulated facility **with effect from 7th August 2017**. The reasons for this decision are:

We feel you, as the permit holder, no longer meet the definition of operator as defined in the Environmental Permitting Regulations (EPR) 2010. Regulatory Guidance Series, No RGN 1 – “*Understanding the Meaning of Operator*” states that ‘we may revoke a permit where the holder of the permit has ceased to be the operator’.

The following factors were taken into consideration when assessing whether the ‘operator’ has control over the facility and therefore whether they are still considered the operator:

- Does the operator have day to day control of plant operations
- Can they ensure permit conditions are complied with
- Make investment and/or other financial decisions affecting performance of the facility
- Ensure that regulated activities are suitably controlled in an emergency.

The land the permit is held on has also been sold to a new landowner and therefore the permit holder is no longer the occupant.

We are also aware that some subsistence fees are still outstanding and that the permit holder does not have any financial stability.

Date: 04 July 2017 Signed: Caitriona Harvey
Caitriona Harvey
Taff & Ely Industry and Waste Regulation Team Leader

Natural Resources Wales
Rivers House
St Mellons Business Park
St Mellons
CF3 0EY

Please see over for notes.

Environmental Permitting (England and Wales) Regulations 2016 Regulation 22

Notes:

General

1. This notice revokes the activities which were previously permitted by your environmental permit.
2. You have a right of appeal against this notice. Unless you have appealed against this notice carrying on the activities which are no longer permitted as a result of this notice is an offence and legal action may be taken against you.
3. You may wish to seek independent legal advice.

Appeal provisions

You are entitled to appeal against this notice under Regulation 31(1)(f) of the Environmental Permitting (England and Wales) Regulations 2016. Notice of appeal must be given before the date on which this notice takes effect. Where an appeal is brought the revocation will not take effect until the final determination or withdrawal of the appeal.

You must send written notice of the appeal and the documents listed below to:

The Planning Inspectorate
Crown Building
Cathays Park
CARDIFF
CF10 3NQ

Tel: 029 2082 3866

Email: wales@pins.gsi.gov.uk

Website: <http://www.planningportal.gov.uk/planning/appeals>

At the same time you must send a copy of the appeal notice and documents to Natural Resources Wales.

The required documents are:

- 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
- A statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying The Planning Inspectorate in writing and sending a copy of that notification to Natural Resources Wales. Further information about making an appeal and the forms that you will need are available from The Planning Inspectorate detailed above.

Legislation note

In this document "Natural Resources Wales" means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012. On 01 April 2013 the Natural Resources Body for Wales (Functions) Order 2013 transferred the relevant functions of the Countryside Council for Wales, and functions of the Environment Agency and the Forestry Commission in Wales to the Natural Resources Body for Wales.