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Wales

Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2016

Alwyn Davies & Colin Davies

Phoenix Metals and Colin Davies Non-
Ferrous Metals

Unit 2

Gaerwen Industrial Estate

Gaerwen

Ynys Mon

LL60 6HR

Permit number

EPR/ZP3094FM

Phoenix Metals and Colin Davies Non-Ferrous Metals

Permit number EPR/ZP3094FM

Introductory note

This introductory note does not form a part of the permit

The main features of the permit are as follows.

This is a Tier 3 bespoke permit for the recovery of mixed metals including End-of-Life Vehicle depollution. Wastes permitted include hazardous and non-hazardous wastes.

The site operations occur in two distinct areas of the site one which depollutes End-of-Life Vehicles and recovers ferrous metals the other recovers non-ferrous metals. The total amount of waste that can be accepted and processed at site must be less than 25,000 tonnes a year.

Treatment operations are limited to manual; depollution of waste motor vehicles; sorting, separation, grading, baling, shearing, compacting, crushing, cutting, and bulking.

Relevant storage and treatment capacity thresholds have been included in the permit to reflect the legal waste facility operational limits; above which, the site would be operating as an Industrial Emissions Directive installation. (See Table S1.1 for relevant limits.)

Treatment of WEEE is not permitted and the storage of WEEE must meet the technical requirements of the WEEE Directive (2000/96/EC as amended 2003/108/EC) and Defra's „Guidance on Best Available Treatment Recovery and Recycling Techniques (BATRT) and treatment of Waste Electrical and Electronic Equipment (WEEE)“.

All activities shall be carried out on an impermeable surface with sealed drainage.

The interceptor drains from site to surface water. There are no monitoring requirements.

The status log of the permit sets out the permitting history, including any changes to the permit reference number.

Status log of the permit

Description	Date	Comments
Waste Disposal Licence YMBC/5 issued	Issue Date 30/05/95	Waste disposal licence issued to Alwyn Davies & Colin Davies Co.
YMBC/5 modified	20/03/98	License modified to delete the condition B.2 and replace the condition with B.2. The new licence number is NOW-105-L
YMBC/5 modified	22/03/99	License modified to include conditions D.9.1 and D.9.2
EAWML 37133 modified (formerly YMBC/5)	07/11/08	License modified to include WEEE Conditions

EPR/ZP3094FM/V005 (formerly EAWML 37133)	Duly Made 25/10/12	Environment Agency Wales led variation to update the permit to modern conditions
EPR/ZP3094FM/V005 issued	15/02/13	Updated and consolidated permit issued to Alwyn Davies & Colin Davies
Application EPR/ ZP3094FM/V006 received	Duly Made 18/05/2022	Application to vary the permit to add 6 EWC codes.
Additional information received in response to Schedule 5 notice 1 issued 29/06/2022	11/07/2022	Confirmation of the following <ul style="list-style-type: none"> • Recovery codes • Waste codes • Waste treatment types
Additional information received in response to Schedule 5 notice 2 issued 22/07/2022	22/07/2022	Queries regarding oil wastes and wastes of liquid fuels procedures
Application EPR/ZP3094FM V006 issued	18/08/2022	Variation notice issued to Alwyn Davies & Colin Davies.

End of introductory note

Permit

The Environmental Permitting (England and Wales) Regulations 2016

Permit number

EPR/AP3136UA

The Natural Resources Body for Wales (“Natural Resources Wales”) authorises, under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2016

Alwyn Davies & Colin Davies (“the operator”),

of

Unit 2

Caerwen Industrial Estate

Gaerwen

Ynys Mon

LL60 6HR

to operate waste operations at

Phoenix Metals and Colin Davies Non Ferrous

Metals

Unit 2

Caerwen Industrial Estate

Gaerwen

Ynys Mon

LL60 6HR

to the extent authorised by and subject to the conditions of this permit.

Name	Date
Huw Davies	18/08/2022

Authorised on behalf of Natural Resources Wales

Conditions

1 Management

1.1 General management

- 1.1.1 The operator shall manage and operate the activities:
- (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and
 - (b) using sufficient competent persons and resources.
- 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.
- 1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of it kept at or near the place where those duties are carried out.
- 1.1.4 The operator shall comply with the requirements of an approved competence scheme

1.2 Avoidance, recovery and disposal of wastes produced by the activities

- 1.2.1 The operator shall take appropriate measures to ensure that:
- (a) the waste hierarchy referred to in Article 4 of the Waste Framework Directive is applied to the generation of waste by the activities; and
 - (b) any waste generated by the activities is treated in accordance with the waste hierarchy referred to in Article 4 of the Waste Framework Directive; and
 - (c) where disposal is necessary, this is undertaken in a manner which minimises its impact on the environment.
- 1.2.2 The operator shall review and record at least every four years whether changes to those measures should be made and take any further appropriate measures identified by a review.

2 Operations

2.1 Permitted activities

- 2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the “activities”).

2.2 The site

- 2.2.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit.

2.3 Operating techniques

- 2.3.1 (a) The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by Natural Resources Wales.

- (b) If notified by Natural Resources Wales that the activities are giving rise to pollution, the operator shall submit to Natural Resources Wales for approval within the period specified, a revision of any plan or other documentation ("plan") specified in schedule 1, table S1.2 or otherwise required under this permit which identifies and minimises the risks of pollution relevant to that plan, and shall implement the approved revised plan in place of the original from the date of approval, unless otherwise agreed in writing by Natural Resources Wales.

2.3.2 Waste shall only be accepted if:

- (a) it is of a type and quantity listed in schedule 2 table(s) S2.1 and
- (b) it conforms to the description in the documentation supplied by the producer and holder.

2.4 Technical requirements

Vehicle depollution and dismantling

2.4.1 The storage (including temporary storage) and treatment of waste motor vehicles shall meet the requirements of article 6(1) of the End-of-Life Vehicles Directive.

WEEE treatment

2.4.2 The storage (including temporary storage) and treatment of WEEE shall be carried out in accordance with the technical requirements of Annex VIII of the WEEE Directive.

Hazardous waste storage and treatment

2.4.3 Hazardous waste shall not be mixed, either with a different category of hazardous waste or with other waste, substances or materials, unless it is authorised by schedule 1 table S1.1 and appropriate measures are taken.

2.5 Improvement programme

2.5.1 The operator shall complete the improvements specified in schedule 1 table S1.3 by the date specified in that table unless otherwise agreed in writing by Natural Resources Wales.

2.5.2 Except in the case of an improvement which consists only of a submission to Natural Resources Wales, the operator shall notify Natural Resources Wales within 14 days of completion of each improvement.

3 Emissions and monitoring

3.1 Emissions of substances not controlled by emission limits

3.1.1 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.

3.1.2 The operator shall:

- (a) if notified by Natural Resources Wales that the activities are giving rise to pollution, submit to Natural Resources Wales for approval within the period specified, an emissions management plan which identifies and minimises the risks of pollution from emissions of substances not controlled by emission limits;

- (b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by Natural Resources Wales.

3.1.3 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

3.2 Odour

3.2.1 Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of Natural Resources Wales, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.

3.2.2 The operator shall:

(a) if notified by Natural Resources Wales that the activities are giving rise to pollution outside the site due to odour, submit to Natural Resources Wales for approval within the period specified, an odour management plan which identifies and minimises the risks of pollution from odour;

(b) implement the approved odour management plan, from the date of approval, unless otherwise agreed in writing by Natural Resources Wales.

3.3 Noise and vibration

3.3.1 Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of Natural Resources Wales, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan to prevent or where that is not practicable to minimise the noise and vibration.

3.3.2 The operator shall:

(a) if notified by Natural Resources Wales that the activities are giving rise to pollution outside the site due to noise and vibration, submit to Natural Resources Wales for approval within the period specified, a noise and vibration management plan which identifies and minimises the risks of pollution from noise and vibration;

(b) implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by Natural Resources Wales.

3.4 Pests

3.4.1 The activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved pests management plan, have been taken to prevent or where that is not practicable, to minimise the presence of pests on the site.

3.4.2 The operator shall:

(a) if notified by Natural Resources Wales, submit to Natural Resources Wales for approval within the period specified, a pests management plan which identifies and minimises risks of pollution, hazard or annoyance from pests;

(b) implement the pests management plan, from the date of approval, unless otherwise agreed in writing by Natural resources Wales.

3.4.3 The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention and mitigation plan guidance.

- 3.4.4 The operator shall:
- (a) if notified by Natural Resources Wales that the activities could cause a fire risk, submit to Natural Resources Wales a fire prevention and mitigation plan which identifies and minimises the risks of fire;
 - (b) Operate the activity in accordance with the fire prevention and mitigation plan, from the date of submission, unless otherwise agreed in writing by Natural Resources Wales.

4 Information

4.1 Records

- 4.1.1 All records required to be made by this permit shall:
- (a) be legible;
 - (b) be made as soon as reasonably practicable;
 - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
 - (d) be retained, unless otherwise agreed in writing by Natural Resources Wales, for at least 6 years from the date when the records were made, or in the case of the following records until permit surrender:
 - (i) off-site environmental effects; and
 - (ii) matters which affect the condition of the land and groundwater.
- 4.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by Natural Resources Wales.

4.2 Reporting

- 4.2.1 The operator shall send all reports and notifications required by the permit to Natural Resources Wales using the contact details supplied in writing by Natural Resources Wales.
- 4.2.2 Within one month of the end of each quarter, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter.

4.3 Notifications

- 4.3.1 Natural Resources Wales shall be notified without delay following the detection of:
- (a) any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution;
 - (b) the breach of a limit specified in the permit; or
 - (c) any significant adverse environmental effects.
- 4.3.2 Any information provided under condition 4.3.1 shall be confirmed by sending the information listed in schedule 5 to this permit within the time period specified in that schedule.
- 4.3.3 Where Natural Resources Wales has requested in writing that it shall be notified when the operator is to undertake monitoring and/or spot sampling, the operator shall inform Natural Resources Wales when the relevant monitoring and/or spot sampling is to take place. The operator shall provide this information to Natural Resources Wales at least 14 days before the date the monitoring is to be undertaken.

4.3.4 Natural Resources Wales shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:

Where the operator is a registered company:

- (a) any change in the operator's trading name, registered name or registered office address; and
- (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

Where the operator is a corporate body other than a registered company:

- (a) any change in the operator's name or address; and
- (b) any steps taken with a view to the dissolution of the operator.

In any other case:

- (a) the death of any of the named operators (where the operator consists of more than one named individual);
- (b) any change in the operator's name(s) or address(es); and
- (c) any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

4.3.5 Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:

- (a) Natural Resources Wales shall be notified at least 14 days before making the change; and
- (b) the notification shall contain a description of the proposed change in operation.

4.4 Interpretation

4.4.1 In this permit the expressions listed in schedule 6 shall have the meaning given in that schedule.

4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made "without delay", in which case it may be provided by telephone.

Schedule 1 – Operations

Table S1.1 activities		
Activity reference	Description of activities for waste operations	Limits of activities
A1	<p>R13: Storage of waste pending any of the operations numbered R1 to R12 (excluding temporary storage, pending collection, on the site where it is produced)</p> <p>R4: Recycling/reclamation of metals and metal compounds</p> <p>R5: Recycling/reclamation of other inorganic compounds</p>	<p>Treatment consisting of:</p> <ul style="list-style-type: none"> - depollution of waste motor vehicles - sorting - separation - grading - baling - shearing - compacting - crushing -cutting -bulking <p>of waste into different components for recovery.</p> <p>There shall be no treatment of WEEE or batteries other than bulking up for onward transfer.</p> <p>All batteries shall be stored in containers with an impermeable, acidresistant base and a cover.</p> <p>The maximum quantity of hazardous waste received and stored at the site shall not exceed 10 tonnes per day.</p> <p>The maximum quantity of hazardous waste that can be stored and treated at the site in total for recovery or disposal, shall not exceed 50 tonnes at any one time.</p> <p>The capacity of the site for hazardous waste subject to an R5 activity shall not exceed 10 tonnes per day.</p> <p>No more than 50 tonnes of intact waste vehicle tyres (waste code 16 01 03) shall be stored at the site.</p> <p>All hazardous and non-hazardous waste must be stored and treated on an impermeable surface with sealed drainage with the exception of uncontaminated metal wastes.</p>

Table S1.1 activities		
Activity reference	Description of activities for waste operations	Limits of activities
		<p>Run off from areas of where waste is stored and treated shall be discharged to surface waters via an interceptor.</p> <p>Waste types as specified in Table S2.1</p>

Table S1.2 Operating techniques		
Description	Parts	Date Received
How to comply with your Environmental Permit	All	N/A
Defra's „Guidance on Best Available Treatment Recovery and Recycling Techniques (BATTRT) and treatment of Waste Electrical and Electronic Equipment (WEEE)'	All	N/A
Oil storage regulations for businesses – GOV.UK accessible at: https://www.gov.uk/guidance/storing-oil-at-a-home-or-business	All	N/A

Table S1.3 Improvement programme requirements		
Reference	Requirement	Date
IPC1	The operator is required to provide an EMS in line with How to comply and H6 Environmental management systems guidance.	4 months from date of permit issue

Schedule 2 - Waste types, raw materials and fuels

Table S2.1 Permitted waste types and quantities for metal recycling facility and depollution activities

Maximum Quantities

The total quantity of waste accepted at the site shall be less than 25,000 tonnes a year.

Exclusions

Wastes having any of the following characteristics shall not be accepted:

- Hazardous wastes other than those listed below
- Liquid wastes
- Biodegradable wastes

Waste code	Description
12	WASTES FROM SHAPING AND PHYSICAL AND MECHANICAL SURFACE TREATMENT OF METALS AND PLASTICS
12 01	wastes from shaping and physical and mechanical surface treatment of metals and plastics
12 01 01	ferrous metal filings and turnings
12 01 03	non-ferrous metal filings and turnings
15	WASTE PACKAGING; ABSORBENTS, WIPING CLOTHS, FILTER MATERIALS AND PROTECTIVE CLOTHING NOT OTHERWISE SPECIFIED
15 01	packaging (including separately collected municipal packaging waste)
15 01 04	metallic packaging
16	WASTES NOT OTHERWISE SPECIFIED IN THE LIST
16 01	end-of-life vehicles from different means of transport (including off-road machinery) and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13, 14, 16 06 and 16 08)
16 01 03	end-of-life tyres
16 01 04*	end-of-life vehicles
16 01 06	end-of-life vehicles, containing neither liquids nor other hazardous components
16 01 07*	oil filters
16 01 11*	brake pads containing asbestos
16 01 12	brake pads other than those mentioned in 16 01 11
16 01 17	ferrous metal
16 01 18	non-ferrous metal
16 01 22	components not otherwise specified
16 02	wastes from electrical and electronic equipment
16 02 14	discarded equipment other than those mentioned in 16 02 09 to 16 02 13
16 06	batteries and accumulators
16 06 01*	lead batteries
16 06 05	other batteries and accumulators
17	CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)
17 04	metals (including their alloys)
17 04 01	copper, bronze, brass
17 04 02	aluminum
17 04 03	lead
17 04 04	zinc
17 04 05	Iron and steel
17 04 06	tin
17 04 07	mixed metals
17 04 11	cables other than those mentioned in 17 04 10

Table S2.1 Permitted waste types and quantities for metal recycling facility and depollution activities

Maximum Quantities

The total quantity of waste accepted at the site shall be less than 25,000 tonnes a year.

Exclusions

Wastes having any of the following characteristics shall not be accepted:

- Hazardous wastes other than those listed below
- Liquid wastes
- Biodegradable wastes

Waste code	Description
19	WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND THE PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION AND WATER FOR INDUSTRIAL USE
19 12	wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified
19 12 02	Ferrous metal
19 12 03	non-ferrous metal
20	MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS
20 01	separately collected fractions (except 15 01)
20 01 33*	batteries and accumulators included in 16 06 01, 16 06 02 or 16 06 03 and unsorted batteries and accumulators containing these batteries
20 01 40	metals

Schedule 3 – Emissions and monitoring

There are no emission limits or associated monitoring requirements.

Schedule 4 - Reporting

There is no reporting under this schedule.

Schedule 5 - Notification

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

If any information is considered commercially confidential, it should be separated from non-confidential information, supplied on a separate sheet and accompanied by an application for commercial confidentiality under the provisions of the EP Regulations.

Part A

Permit Number	
Name of operator	
Location of Facility	
Time and date of the detection	

(a) Notification requirements for any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution	
To be notified within 24 hours of detection	
Date and time of the event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances(s) potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident.	

(b) Notification requirements for the breach of a limit	
To be notified within 24 hours of detection unless otherwise specified below	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value and uncertainty	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Time periods for notification following detection of a breach of a limit	
Parameter	Notification period

(c) Notification requirements for the detection of any significant adverse environmental effect	
To be notified within 24 hours of detection	
Description of where the effect on the environment was detected	
Substances(s) detected	
Concentrations of substances detected	
Date of monitoring/sampling	

Part B - to be submitted as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any unauthorised emissions from the facility in the preceding 24 months.	

Name*	
Post	
Signature	
Date	

* authorised to sign on behalf of the operator

Schedule 6 - Interpretation

“*accident*” means an accident that may result in pollution.

“*Annex I*” means Annex I to Directive 2008/98/EC of the European Parliament and of the Council on waste.

“*Annex II*” means Annex II to Directive 2008/98/EC of the European Parliament and of the Council on waste.

“*application*” means the application for this permit, together with any additional information supplied by the operator as part of the application and any response to a notice served under Schedule 5 to the EP Regulations.

“*authorised officer*” means any person authorised by Natural Resources Wales under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in section 108(4) of that Act.

“*best available treatment, recovery and recycling techniques*” shall have the meaning given to it in the document published jointly by the Department for Environment, Food and Rural Affairs, the Welsh Assembly Government and the Scottish Executive on 27th November 2006, entitled “Guidance on Best Available Treatment, Recovery and Recycling Techniques (BATRRT) and Treatment of Waste Electrical and Electronic Equipment (WEEE).”

“*D*” means a disposal operation provided for in Annex I to Directive 2008/98/EC of the European Parliament and of the Council on waste.

“*emissions of substances not controlled by emission limits*” means emissions of substances to air, water or land from the activities, either from the emission points specified in schedule 3 or from other localised or diffuse sources, which are not controlled by an emission or background concentration limit.

“*End-of-Life Vehicles Directive*” means Directive 2000/53/EC of the European Parliament and Council of 18 September 2000 on end-of-life vehicles.

“*EP Regulations*” means The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

“*groundwater*” means all water, which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil.

“*hazardous waste*” has the meaning given in the Hazardous Waste (Wales) Regulations 2005 (as amended).

“*impermeable surface*” means a surface or pavement constructed and maintained to a standard sufficient to prevent the transmission of liquids beyond the surface.

“*Pests*” means Birds, Vermin and Insects.

“*quarter*” means a calendar year quarter commencing on 1 January, 1 April, 1 July or 1 October.

“*R*” means a recovery operation provided for in Annex II to Directive 2008/98/EC of the European Parliament and of the Council on waste.

“*Waste code*” means the six digit code referable to a type of waste in accordance with the list of wastes established by Commission Decision 2000/532/EC as amended from time to time (the ‘List of Wastes Decision’) and in relation to hazardous waste, includes the asterisk.

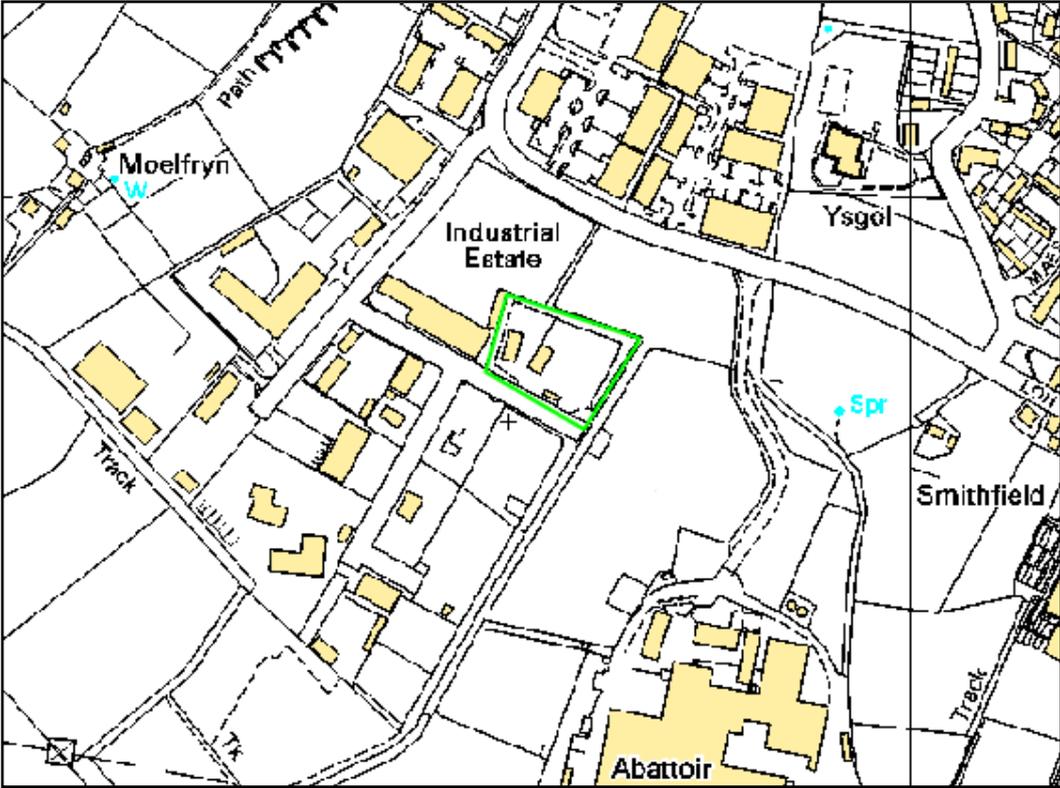
“*Waste Framework Directive*” or “*WFD*” means Waste Framework Directive 2008/98/EC of the European Parliament and of the Council on waste.

“*WEEE*” means waste electrical and electronic equipment.

“*WEEE Directive*” means Directive 2012/19/EU of the European Parliament and of the Council of 4th July 2012 on waste electrical and electronic equipment (WEEE).

“*year*” means calendar year ending 31 December.

Schedule 7 - Site plan



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END OF PERMIT