



Chiltern District Council

Permit to Operate a Crematorium

CDC Ref No: H418.1.3

Process Guidance Note: PG5/2(12)

Issued by:

CHILTERN DISTRICT COUNCIL

POLLUTION PREVENTION AND CONTROL ACT 1999

POLLUTION PREVENTION AND CONTROL REGULATIONS 2000, SI 1973
(AS AMENDED)

ENVIRONMENTAL PERMITTING (ENGLAND AND WALES) REGULATIONS
2007



Permit updated : 10th January 2014

TO:
**Chilterns Crematorium Joint Committee,
Whielden Lane, Amersham,
Bucks HP7 0ND**

Address of Installation

RE: **Chilterns Crematorium,
Whielden Lane,
Amersham, Bucks. HP7 0ND**

The Joint Committee is hereby permitted by Chiltern District Council (hereinafter referred to as "the Council") to operate a prescribed process designated for local control within the meaning of Pollution Prevention & Control Act 1999 and in accordance with the conditions listed in this permit.

DESCRIPTION OF PRESCRIBED PROCESS (ACTIVITY):

The cremation of human remains (reference Chapter 5, Section 5.1 of Schedule 1 of the Environmental Permitting (England and Wales) Regulations 2010) utilising: -

- A. 3 No Evans Universal Limited Series 300/2 single ended, manually charged (using separate mechanical charging platform) cremators, each with natural gas support fuel and with
- steel plate and sectional steel construction lined with fire brick and insulating or semi insulating refractories with additional insulating material.
 - interlocked charging door to primary chambers with fixed hearth, rear mounted primary burner of maximum rating 1250 MJ and combustion air supplies, lower and upper secondary chamber (formed around the primary chamber) with tortuous flue path, 2 no rear mounted secondary burners of maximum rating 1250 MJ and combustion air supplies via motorised valves.
 - display screen based computer control system, with process supervision by a programmable logic controller, designed to monitor instrumentation signals and adjust controls to optimise combustion, and achieve prescribed temperature and dwell time and minimise prescribed emissions.
 - provision for restricted manual override.
 - dedicated emissions monitoring and recording equipment comprising 3 No PCME Dust Monitor 210, Model Mark 5 for unabated operation, 3 No high temperature sampling probe and gas conditioning systems, 3 No. Siemens Ultramat 23 non-dispersive infrared carbon monoxide analyser and electrochemical oxygen analyser (both with autocalibration mode).
 - fail safe against over temperature and pressure, automated suction control and automated combustion and flue dispersal air. Audible and visual alarms connected to secondary chamber outlet temperature and carbon monoxide and particulate emission monitoring equipment, and to electronic recording device. Exceedances of individual and mean levels as given in Condition 5 and 6, written to disc for storage, and printed at the operators position.
 - forced air cooling system for remains. Closed ash pans for transfer to Cremulators.
 - external eductor system, insulated and provided by cremator outlet connection to the inlet of single venturi for unabated operation.

- single flues run in parallel within insulated chimney stack for unabated operation.
- B. 1 No Evans Ash Transfer Cabinet, electrically operated, with
- internal extraction to separate vacuum unit.
- C. 2 No Evans Cremulators , electrically operated, for processing of cremation ashes with
- internal extraction, interlocked to access portal, to separate vacuum units.
- D. 1 No Facultatieve Technologies Mercury Abatement Filter Installation, together with ancillary equipment including waste flue gas ducting, waste flue gas cooling, flue gas filter, automatic reagent addition, and automatic process control (Commissioned September 2011). The “Twin” Mercury Abatement plant is designed to filter the flue gases from any two of the three existing Evans 300/2 cremators installed, and can be used whilst both cremators operate simultaneously.

The system is a dry scrubbing system based upon the continual addition of fresh chemical reagent, to absorb and remove the acid gases, mercury, heavy metals, dioxins and furans found in flue gases exhausting from cremators.

The three existing cremators are able to cremate in unabated mode utilising venturi ducting. Each of the cremators are additionally connected directly to the Mercury Abatement System. The system thus has the ability to abate the flue gases of any two cremators, whilst enabling the third cremator to operate in the unabated mode using the venturi enabled flue which goes directly to the chimney.

All in accordance with the plan (4248 MA 0001) and documents under the same reference attached to and forming part of this permit.

CONDITIONS:

Emission limits and controls

1. All emissions to air from the process, other than steam or condensed water vapour, shall be free from droplets and from persistent mist and persistent fume.
2. Emissions from the process shall be free from offensive odour outside the process site boundary as perceived by the local authority enforcing officer.
3. Emissions in normal operation from Cremation processes (including start up and shut down) shall be free from visible smoke and in any case shall not exceed Ringlemann shade 1 as described in BS 2742:1969.
4. The operator shall, at a minimum, carry out the continuous and non-continuous monitoring as described in this and in the following conditions. All pollutant concentrations in reports, printouts and displays shall be expressed at reference conditions, 273K, 101.3 kPA and 11% oxygen, dry gas.

Continuous monitoring:

Specified emissions and operating parameters from or at cremators, or associated with the process, shall be monitored for compliance with limits in Condition 5, in accordance with the following requirements:

- When in unabated mode, particulate matter from the final exit of each cremator shall be continuously indicatively monitored using an analyser dedicated to each cremator and the values continuously recorded. The instruments shall be connected to audible alarms which activate at 20% observation or less, as described in BS 2742:1969. Emissions events which lead to alarm activations, where they also exceed levels given in Condition 5, shall be electronically recorded, and
 - Carbon monoxide from the outlet of the secondary chamber of each cremator shall be continuously monitored using an analyser dedicated to each cremator and the values continuously recorded. Data shall be acquired at intervals of ten seconds or less, and
 - Oxygen concentration at each cremator, at the outlet from the secondary chamber, shall be continuously monitored using an analyser dedicated to each cremator and the values continuously recorded, and
 - Oxygen concentration shall also be monitored at the same time and in the same location when hydrogen chloride and organic compounds, both as described in condition 7, are being monitored, and
 - Carbon monoxide and oxygen analysers must autocalibrate at every 3 and 12 hour intervals and be manually checked and recalibrated not less than every three months and in accordance with the manufacturers recommendations, and
 - Particulate matter and carbon monoxide and oxygen values from analysers shall be on immediate display to operating staff. The instruments shall be fitted with audible or visual alarms which shall activate whenever a 60 minute mean in Condition 5 is exceeded, and the event shall be electronically recorded.
5. Continuous monitoring results, only as obtained under Condition 4, and read in conjunction with Condition 6, shall not exceed the following limits for releases from:

Unabated cremators: emission limits, monitoring and other provisions

Each cremator:

	Concentration Limits milligrammes/metre ³	Mass limits
Hydrogen chloride (excluding particular matter)	200 mg/m ³	300g/h
Total particulate matter from cremator	80 mg/m ³ averaged over an hour for 95% of cremations;	120g/h for 95% of cremations;
	And	And
	160 mg/m ³ averaged over an hour for all cremations.	240g an hour for all cremations
Carbon monoxide	100 mg/m ³ averaged over the first hour for 95% of cremations;	150g/h in the first hour of cremations for 95% of cremations;
	And	And
	200 mg/m ³ averaged over the first hour for all cremations	300g in the first hour of cremation for all cremations
Organic compounds (excluding particular matter) expressed as total carbon	20 mg/m ³	30g/h

Each cremulator:

Particulate matter from cremated remains treatment plant	50 mg/m ³	n/a
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Abated cremators: emission limits, monitoring and other provisions

	Concentration Limits	Mass limits
Mercury	50 micrograms/m ³	n/a
Hydrogen chloride (excluding particulate matter)	30 mg/m ³	n/a
Total particulate matter from cremator	20 mg/m ³ hourly average	n/a
Carbon monoxide	100 mg/m ³ reported as 2 x 30-minute averages	n/a
Organic compounds (excluding particulate matter) expressed as total carbon	20 mg/m ³ averaged over an hour of cremation	n/a

Each cremulator:

Particulate matter from cremated remains treatment plant	50 mg/m ³ with no correction for oxygen concentration or water vapour	n/a
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6. Continuous monitoring

The operator should report monitoring data as follows:

- Monthly carbon monoxide readings shall be recorded and available for inspection as prescribed below:
- Values that exceed the 95% limit for carbon monoxide (and particulate matter if appropriate) in that period;
- 60-minute mean emission values that exceed the 100% limit for carbon monoxide (and particulate matter, if appropriate) in that period;
- A list of the highest 60-minute mean emission value for each period;
- 95th-percentile value for each period.

For temperature and oxygen, the operator should report the following continuous monitoring values as follows:

- secondary chamber entrance temperature, 4-weekly/monthly maximum and minimum (of 5-minute averages);
- secondary chamber exit temperature, 4-weekly/monthly maximum and minimum (of 5-minute averages);
- oxygen concentration, 4-weekly/monthly minimum (of 5-minute averages).

Where any values have been exceeded in any 4-weekly/monthly or 6-monthly reporting period, records should be kept that identify the number of times that the limit was exceeded during the reporting period, the levels of the exceedance, and the time, date and cremation reference. This data should be kept available.

Where continuous emissions monitoring is required for any substance, it should be carried out as follows:

- All continuous monitoring readings should be on display to appropriately trained operating staff.
- Instruments should be fitted with a visual alarm to warn the operator of arrestment plant failure. Authorities should decide whether additionally to specify an audible alarm, having regard to, amongst other things, the likelihood of the visual alarm not being noticed, and the intrusiveness of any such alarm for those using the crematorium.
- The activation of alarms should be automatically recorded.
- All continuous monitors should be operated, maintained and calibrated (or referenced, in the case of filter leak devices) in accordance with the manufacturers' instructions, which should be made available for inspection by the regulator. The relevant maintenance and calibration (or referencing) should be recorded.
- Emission concentrations may be reported as zero when the plant is off and there is no flow from the stack. If required a competent person should confirm that zero is more appropriate than the measured stack concentration if there is no flow.
- Any CEM used should provide reliable data >95% of the operating time, (i.e. availability >95%). A manual or automatic procedure should be in place to detect instrument malfunction and to monitor instrument availability.

Non-continuous monitoring:

7. Not less than once every year, emissions from the abatement plant, (and not less than every five years for emissions from individual cremators operated in unabated mode), shall be sampled and monitored for compliance with the pollutants and concentration limits given in Condition 5 above and in accordance with the following requirements:
 - the test methods for the measurement of the pollutants in the emissions shall be proposed by the operator for approval by the Principal Strategic EPO not less than one month before the date of the monitoring exercise, and
 - the Principal Strategic EPO shall be notified not less than seven days in advance of the provisional time and date the monitoring exercise is to be carried out; and at the same time, the methods to be used for the sampling and measurement of the emissions, and
 - all sampling and monitoring shall be carried out when the cremator is operated at usual operating capacity, and

- the results of the monitoring exercise shall be sent to the Principal Strategic EPO within eight weeks of the completion of sampling, and
 - No result of non continuous monitoring shall exceed the levels given in Condition 5. Should an emission level exceed by more than twice that specified in that Condition, the Principal Strategic EPO shall be advised immediately.
8. The operator shall provide and maintain in good working order an externally mounted camera aligned with the stack discharge, and a connected monitor screen immediately adjacent to the operator position.

The camera and monitor shall be available for use whenever a cremation is in progress.

9. All records of the equipment operation, emission level print outs, and similar shall be retained in a logbook or file.

Alarm conditions which result in sustained interference to any one or more cremation processes shall be:

- investigated immediately and their cause in all cases identified and
- appropriate corrective action taken and
- recorded in a logbook together with the cause and actions taken.

The log book shall be retained for a minimum of two years at all times and made available for examination by an authorised officers of the Council without notice.

Materials Handling and Storage

10. The Superintendent shall write periodically to all Funeral Directors who made regular use of the cremation facility in the preceding year. The letter shall draw the Directors attention to the Crematoriums Regulations with regard to coffin construction and content.

In the event of 2 or more successive abnormal emissions resulting from any one Director, the Operator shall investigate the circumstances with the Director and record his findings to the Director in writing. A copy of the findings shall be placed in the logbook referred to in Condition 9.

11. Each Cremator and all duct work shall be maintained leakproof under negative pressure and gas tight under positive pressure.

Combustion Conditions

12. Each cremator's conditions shall be optimised by
- computerised control of the process using separate control algorithms programmed into a dedicated programmable logic controller and
 - at all times, a minimum residence time of two seconds within the secondary combustion chamber at a minimum 1123K (850°C) temperature where no mercury abatement plant is fitted and operating; or a minimum residence time of two seconds within the secondary chamber at a minimum of 1023K (750°C) temperature where mercury abatement plant is fitted and operating and

- an average 6%, and minimum 3% (volume dry) concentration of oxygen at the outlet of the secondary combustion zone and
 - temperature at the primary chamber and the inlet and outlet of the secondary chamber, to be continuously monitored and the values continuously recorded and on immediate display to operating staff. Visual or audible alarms shall activate when the temperature in the secondary chamber falls below 850°C where no mercury abatement plant is fitted and operating or below 800°C where mercury abatement plant is fitted and operating.
13. The logic controller shall prevent coffin charging if the temperature in the secondary chamber is below 850°C where no mercury abatement plant is fitted and operating or below 800°C where mercury abatement plant is fitted and operating.

Disposal of Residues

14. The removal and handling and treatment of ash and non-combustible residues shall prevent dust emissions to the atmosphere by use of closed containers and integral vacuum systems to the cremulators and the ash handling unit.

Chimneys, Vents Process Exhausts

15. Alteration of discharge velocities or to ductwork or final openings of any chimney, vent or process exhaust, as described in application letters dated 17th December 1996 and 2nd January, 22nd May and 20th August 1997 is not permitted.

General Operations

16. All process equipment shall be operated and maintained in accordance with the manufacturer's instructions (reference Operations & Maintenance MAS-Rev 4, dated April 1997 for the Evans 300/2, & Operations & Maintenance Instructions for FTII / FTIII cremator and flue gas treatment plant for Chilterns Crematorium Contract No. C4248) or successor documents.
17. Any malfunction leading to abnormal emissions shall be dealt with promptly and process operations adjusted as necessary to minimise emissions to the air until normal operations can be restored. If the malfunction is likely to have an effect on any neighbouring premises the Principal Strategic EPO shall be notified without delay by the most expeditious means available. If the malfunction involves the catastrophic failure of arrestment plant the Principal Strategic EPO shall be notified without delay by the most expeditious means available regardless of any other considerations.
18. The Authorised Body shall advise the Principal Strategic EPO, in writing, within 14 days of a change in the person having operational control of the crematorium.
19. All staff operating process equipment shall receive prior training and instruction in their duties as related to the control of the process and emissions to air. The training shall cover all relevant aspects of the manufacturer's current operator training manual (reference Series 300/2 Operator training manual (EDD 302)) or successor document, and following examination by a training body to a syllabus approved in writing by the Principal Strategic EPO, lead to presentation of a named certificate to the trainee.

Operator's name, dates of training, date of certificate issue and name of training body shall be permanently displayed within the cremator hall. No other person,

with the exception of a proficient representative of the manufacturers of the cremators, shall operate cremators.

20. Other than as provided within individual conditions, this Permit will be effective on date of issue.
21. Coffins which are suspected by operating staff of containing Lead or Zinc shall not be accepted at the premises.
22. The best available techniques shall be used to prevent or, where that is not practicable, reduce emissions from the installation in relation to any aspect of the operation of the installation which is not regulated by any other condition of this permit.
23. If the operator proposes to make a change in operation of the installation, he must, at least 14 days before making the change, notify the regulator in writing. The notification must contain a description of the proposed change in operation. It is not necessary to make such a notification if an application to vary this permit has been made and the application contains a description of the proposed change. In this condition "change in operation" means a change in the nature or functioning, or an extension, of the installation, which may have consequences for the environment.

The Environmental Protection (England) (Crematoria Mercury Emissions Burden Sharing Certification) Direction 2010

24. The operator shall send the regulator, by no later than 1 June 2010 and 1 April in each year thereafter, a certificate from the CAMEO (Crematoria Abatement of Mercury Emissions Organisation) or appropriate evidence from a comparable audited burden sharing arrangement or scheme which specifies:-
 - a) the total number of cremations in the past 12 months;
 - b) the number of cremations undertaken in cremators fitted with operational mercury abatement equipment in the previous 12 months; or
 - c) the number of cremations undertaken in the previous 12 months and the proportion of those subject to burden sharing arrangements under which money is paid for the benefit of abated crematoria; or
 - d) in cases where mercury abatement is fitted but fewer than 50% of cremations at the installation were undertaken in cremators fitted with it in the previous 12 months, the relevant information in both b) and c).
25. The operator shall keep a record of the date and number of every unabated cremation.
26. Operators should begin to keep simple records of quarterly gas consumption for inspection by the regulator. Consumption should be converted into CO₂ equivalent emissions using the following conversion equation:
$$\text{Gas usage (kWh)} \times \text{conversion factor} = \text{kgCO}_2\text{e}$$
27. A simple plan should be drawn up for dealing with emergencies which give rise to mass fatalities, which should mainly address the holding of additional spares and consumables and the training of suitable numbers of staff.

Note: It is an offence to contravene a condition contained in an environmental permit. In accordance with the environmental Permitting regulations, such offences are punishable in the Magistrates Court by a maximum fine of £50,000 7/or up to 12 months imprisonment and in the Crown Court by a maximum unlimited fine and/or up to five years imprisonment.

Signed..... Date.....

Principal Strategic EPO (the Officer responsible for ensuring compliance)

Signed..... Date.....

Head of Health & Housing (the Officer appointed for this purpose)

Chiltern District Council, Council Offices, King George V Road
Amersham, Bucks HP6 5AW

See explanatory note attached

IMPORTANT EXPLANATORY NOTES –
IT IS ESSENTIAL TO READ THIS PART ALSO

This note does not comprise part of the Permit reference number H418.1.3 (Ch 5.1) but contains guidance relevant to the Permit.

1. You should note that the Act provides that, in relation to any aspect of the process not regulated by conditions 1 - 26, the best available techniques ("BAT") shall be used,
 - (a) for preventing the release of substances prescribed for air into the air or, where that is not practicable by such means, for reducing the release into the air of such substances to a minimum and for rendering harmless any such substances which are so released, and
 - (b) for rendering harmless any other substances which might cause harm if released into the air.
2. You should note that Regulation 35(b) of the EP Regulations provides that in relation to any aspect of the process not regulated by conditions 1 to 26 there is implied in every permit a condition that, in operating the installation or mobile plant, the operator shall use the best available techniques for preventing, or where that is not practicable, reducing emissions from the installation or mobile plant. (In the case of Part B installations or mobile plant this means emissions into the air).
- 2A. In particular, you should consider
 - (i) the provision of an adequate supply of essential spares and consumables for the process equipment and controls.
 - (ii) the effective preventative maintenance of all process equipment and controls.
 - (iii) the effective pre-operation testing of cremator instrumentation.
 - (iv) the keeping of records to support (ii) and (iii) above.
 - (v) the maintenance of a high standard of housekeeping.
- 2B. For the purpose of Clause 62 of PG 5/2(95), the person having operational control of the crematorium is Mr C G Howlett. You must notify any change to this office in writing.
3. This Permit does not allow you to operate any other process prescribed for regulation under Part I of the Environmental Protection Act 1990 or Pollution Prevention and Control Act 1999.
4. This Permit is issued under the Pollution Prevention and Control Act 1999. The responsibilities you have under legislation for health, safety and welfare in the workplace remain in force.

5. You are also advised that this Permit does not detract from any other statutory requirement placed on you including any need to obtain any planning or building control permission, or hazardous substances consent; or any discharge consent or waste management licence from the Environment Agency.
6. In addition to the relevant Process Guidance Note, you should be aware of further general guidance from the Secretary of State published by Her Majesty's Stationery Office, PO Box 176, London SW8 5DT.

Policy and Procedure for A2 and B Installations: The General Guidance Manual (GGM) - comprises guidance on the policy and permitting procedures for activities subject to LA-IPPC and LAPPC under the Environmental Permitting (England and Wales) Regulations 2010. Download from the DEFRA website:

<http://www.defra.gov.uk/environment/quality/pollution/ppc/localauth/pubs/guidance/manuals.htm>

7. You are advised that **any changes to the process must be notified to my office** in writing. If you make changes without approval which are such that either the process (as changed) is not the process which is authorised or a condition of the permit is not being complied with as a result of the change, you will be liable to enforcement action. Reference: Paragraphs 24.1 – 24.26 GGM (2010).
8. An annual ("subsistence") fee is due on 1st April. This is payable in advance for the following year. This charge cannot be refunded in the event of a process closing down or otherwise ceasing to operate during the year for which the charge has been paid.

Permits will be revoked if this fee is not paid.

- 9 All cheques shall be made payable to **Chiltern District Council**.

The Council's address for correspondence is:

Strategic Environmental Protection
Chiltern District Council
Council Offices
King George V Road
Amersham
Bucks
HP6 5AW

Tel: 01494 732060

The Principal Strategic EPO is available during office hours to discuss any issues.

10. Notes on the Ringlemann smoke charts are given in British Standard BS 2742:1969.

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APPEAL AGAINST PERMIT CONDITIONS

Under Regulation 31 of the Environmental Permitting (England and Wales) Regulations 2010 (“the Regulations”), operators may appeal to the Secretary of State for the Environment, Food and Rural Affairs against decisions made by the Local Authority.

Grounds for appeal:

1. Regulation 31 of the EP Regulations gives an operator the right of appeal against the decision made by the regulator in the following circumstances:
 - a) refusal or deemed refusal to grant a permit;
 - b) refusal of an application to vary a permit;
 - c) if the operator disagrees with the conditions imposed by the authority as a result of a permit application or an application for a variation notice;
 - d) refusal of an application to transfer a permit, or if the operator disagrees with the conditions imposed by the authority to take account of such a transfer;
 - e) refusal of an application to surrender a permit, or if the operator disagrees with the conditions imposed by the authority to take account of the surrender;
 - f) the service of a variation notice (not following an application by the operator), a revocation notice, an enforcement notice, or a suspension notice on the operator.
 - g) the deemed withdrawal by a local authority of a duly-made application because the operator has not provided further information (paragraph 4 of Schedule 5 to the EP Regulations).

Prospective appellants are advised to try to resolve any difficulties or disagreements with the regulator. **An appeal should be treated as a last resort.**

How to make an appeal:

2. There are no charges for appealing and there is no statutory requirement to submit an appeal form. However, an appeal form has been prepared and is available for use at:

<http://www.planning-inspectorate.gov.uk/pins/environment/environment/index.htm>.

For an appeal to be valid, appellants (the person/operator making the appeal) are legally required to provide all of the following (see EP Regulations Schedule 6, paragraph 2(2)):

- a) written notice of the appeal
- b) a statement of the grounds of appeal
- c) a statement indicating whether the appellant wishes the appeal to be dealt with by written representations procedure or at a hearing - a hearing must be held if either the appellant or local authority requests this, or an appointed person or the Secretary of State decide to hold one (appellants must copy the above three items to the local authority when the appeal is made)
- d) a copy of any relevant application
- e) a copy of any relevant permit
- f) a copy of any relevant correspondence between the appellant and the regulator
- g) a copy of any decision or notice, which is the subject matter of the appeal.

Appellants should state whether any of the information enclosed with the appeal has been the subject of a successful application for commercial confidentiality under EP Regulation 49 and provide relevant details. Unless such information is provided all documents submitted will be open to inspection.

The Notice of Appeal should be sent to:

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

Tel: 0117 372 8726

Fax: 0117 372 8139

At the same time, a copy of items 2a) to c) must be sent to the Council at the following address:

The Head of Health & Housing
Chiltern District Council
Council Offices
King George V Road
Amersham
Bucks
HP6 5AW

Time limit for making an appeal:

Notice of appeal must be given within the time-scales detailed below. The Secretary of State/Welsh Ministers have the power to extend some of the limits but would only do so in the most exceptional circumstances.

- appeals listed in (a) – (e) above must be received by the Planning Inspectorate within **six months** of the date of the decision or deemed decision which is the subject matter of the appeal;
- revocation notice appeals must be received by the Planning Inspectorate before the date on which the revocation takes effect;
- appeals against a variation notice (not requested by the operator), an enforcement notice, or a suspension notice, must be received by the Planning Inspectorate within two months of the date of the notice which is the subject of the appeal:
- appeals in relation to confidentiality must be received by the Planning Inspectorate within 15 working days after the local authority has given its determination:
- appeals in relation to deemed withdrawal of duly made applications must be received by the Planning Inspectorate not later than 15 working days from the date the notice of deemed withdrawal is served.

Please note:

- Contact with the Principal Strategic EPO or the Head of Health & Housing may be able to resolve disagreements and misunderstanding and avoid an appeal.
- The rights to appeal listed in (a) – (f) above do not apply where the decision or notice implements a direction given by the Secretary of State or Welsh Ministers. There is also no right of appeal if a revocation notice has been served for non-payment of subsistence fees (EP regulation 31(5)).
- Appeals under (c) – (f) above do not stop the conditions coming into effect. Appeals against variation, enforcement and suspension notices do not stop the notices coming into effect. However, appeals against revocation notices suspend the operation of the notices coming into effect until the appeal is decided or withdrawn.
- In determining an appeal against one or more conditions, the Act allows the Secretary of State in addition to quash any of the other conditions not subject to the appeal and to direct the local authority either to vary any of these other conditions or to add new conditions.
- Time limits apply to making an appeal: (see above).