
STATUTORY INSTRUMENTS

2007 No. 3538

The Environmental Permitting
(England and Wales) Regulations 2007

PART 2

Environmental Permits

CHAPTER 2

Grant of an environmental permit

Grant of an environmental permit

13.—(1) On the application of an operator, the regulator may grant to that operator a permit (in these Regulations, an “environmental permit”) authorising the operation of a regulated facility.

(2) Part 1 (grant, variation, transfer and surrender of environmental permits) of Schedule 5 applies in relation to an application for the grant of an environmental permit.

Content and form of an environmental permit

14.—(1) An environmental permit must specify—

- (a) every regulated facility to which it relates, and
- (b) the person authorised to operate that regulated facility.

(2) An environmental permit may be in electronic form.

(3) An environmental permit authorising the operation of a regulated facility, other than mobile plant, must include a map, plan or other description of the site showing the geographical extent of the site of the facility.

(4) If there is more than one regulated facility on the site, the map, plan or other description may show only the combined extent of all the facilities.

Conditions in relation to certain land

15.—(1) Conditions in an environmental permit may require the operator to carry out works or do other things in relation to land which he is not entitled to do without obtaining the consent of another person.

(2) If an environmental permit contains such a condition, the person whose consent is required must grant the operator such rights as are necessary to enable the operator to comply with the condition.

(3) Part 2 (compensation in relation to conditions affecting certain interests in land) of Schedule 5 applies where such rights are granted.

Mobile plant operating on the site of another regulated facility: conflict of permit conditions

16. If—

- (a) an environmental permit (“permit A”) authorises the operation of mobile plant on the site of a regulated facility the operation of which is authorised by a separate environmental permit (“permit B”); and
- (b) there is an inconsistency between the requirements imposed by permit A and those imposed by permit B,

the requirements imposed by permit B prevail.

Single site permits etc.

17. An environmental permit may authorise the operation by the same operator—

- (a) on the same site of more than one regulated facility, other than a Part B installation or Part B mobile plant;
- (b) on the same site of more than one Part B installation;
- (c) of more than one mobile plant; or
- (d) of more than one standard facility (other than a standard facility to which the IPPC Directive applies),

but may not otherwise authorise the operation of more than one regulated facility.

Consolidation of an environmental permit

18.—(1) Paragraph (2) applies if there is more than one environmental permit which authorises—

- (a) the operation of mobile plant by the same operator;
- (b) the operation of standard facilities, not being standard facilities to which the IPPC Directive applies, by the same operator; or
- (c) in any other case, the operation of regulated facilities on the same site by the same operator.

(2) The regulator may replace the environmental permits with a consolidated environmental permit—

- (a) applying to the same regulated facilities; and
- (b) subject to the same conditions as the permits being replaced.

(3) The regulator may replace an environmental permit which has been varied with a consolidated environmental permit subject to the same conditions.

Subsistence of an environmental permit

19. Once granted an environmental permit continues in force until—

- (a) it is revoked in whole in accordance with regulation 22;
- (b) it is surrendered in whole in accordance with—
 - (i) regulation 24, or
 - (ii) regulation 25 and Part 1 of Schedule 5; or
- (c) it is replaced with a consolidated permit in accordance with—
 - (i) regulation 18(2),
 - (ii) regulation 22(5),
 - (iii) paragraph 19(2) of Part 1 of Schedule 5.