

# Update on the Local Authority Pollution Control permitting of industrial polluters

Date: 19/02/2024

Report of: Environmental Health Manager

Report to: Climate Emergency Advisory Committee

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

## Brief summary

Industrial sources contribute to the overall emissions of pollutants to air and while the releases within the UK have decreased significantly over time, they are still a large source of pollution. Industrial installations, manufacturers or other businesses that produce potentially harmful substances are subject to an environmental permitting regime which sets emission limits and other conditions to minimise pollution.

The Local Authority Environmental Health Team are responsible for the regulation of emissions from a number of industrial and commercial processes in Leeds. Operators of specific activities and installations are legally required to apply for an environmental permit from the local authority which contains conditions which must be complied with in order to control environmental emissions.

## Recommendations

- a) The Climate Emergency Advisory Committee note the contents of the report.

## What is this report about?

- 1 The report provides details of the local authority pollution control permitting regime and its operation in Leeds.
- 2 Local authorities and the Environment Agency are key delivery partners for the regulation of pollution control in the industrial and commercial sectors. Under the Environmental Permitting (England and Wales) Regulations 2016 local authorities must regulate certain types of industrial processes and commercial activities, while the largest installations are permitted and regulated by the Environment Agency.
- 3 In Leeds the Environment Agency regulates most waste operations, for example the Leeds waste incinerator on Pontefract Lane, Peckfield Landfill site in Micklefield, and Knostrop Water Treatment Works.
- 4 The local authority issues permits for a wide range of an industrial activities, from the glass and ceramics industry, ferrous and non ferrous foundries, galvanising, use of solvents, wood processing and timber treatment, mineral activities, and incineration processes. An interactive map is available showing all regulated sites within Leeds, <https://leedscs.maps.arcgis.com/apps/webappviewer/index.html?id=3dc027c6d7ec4c3b8ca5278c322a12a9>
- 5 Leeds is the second largest council regulator of industrial processes, issuing over 200 environmental permits to operators and more than any other local authority in the Yorkshire and Humber region. Permits are in place for many of the city's major manufacturing companies, for example Allied Glass, Cross Green (glass works), Forterra, Swillington (brick works), William Cook Castings, Knowsthorpe (ferrous foundry), and AETC, Yeadon (non ferrous foundry). Permits are also required for smaller operations including printers, galvanizing plants, solvent processes, vehicle respraying, cement batching and roadstone coating, crematoria, treatment of animal products, petrol stations and dry cleaners.
- 6 Regular monitoring of permit conditions takes place through an inspection programme to check for compliance with legal limits, in accordance with DEFRA guidance. This includes site visits and assessment of emission monitoring reports that are required to be submitted by operators. When conditions are not met action is taken to ensure that measures to address any non-compliance with permit conditions are put in place. While there are a range of options available, from agreed action plans through to suspension of operations and prosecution, the Environmental Health Team will always work with industry to resolve issues as quickly as possible. Formal action has not been required at any sites in Leeds in recent years. It is also an offence to operate without a permit. The environmental health team do actively identify and engage with businesses which may cause air pollution to advise if their activities require a permit.
- 7 The local authority is able to charge for providing an annual permit. The amount of charge is set by central government. Income from charges for delivering the permit regime is approximately £85,000 per year. A permit can cost between £79 and £3,500 dependent on the complexity and size of the industrial process.
- 8 It is expected that industrial emissions will continue to reduce as technology improves and the move away from fossil fuels accelerates. For example, over the last 12 months Allied Glass has undergone investment to rebuild one of its furnaces which has significantly reduced emissions and further reductions are expected when the second furnace is rebuilt later this year.

- 9 Data shows that between 2005 and 2021 emissions of greenhouse gases from industrial sources in Leeds reduced by 31%. Industrial sources contribute around 16% of the total greenhouse gas emissions in Leeds.

### What impact will this proposal have?

- 10 There is no direct impact as a result of the update.

### How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing       Inclusive Growth       Zero Carbon

- 11 The regulation of emissions from industrial processes by the local authority pollution control permitting regime supports the Leeds Air Quality Strategy by reducing emissions and improving air quality.

### What consultation and engagement has taken place?

Wards affected:

Have ward members been consulted?       Yes       No

- 12 Not applicable

### What are the resource implications?

- 13 There are no direct resource implications as a result of this update.
- 14 The pollution control permitting regime is funded from the environmental health team budget. A proportion of the costs of providing the service is recovered by charging applicants for a permit. Permit charges are set by central government and do not currently meet the full cost of providing the service. A review of the charging structure is currently being considered by DEFRA and the Environment Agency to provide full cost recovery to Local Authorities.

### What are the key risks and how are they being managed?

- 15 There are no key risks relevant to this update.

### What are the legal implications?

- 16 Not applicable

### Options, timescales and measuring success

#### What other options were considered?

- 17 Not applicable

#### How will success be measured?

- 18 Not applicable

### What is the timetable and who will be responsible for implementation?

19 Not applicable

### **Appendices**

- None

### **Background papers**

- None