



HALTON BOROUGH COUNCIL

**Environment and Regulatory Services
Environmental Protection**

**LAPPC/LA-IPPC ENFORCEMENT PLAN
2006-2007**

1.0 Introduction

1.1 This service plan details the way in which Halton Borough Council will meet its statutory obligations.

1.2 The plan provides details about:

1.3

- The enforcement services Halton Borough Council provides
- Relevant performance targets or performance standards.

1.4 The plan has been developed and must be read in the context of the Authority's wider service and financial planning arrangements.

2.0 Service Objectives

2.1 The objectives of the service are:

- To ensure Part B and Part A2 processes within the Borough comply with relevant pollution control legislation.
- To investigate complaints about pollution from authorised processes
- To respond and co-operate with national bodies and other local authorities
- To develop and promote the contribution of local communities and local businesses to the health of the Borough through good environmental practice.

3.0 Background

3.1 Part I of the Environmental Protection Act 1990 established two pollution control systems: Local Air Pollution Control (LAPC) system enforced by local authorities and an integrated pollution control (IPC) system enforced by the Environment Agency

3.2 LAPC came into force in England and Wales on 1 April 1991 and in Scotland on 1 April 1992. The powers given to local authorities under Part I of the Act superseded their powers under the Clean Air Acts 1956 and 1968 (now consolidated into the Clean Air Act 1993) and their statutory nuisance powers under Part III of the Environmental Protection Act in relation to prescribed processes.

3.3 Part I of the Environmental Protection Act 1990 will be progressively replaced by regulations under the Pollution Prevention and Control (PPC) Act 1999. The LAPC regime will also be replaced by Local Air Pollution Prevention and Control (LAPPC) which is similar to IPPC in procedures but will still regulate emissions to air only.

3.4 **Profile of the Authority**

3.5 The Borough has a population of approximately 120,000, 97% of whom live in Runcorn and Widnes and covers an area of 7,934 hectares (28 sq.miles). There are approximately 51,000 households in the Borough.

3.6 The area is one of the most industrialised areas in England. The main industrial businesses are chemicals, food processing, clothing, metal products and furniture manufacturing. The main service sectors are retail, financial, public and health administration.

3.7 Halton Borough Council was formed in 1974 and in 1998 became a Unitary Authority. The Authority employs approximately 6,500 people and has a budget of over £121 million. The Authority has 56 elected members, with Labour the controlling political party. During 2000 the Authority modernised its political structure creating an Executive Board and a series of Policy & Performance Boards.

3.8 In addition to the LAPPC/LA-IPPC the borough has some 60 IPPC processes authorised by the Environment Agency.

3.9 A review and assessment of air quality has concluded that standards will not be breached and there are no air quality management areas.

3.10 There is widespread perception however that air pollution is a major problem and is contributing to the borough's very poor health related statistics. A programme of research in conjunction with the health authority is underway to understand the root causes these poor statistics.

3.11 The section still receives in excess of 500 industrial pollution complaints per annum

4.0 Organisational Structure

4.1 All aspects of the LAPPC/LA-IPPC are delivered by the Environmental Health department. The service falls under the control of the Executive Director of Environment (Mr R.G Tregea)

4.2 The responsibility for the delivery of the service lies within the Environmental Health Division-Environmental Protection Group

4.3 The managerial and specialist responsibilities for the service delivery are as follows:

Divisional Manager: Mr. S. Baxter (Divisional Manager Environmental Health Enforcement and Building Control).

Team Manager: Mrs W. K. Salisbury (Environmental Team Manager)

Principal Officer: Mrs I. Mason (Principal Environmental Health Officer).

Environmental Control Officer: Miss E Marsh

5.0 Scope of the pollution control service

5.1 Proper public health and environmental control standards are essential in improving the quality both of the environment and of life within the Borough. The key service issue is to ensure that those factors in the environment that adversely impact upon the wellbeing of the population are addressed in a efficient and cost effective manner and that the powers and duties available in this area are effectively used.

5.2 To achieve this aim the division will:

- Receive and process applications for Permits
- Review Permits a on a regular basis
- Survey the area for potential operations without due authorisation
- Investigate any reported incidents about authorised processes
- Liase with other bodies in particular the Environment Agency
- Receive, monitor and place on the public register monitoring data or any data demanded by the Permit
- Visit premises regularly to check on compliance
- Receive a verify methodology for emission monitoring
- Hold local public registers for all processes in the Borough

- Levy and collect fees and charges as set nationally
- Receive and act upon any update in legislation, statutory guidance
- Offer advice and help to allow and encourage full compliance with the law and enhanced environmental protection

6.0 SERVICE DELIVERY

6.1 Process Inspections/audits

6.1.1 It is the policy of the Authority to maintain an inspection programme that ensures LAPPC/LA-IPPC premises are inspected at a frequency, and in a manner, that is consistent with the risk presented by the premises whilst ensuring the best use of available resources. The minimum frequency of inspections are guided by current statutory guidance.

6.1.2 Under the current regime all processes (with the exception of waste oil burners, petrol filling stations and dry cleaners) under the Local Authority Pollution Control regime are subject to a risk assessment to determine the required number of visits. Waste oil-burning installations, petrol filling stations and dry cleaners will be inspected at least once a year.

6.1.3 Inspection, approval, authorisation of relevant premises will be carried out in accordance with the relevant legislation and statutory guidance.

6.2 Advice to business

6.2.1 The division recognises the importance of assisting all businesses to comply with the law. The division provides advice for business:

- During inspections or visits on the spot verbal advice is given and usually confirmed in writing.
- Advice or recommendations will be clearly differentiated from legal requirements.
- Responding to requests for advice by telephone, personal visitors to our public office in Rutland House or giving advice on site by appointment.

6.3 Complaints from the public about pollution

6.3.1 The Authority responds to all such complaints by

- Making contact with the complainant to ascertain details
- Contacting the process operator
- Carrying out an inspection if necessary
- Checking on process monitoring records for emission data
- Agreeing a course of preventative action if needed
- Reviewing the Permit

6.3.2 Many complainants are not specific enough to identify specific processes. This can lead to a wider investigation often involving the Environment Agency to pinpoint the source

6.3.3 The council operates an out of hours shift and call out system in the summer to assist investigations into pollution.

6.4 Liaison With Other Organisations

6.4.1 To ensure consistency in enforcement and approach in all pollution matters, the division has a number of formal and informal liaison arrangements with other Local Authorities, Government bodies, Health Agencies, voluntary organisations and local and national liaison groups.

6.4.2 The department is represented on:

- The Cheshire Chief Environmental Health Officers pollution Liaison Group
- The Merseyside Chief Public Protection Officers pollution Technical Sub-Group

6.4.3 Within the Authority the Unit maintains good regular liaison with other Departments particularly Planning & Building Control.

6.5 Resources

6.5.1 Resources are allocated from the Environmental Protection Group.

6.5.2 Legal support for enforcement is provided centrally by the Council's legal services. The Council's legal services are structured in such a way that there is an environment group in the service headed by a group solicitor with particular expertise in environmental matters including LAPPC/LA-IPPC enforcement.

6.5 Staff Allocation

Officer	Fulltime equivalent	Qualification
Team Manager	0.1	Certificate of registration of EHORB or its antecedents
Principal Environmental Health Officer	0.1	BSc Environmental Health
Environmental Control Officer (Air Pollution)	0.6	MEng – Chemical and Process Engineering with Environmental Biotechnology
Environmental Control Officer (Noise)	0.3	HNC Chemistry
Technical administration support officer	0.1	in house training

6.6.1 There is a time recording system in place for officers engaged in LAPPC/LA-IPPC duties.

6.7 Staff Development Plan

6.7.1 The service is committed to staff development and participates fully with the Authority's Employment and Development Review process which is accredited to the Investors in People standard.

6.7.2 The division subscribes to the CIEH emissions monitoring and air quality package and officers attend seminars and training days.

6.7.3 The department are members of NSCA and attend seminars and workshops on LAPPC/LA-IPPC issues

6.7.4 The department subscribes to the Investigation of Air Pollution Standing Conference [IASPC] and officers attend seminars.

7.0 Quality Assessment

7.1 This service is committed to the provision of a high quality service through continual improvement. The division will be preparing a quality management system to include LAPPC/LA-IPPC and will be working towards the new ISO 9000:2000 quality standard in conjunction with the Consumer Protection Services.

8.0 Performance indicators

8.1 Key indicators for performance

8.1.1 Quantitative:

- Decisions on authorisation for new processes
- or substantial changes decisions on new authorisations for existing processes
- Number of planned audit visits made
- Number of complaints received about authorised processes
- Number of enforcement notices
- Number of prohibition notices
- Number of prosecutions
- Number of variation notices
- Income

8.1.2 Qualitative

- Percentage of new processes or substantial changes determined within 4 months
- Percentage of decisions on new applications for existing processes completed in less than 6 months
- Numbers of inspections per authorisation (for all process types)
- Numbers of inspections per process (not including waste oil burners<0.4MW or service stations)
- Percentage of required 4-year reviews -year reviews completed in the year
- A correctly completed survey form returned to DEFRA on time

9.0 Areas of Improvement.

9.1 The division recognises the need for the audit of its approach to LAPPC/LA-IPPC and the effectiveness of its systems. On completion of its review of policy, procedure and work practice the division will be looking to introduce a peer review system to supplement internal auditing by senior staff.

9.1.1 The division is committed to seeking effective consultation techniques to ascertain the needs of service users as a part of our commitment to continual improvement.

Appendix 1

Explanation of terms

IPPC: the Integrated Pollution Prevention and Control system established under the Pollution Prevention and Control Act 1999 and comprising Part A1 A2 and B installations.

IPPC Processes: A1 processes currently regulated by the Environment Agency under the Pollution Prevention and Control (England and Wales) Regulations 2000.

LA-IPPC Processes: Part A 2 processes currently regulated by Local Authorities under the Pollution Prevention and Control (England and Wales) Regulations 2000.

LAPPC Processes: Part B processes currently regulated by Local Authorities under the Pollution Prevention and Control (England and Wales) Regulations 2000 for emissions to air.