

**Determination of An Application for an Environmental
Permit under the Environmental Permitting (England & Wales)
Regulations 2016 (EPR 2016)
Notice of decision to “grant with conditions” an
application for a permit
– In accordance with Paragraph 17, Part 1,
Schedule 5 of the EPR 2016**

Application reference:	25/001/CBP
Applicant name:	Riley Mixed Concrete Ltd
Applicant address:	Dunnockshaw Farm, Burnley Road, Dunnockshaw, Burnley, BB11 5PP
Process Location:	Dunnockshaw Farm, Burnley Road, Dunnockshaw, Burnley, BB11 5PP
Process Type:	Blending, packing, loading, unloading and use of bulk cement

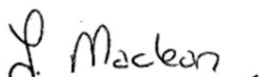
In accordance with Paragraph 17, Part 1, Schedule 5 of Environmental Permitting (England & Wales) Regulations 2016, this decision document includes the reasons for the “granting with conditions” of the permit application.

A permit has been issued alongside this decision notice and is based on the model permit contained within process guidance note 3/01(12), together with extra conditions to control dust emissions away from the boundary of the process site.

If you, as operator of the process, are aggrieved by the inclusion of any of the conditions in the permit, you may appeal, under Regulation 31 of the EPR 2016, to the Secretary of State. A notice of appeal should be sent to The Planning Inspectorate, Environment Appeals Team, 3A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay. Bristol BS1 6PN. Further information on appeals can be found at <https://www.gov.uk/government/publications/environmental-permit-appeal-form/environmental-permit-guidance-on-the-appeal-procedure>

The Council's decision will be notified to all objectors via email and to the public by means of the Burnley Borough Council website, within 15 working days of the end of today.

Dated: 24th November 2025

Signed: 

Joanne Maclean
Head of Streetscene
Burnley Borough Council
Parker Lane, Burnley, BB11 2BY

Reasons for requiring a Permit

The “Environmental permitting: Core guidance For the Environmental Permitting (England and Wales) Regulations 2016 (SI 2016 No 1154)”, last revised March 2020, produced by the Department for Environment, Food & Rural Affairs (DEFRA) sets out the aim for Environmental Permitting:

“Some facilities could harm the environment or human health unless they are regulated.

The aim of the regime is to:

- *protect the environment so that statutory and government policy environmental targets and outcomes are achieved;*
- *deliver permitting, and compliance with permits and certain environmental targets, effectively and efficiently, in a way that provides increased clarity and minimises the administrative burden on both the regulator and operators;*
- *encourage regulators to promote best practice in the operation of facilities”*

The Environmental Permitting (England & Wales) Regulations 2016 sets out which processes are regulated facilities and sets out that the operation of a regulated facility must be authorised by an environmental permit. The blending, packing, loading, unloading and use of bulk cement is a regulated process under Chapter 3, Section 3.1, in Part 2 of Schedule 1 to the EPR 2016 and the aim of permitting for this particular process is to minimise air pollution.

Exposure to cement can lead to serious respiratory illnesses like lung cancer, silicosis, and chronic bronchitis, as well as skin conditions and other diseases. Controlling exposure through measures such as ventilation, dust suppression techniques, and personal protective equipment are essential to minimise exposure.

Dust exposure from cement and aggregates can cause a range of respiratory problems, including asthma, bronchitis, and lung cancer, as well as allergic reactions such as rhinitis. Fine particles can penetrate deep into the lungs, leading to blockages and inflammation, while larger particles affect the upper respiratory tract.

Application for a Permit

The EPR 2016 states that the process of blending, packing, loading, unloading and use of bulk cement is a “Part B” permit and that the regulator is the local authority in which the process is to be operated.

DEFRA has provided statutory guidance on this process for regulators and operators via Process Guidance Note 3/01(12) and the process guidance note includes a model application form and model permit for use by local authorities.

Upon receipt of an application on the appropriate form provided by the local authority, the regulator must consider if sufficient information has been provided for a determination to be made. Once it is satisfied that all the relevant information has been submitted, and the application fee received, the regulator must confirm that the application has been ‘duly made’ and that the determination process will commence.

For applications for a permit to operate a blending, packing, loading, unloading and use of bulk cement process there is a requirement for a consultation process with members of the public and other organisations.

The determination process must be completed within 4 months of the “duly made” date and the Environmental Permitting: Core Guidance document confirms that:

- the regulator may grant a permit (model permit conditions), grant a permit with extra conditions, or refuse to grant a permit, and
- If the regulator determines either that a permit is to be issued with conditions extra to the model permit conditions or if it determines not to issue (i.e. refuse) the application, then the applicant may appeal to the appropriate authority in accordance with section 31 of the Environmental Permitting (England & Wales) Regulations 2016.

Relevant Legislation and Guidance Documents:

- The Environmental Permitting (England & Wales) Regulations 2016 [<https://www.legislation.gov.uk/uksi/2016/1154/contents>]
- Environmental Permitting: Core Guidance. For the Environmental Permitting (England & Wales) Regulations 2016 (SI 2016 No 1154) [<https://www.gov.uk/government/publications/environmental-permitting-guidance-core-guidance--2>]
- Environmental Permitting. General Guidance Manual on Policy and Procedures for A2 and B Installations [<https://www.gov.uk/government/publications/local-authority-pollution-control-general-guidance-manual>]
- Process Guidance Note 3/01(12) “Statutory guidance for blending, packing, loading, unloading and use of cement” [https://assets.publishing.service.gov.uk/media/5a80360d40f0b62305b89d4a/blending-packing-loading-unloading-and-use-of-cement-process-guidance-note-3-01_12_.pdf]

Background

Burnley Borough Council received complaints of dust issues relating to Dunnockshaw Farm, Burnley Road, Dunnockshaw, Burnley, BB11 5PP on 9th May 2025. As part of the investigations into the dust complaint, Environmental Health (Compliance) Officers found evidence of a cement batching process on the Dunnockshaw Farm site being operated by Riley Mixed Concrete Ltd. On 14th May 2025 officers confirmed with the business, by telephone, that they were operating a cement batching process and an application form was sent to the business that same day.

Riley Mixed Concrete Ltd submitted an unsigned application form for a blending, packing, loading, unloading and use of bulk cement process on 30th June 2025, which was later signed and submitted on 23rd July 2025. The application form included an Environmental Management Scheme for the control of dust on site.

The application form was considered “duly made” on 28th July 2025 and a letter to confirm this was sent to the applicant on the same day.

On 28th July 2025 Burnley Borough Council also opened their public consultation process to inform statutory consultees and nearby sensitive receptors of the permit application. Individual letters were sent to schools, businesses and isolated houses. Notices were also placed at intervals on posts on the main highway, Manchester Road/Burnley Road, in the vicinity of Dunnockshaw Farm, Burnley Road,

Dunnockshaw, Burnley, BB11 5PP and immediately local to housing in the area. The case file for the application was available to view at the Parker Lane Offices, Burnley, BB11 2BY and the application was also displayed, together with downloadable information, on the Council's website at <https://burnley.gov.uk/business/environmental-health/environmental-protection/environmental-permitting/>

Eleven objections were received, two of which wished not to be included in the public register. Several of the objections included photographs and video footage of issues being raised. A precis of the issues raised from objections received within the consultation period is attached as Appendix A and a precis of video/photographic evidence received during the consultation period is attached as Appendix B.

The public consultation process officially ended on 1st September 2025, however, objections via email were still being raised after this time and a precis of video/photographic evidence received after the end of the consultation period is attached as Appendix C.

On 20th August 2025 a site meeting occurred between Environmental Health (Compliance) Officers and the then site manager. The process was not operating at the time, so a complete inspection could not be carried out, however, there were several issues obvious at the time of the visit that would prevent the process from complying with the conditions set by the model permit (see Appendix D) in Process Guidance Note 3/01(12):

- No records available for maintenance, training etc
- The presence of a long part of the access road that was gravelled (not a hard, readily cleansable surface) and liable to create dust issues
- Lack of wheel wash facilities
- Lack of road sweeping facility
- Storage of aggregate stockpiles that had a level above the bund walls
- Lack of compliance with the submitted Environmental Management Scheme (EMS)

The issues were discussed at the time of the visit and then confirmed by separate emails to the site manager and to the company on 21st August 2025. The issues were also confirmed, on 1st September 2025, to the consultant that had submitted the application form and EMS.

Further information relating to the dust issues was submitted to the Environmental Protection Team by residents of housing in the locality of the process site, and officers also made several visits to the locality of Dunnockshaw Farm. The collated results of the evidence submitted by residents and issues found on site were:

- Evidence of dust from the gravel part of the access road being tracked onto the end of the access road where clouds of dust have been raised by the wind and blown off site
- Dust clouds seen to be raised by vehicles travelling along the access road, with the dust visibly being blown off site
- Trails of wet concrete slurry being dropped from the rear of concrete mixer trucks onto the end of the access road and highway, on a regular basis, with the slurry then drying out and the smaller particles being blown off site, leaving the larger aggregate on the access road and highway.
- HGVs delivering aggregate with inadequate sheeting to prevent dust being raised when in transit.
- Evidence of dust entering nearby houses and affecting the comfort of the occupiers (for example they state that they are unable to open windows).

On 28th August 2025, the Environment Agency added an online article (<https://www.gov.uk/government/news/riley-foods-limited-sentenced-for-illegal-water-pollution>), text reproduced in Appendix E, about their successful prosecution of Riley Foods Ltd, Dunnockshaw Farm, Dunnockshaw, BB11 5PP. A company director of Riley Foods Ltd is Stephen Riley, who is also a company director of Riley Mixed Concrete Ltd, the applicant.

As part of its investigations, Environmental Health determined that the permit application has correctly identified the boundary of the process and that the determination of the application would relate solely to the site identified by the boundary marked in red on the application. The issues relating to dust were found to be recurring but were happening away from the boundary of the proposed permitted process site. From evidence collected, the Environmental Health Section decided, on 22nd September 2025, that there was a recurring statutory dust nuisance. On 23rd September 2025, an abatement notice for the recurring dust nuisance was served on the business responsible (Riley Mixed Concrete Ltd) in relation to the dust nuisance, in accordance with the requirements of the Environmental Protection Act 1990. The notice detailed that the dust nuisance needed to be abated within a 12 weeks' timeframe for compliance.

A site meeting was held on 1st October 2025 by Environmental Health (Compliance) Officers and company representatives. An inspection of the site and locality found that there were still dust issues ongoing and that the following measures to control dust emissions and to meet the conditions in a model permit were as follows:

- No records available for maintenance, training etc
- The presence of a long part of the access road that was gravelled (not a hard, readily cleansable surface) and liable to create dust issues
- Lack of wheel wash facilities
- Lack of road sweeping facility
- Storage of aggregate stockpiles that had a level above the bund walls
- No observation logs regarding dust emissions and measures taken for abnormal events

The issues were discussed on site and a verbal undertaking was given by the company to install measures to control dust emissions and to meet the conditions that would be imposed by a model permit.

On 21st October 2025, Environmental Health sent a formal notice under Schedule 5 of EPR 2016 to require the applicant to provide information relating to whether either the applicant, a company director or a company which has a shared company director has received any convictions under the Environmental Permitting Regulations, or environment-related legislation, within the past 5 years.

On 27th October 2025 Environmental Health sent an email to the Environment Agency with a Freedom of Information request to ask whether either Riley Mixed Concrete Ltd or Riley Foods Ltd (both of Dunnockshaw Farm, Burnley Road, Dunnockshaw, BB11 5PP) or a linked company director had received any convictions under the Environmental Permitting Regulations, or environment-related legislation, within the past 5 years. The Environment Agency replied to state that, in response to an instance of the release of blood into a stream that was reported on 23rd February 2021, Riley Foods were found guilty at Preston magistrates court, on 16th July 2025 with sentencing deferred to 27th August 2025. The Environment Agency stated that prosecution proceedings were taken under Regulations 12 and 38 of the Environmental Permitting (England and Wales) Regulations 2016.

On 29th October 2025 Environmental Health made a further site visit to assess whether the applicant had installed sufficient measures to control dust emissions and to meet the conditions that would be contained within a model permit (see Appendix D).

It was found that the operator was failing to meet the following Model Permit conditions:

- Visible vehicle track marks (from vehicles accessing the cement batching site) on the haul road and onto the highway
- Inadequate evidence that the operator carries out observation of cement silos at time of delivery of cement available for viewing
- The site surface had muddy, standing water on the majority of the site and was not fully consolidated in parts that would be tracked off site by any vehicle exiting the process site
- Inadequate housekeeping and cleaning of the site - accumulations of aggregates (especially around the hopper) and mud formed from dusty aggregates on the site surface
- Inadequate damping or cleansing of the parts of the haul road, allowing dust to blow up when used by vehicles
- No operational wheel wash (or similar) at the process site
- Inadequate evidence of operator observation logs of cement silos at time of delivery of cement available for viewing
- Inadequate information in drivers' training logs, for example procedure to use when delivering cement to the silo
- No training log for the batcher, which needs to include information relating to the process for dealing with abnormal events
- No written hazard analysis and what events would need to be reported to the regulator

Environmental Health (Compliance) Officers carried out a further site inspection on 19th November 2025 at the request of the applicant, further to representations made by the applicant regarding further work having been completed. It was found that issues identified at the previous inspection had been addressed in the following ways:

- Installation of wheel wash for all vehicles exiting the concrete batching site
- Completion of drainage works both within and off the process site to provide adequate drainage of the process site surface
- Evidence of road sweeper usage on haul road
- Installation of a barrier across the haul road that will slow down vehicular traffic
- Adequate housekeeping on the process site – no spillages and stockpiles correctly stored
- Adequate evidence of observation logs to cover the potential for air pollution caused by spillages/ accidents and reporting system
- Evidence of basic training logs for batchers and drivers

At the time of inspection, it was noted that there were items for improvement:

- no written “stand alone” procedures for any of the air pollution-related work areas which the batchers would be required to read and sign
- servicing of pollution control equipment was not available at the time of inspection as the first service of this new equipment had just become due.
- The haul road only met the minimum standard of repair in regard to the potential for the creation of dust issues but that this issue was not within the process boundary
- The haul road was adequately dampened at the time of inspection due to wet weather, but the surface (where not concreted) requires better consolidation before any further extended periods of hot, dry weather

At the time of inspection, the applicant provided all outstanding information that was required regarding the service of the requisition for further information notice.

Specific Guidance Relating to the Determination of the Permit Application

The determination of any application for a Part B Permit for the blending, packing, loading, unloading and use of bulk cement is processed via the guidelines in the “Core guidance For the Environmental Permitting (England and Wales) Regulations 2016 (SI 2016 No 1154)” last revised in March 2020, produced by DEFRA. There is a presumption in favour of granting the permit application, however, there are guidelines that state:

7.14 The regulator is required to refuse an application for a permit in three circumstances:

- the regulator must not grant the permit if it considers that the applicant will not be the operator of the regulated facility (see the chapter 5 section on the operator);*
- except in the case of stand-alone water discharge, stand-alone groundwater or stand-alone flood risk activities, the regulator must not grant a permit if it considers that the operator will not comply with its conditions (see paragraph 13 of Part 1 of Schedule 5) – see chapter 9 on Operator Competence; and*
- the regulator must refuse to grant a permit relating to an existing Category A mining waste facility if the regulator receives a notice from the relevant emergency planner that the operator has not provided the information necessary to enable the relevant emergency planner to draw up an external emergency plan (see paragraph 14(2) of Schedule 20).*

The second of the above clauses for refusal was deemed possibly relevant in this case. Further information in the core guidance gives clarification on this:

9.3 Following an application for the grant or transfer of an environmental permit, there is also a specific duty on the regulator not to grant or transfer the permit if it considers that the operator/new operator will not operate the facility in accordance with the permit (see paragraph 13 of Part 1 of Schedule 559). In making this decision the regulator should consider whether the operator cannot or is unlikely to operate the facility in accordance with the permit. The regulator might doubt whether the operator could or is likely to comply with the permit conditions if for example, the operator:

- has an inadequate management system;*
- demonstrates inadequate technical competence;*
- has a record of poor behaviour or non-compliance with previous regulatory requirements; or*
- has inadequate financial competence.*

9.10 Operators should be technically competent to operate their facility in compliance with the conditions of their permits. The operator's wider management system should contain mechanisms for assessing and maintaining technical competence. The competence of individuals should form part of those management systems.

9.11 All individuals that make up the technically competent management for any activity must:

- be in a position to control the day-to-day activities authorised by the permit;*
- understand the processes and equipment being used;*
- understand the risks to people and the environment and how those risks need to be managed;*
- know how to comply with the law and relevant guidance;*

- be familiar with the management systems and management structure on site; and
 - have the authority to make appropriate interventions in the running of the operation.
- 9.19 In assessing operator competence the regulator may also consider whether the operator or any other “relevant person” (see below) has a poor record of compliance with regulatory requirements. These considerations will include, but are not restricted to, evidence of convictions for “relevant offences”. Other considerations may include receipt of formal enforcement notices such as enforcement or suspension notices or a history of, or acute, non-compliance with permit condition(s).
- 9.20 In this context, a “relevant offence” is an offence that is relevant to a person’s ability to operate in compliance with the permit applied for or held or to a person’s conduct as the operator of a waste facility.
- 9.21 A “relevant person” in relation to a conviction for a relevant offence or non-compliance includes:
- the operator;
 - a director, manager, secretary or other similar officer of an operator (when it is a corporate body) and a partner in a limited liability partnership (LLP), who has either been convicted of a relevant offence him/herself, or who held a position in another corporate body when it was convicted of a relevant offence; and
 - any other person that the regulator has reason to believe is a controlling or guiding mind of the operation.

Determination of the Permit Application

Having investigated the individual issues related to this permit application and tested the issues against the guidance as above, Burnley Borough Council’s has made a determination of the permit application using the following criteria:

(a) **Is there an adequate management system?**

There is a comprehensive Environmental Management System (EMS) that has been submitted alongside the permit application form. The EMS replicates the conditions contained in the model permit guidelines and was therefore considered, by Environmental Health, to be appropriate provided the provisions contained in the EMS are followed by the operator.

The provisions within the EMS are now being implemented.

(b) **Is there adequate technical competence?**

(i) **Compliance with conditions required by a model permit?**

The process was already in operation at the time that the permit application was made. Various site visits of the process site and locality have been made by Environmental Health Officers and, initially, there were ongoing failures (detailed in “Background”) to meet the conditions in a model permit. The regulator’s visit on 19th November 2025 identified that the process, within its identified boundary, is now meeting the minimum standards required by the conditions of a model permit; however, there were still potential issues relating to dust off-site, especially at the end of the haul road where it meets the highway.

(ii) Compliance in relation to control of air pollution?

Various site visits of the process site and locality have been made by Environmental Health Officers and there were significant failures (detailed in “Background”) to meet the conditions in the model permit in relation to the emitting of dust particles which are creating air pollution.

Residents in the locality of the proposed permitted process reported dust issues linked with the process (see Appendixes A, B and C). The Environmental Health Section identified that a dust nuisance, under the Environmental Protection Act 1990, was being created by Riley Mixed Concrete Ltd, but that this dust nuisance was being created off-site of the process boundary. A dust nuisance abatement notice was served on the company on 23rd September 2025 to require them to remedy this dust issue, which was occurring on the haul road away from the process site boundary, which was being caused by:

- dust on the gravel access road blowing into the air,
- dust attaching to the wheels of vehicles on the gravel access road and then being tracked out onto the highway and
- cement/concrete mixer regularly dropping a trail of wet slurry from the back of the vehicle, which caused dust on the access road and in the air on drying out.

Environmental Health (Compliance) Officers inspected the process site and locality on 19th November 2025 and found that there was still the potential for dust issues on the haul road in dry weather, especially in summer; however, these issues occur outside of the process site boundary and could be addressed by the enforcement of the dust nuisance abatement notice should this become necessary.

(c) Has the operator a history of poor behaviour or a history of non-compliance with previous regulatory requirements?

The factors to consider in this individual case are as follows:

- (i) The applicant did not submit an application for a permit for the process that is in operation until Environmental Health became involved with complaints from the public regarding dust issues from Dunnockshaw Farm. EH informed the company that they needed to apply for a permit via email on 14th May 2025 and attached a permit application form. The application was submitted on 30th June 2025.
- (ii) The Environment Agency has provided evidence of a history of non-compliance, within the last 5 years, with matters pertaining to the Environmental Permitting regulations - Riley Foods Ltd were found guilty of an offence of polluting a stream with blood at Preston magistrates court, on 16th July 2025 with sentencing deferred to 27th August 2025. Prosecution proceedings were taken under Regulations 12 and 38 of the Environmental Permitting (England and Wales) Regulations 2016. Riley Foods Ltd operates on the same farming site of Dunnockshaw Farm, Burnley Road, Dunnockshaw, Burnley, BB11 5PP as the permit applicant, Riley Mixed Concrete Ltd, and has the same company director, Stephen Lee Riley.

The above shows that there is some history of poor behaviour or compliance with previous regulatory requirements either by the applicant or by a linked company. This is not considered to be a reason for outright refusal, but must be taken into account when the determination decision is made.

(d) Is there evidence that the operator has shown financial incompetence?

The local authority has no history that would indicate financial incompetence by the applicant.

(e) Has all of the required information been submitted?

The permit application form has been correctly submitted. A schedule 5 requisition for further information notice was served on Riley Mixed Concrete Ltd on 21st October 2025 by post and via email and the applicant has provided all of the information required by that notice.

Decision

The application for a simplified Part B permit is “granted with conditions” i.e. the conditions within the model permit will be applied, together with four extra conditions to control the potential for dust issues on the haul road, which is outside the process boundary and therefore requires additional consideration.

The four extra conditions to those in the model permit are:

- The haul road to the process site shall have a surface that is capable of minimising dust emissions (minimum standard being stabilised crushed aggregate) and be maintained in good condition throughout the life of the permitted process.
- A wheel wash shall be placed where the gravelled part of the haul road (going away from the process site) meets the concreted part of the haul road and all vehicles leaving the process site shall have their wheels washed and underbelly of the vehicle cleansed of dust before the vehicles exit onto the concreted part of the haul road.
- Daily observations of the haul road to the site shall be made whenever the process is operational and this road shall be dampened or cleansed as necessary to prevent dust emissions going from the road into the air. Records shall be kept for a minimum of 18 months.
- All cement/concrete mixers that access the process site shall be maintained in such a condition as to prevent the accidental dropping of wet concrete out of any part of those vehicles when they are in motion.

As part of the permit application determination, a risk assessment of the cement batching process has been completed. The presence of some outstanding issues relating to compliance with the permit conditions, together with the history of a linked company having non-compliance with Environmental Permitting Regulations has resulted in the process having been given a “high risk” rating. This rating means that the local authority (the regulator) will carry out an increased rate of regular inspections to monitor potential dust issues.

The failure to meet any of the conditions within the permit may result in the regulator taking informal action or enforcement action under the provisions of the Environmental Permitting (England & Wales) Regulations 2016 to require the process operator to continue to meet the permit conditions.

In addition, should any residents in the locality experience further statutory dust nuisance, the local authority may choose to take formal action to enforce the abatement notice served on 23rd September 2025.

Appeals against the decision to grant the permit and to include extra conditions to those in the model permit can be made by the applicant / operator of the process, under Regulation 31 of the EPR 2016, to the Secretary of State. A notice of appeal should be sent to The Planning Inspectorate, Environment Appeals Team, 3A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay. Bristol BS1 6PN. Further information on appeals can be found at:

<https://www.gov.uk/government/publications/environmental-permit-appeal-form/environmental-permit-guidance-on-the-appeal-procedure>

APPENDIX A

Objections Raised as part of consultation process for the concrete batching process at Dunnockshaw Farm held 28TH July 2025 to 1st September 2025 (NB Points are Collected by Theme and are in no particular order)

Point No.	Objection Raised	Interim Response by Burnley Council (3/9/25)
1	Concerns of an increase in dust and cement dust (and other compounds that may be toxic or carcinogenic) caused by the development, which is in the air and is being breathed in and is landing on the flat surfaces of housing and cars in the area.	Burnley Borough Council agrees that cement powder, and dust in general created by a concrete batching process is a known cause for concern – this is the reason for the regulation of this type of process in England and Wales. A permit would impose conditions to control and limit the dust created on site and would also impose a condition that dust must not cross the boundary of the site. Evidence submitted to Burnley Borough Council, together with a site visit completed by council officers on 20/8/25, shows that excess dust is being created and is crossing the site boundary: - Dust from the gravel areas of the access road is being carried on to the end of the access road that meets Manchester Road, Dunnockshaw - The dust on the access road is being disturbed by the passage of HGVs and is blowing onto the highway and into the nearby residential properties - Dust from the access road is collecting on the wheels of vehicles and is being tracked onto the highway - Wet slurry from cement/concrete mixers is regularly being spilled onto the access road leaving the site and onto the immediate highway, leaving a trail of concrete which dries out and creates dust and an area of stone chips on the main highway directly outside of the access road - The speed of vehicles leaving the site increases the risk of dust being disturbed by their wheels and, once in the air, crossing the site boundary.

		Therefore, the above issues would mean that the operator of the process would not meet those conditions of an environmental permit that would seek to prevent dust from crossing the boundary of the site.
2	The extra dust created in the locality due to the concrete batching development will especially affect vulnerable people eg. those with lung problems, pregnant women and so on.	Burnley Borough Council, following governmental guidance such as the Environmental Permitting (England & Wales) Regulations 2016, is of the opinion that the dust crossing the boundary of a concrete batching process and going into residential premises or other sensitive receptors could affect the health of persons therein, whether or not the persons have a pre-existing condition that makes them more vulnerable. The granting of an environmental permit would seek to prevent the crossing of dust over the boundary of a concrete batching site.
3	Additional vehicular access to the concrete batching site is occurring that creates more noise and vibration on the main road and access road, close to residential properties. There has been a significant increase in vehicles and HGVs (in addition to existing farm and abattoir usage of the access road) using the access road - eg. for delivery of aggregates - since the concrete batching development started.	The Environmental Protection Team of Burnley Borough Council cannot consider this aspect as part of an application for a Part B permit under the Environmental Permitting (England & Wales) Regulations 2016 as the permit is concerned solely with air pollution caused by dust. However, this aspect is a concern that would relate to any planning application for the concrete batching process, which may require a change of use for the land. Concerns on this aspect need to be submitted to the Planning Section of Burnley Borough Council during the official consultation phase of any such planning application, following their guidelines, to ensure that any concerns are taken into account. The Environmental Protection Team would also be consulted on any such planning application and may submit comments to the planning section. The Environmental protection Team may also investigate this issue under the statutory nuisance legislation should evidence be submitted to show that noise/vibration nuisance is ongoing. Residents of housing in the locality will be invited to complete diary sheets regarding this issue.

4	Additional vehicles are entering the concrete batching development both before 7am and after 7pm and are causing noise issues when the background noise levels are quieter.	The Environmental Protection Team of Burnley Borough Council cannot consider this aspect as part of an application for a Part B permit under the Environmental Permitting (England & Wales) Regulations 2016 as the permit is concerned solely with air pollution caused by dust. However, this aspect is a concern that would relate to any planning application for the concrete batching process, which may require a change of use for the land. Concerns on this aspect need to be submitted to the Planning Section of Burnley Borough Council during the official consultation phase of any such planning application, following their guidelines, to ensure that any concerns are taken into account. The Environmental Protection Team would also be consulted on any such planning application and may submit comments to the planning section. The Environmental protection Team may also investigate this issue under the statutory nuisance legislation should evidence be submitted to show that noise/vibration nuisance is ongoing. Residents of housing in the locality will be invited to complete diary sheets regarding this issue.
5	Dust is being deposited on the access road and is stirred up by HGVs so that the dust crosses the boundary of the site.	Evidence submitted to Burnley Borough Council, together with a site visit completed by council officers on 20/8/25, shows that excess dust is being created and is crossing the site boundary: - Dust from the gravel areas of the access road is being carried on to the end of the access road that meets Manchester Road, Dunnockshaw - The dust on the access road is being disturbed by the passage of HGVs and is blowing onto the highway and into the nearby residential properties - Dust from the access road is collecting on the wheels of vehicles and is being tracked onto the highway - Wet slurry from cement/concrete mixers is regularly being spilled onto the access road leaving the site and onto the immediate highway, leaving a trail of concrete which dries out and creates dust and an area of stone chips on the main highway directly outside of the access road - The speed of vehicles leaving the site increases the risk of dust being disturbed by their wheels and, once in the air, crossing the site boundary.

		Therefore, the above issues would mean that the operator of the process would not meet those conditions of an environmental permit that would seek to prevent dust from crossing the boundary of the site.
6	Dust is being created in the locality around the concrete batching site due to wet concrete slurry being dropped from the cement/concrete mixer as it turns out of the access road. The slurry trail goes from the access road and onto the highway. The slurry contains aggregates and may cause a hazard to vehicular traffic on the main road as a slip/stopping distance risk and also causing stone chips to hit parked cars and causing damage.	Evidence submitted to Burnley Borough Council, together with a site visit completed by council officers on 20/8/25, shows that excess dust is being created and is crossing the site boundary: - Dust from the gravel areas of the access road is being carried on to the end of the access road that meets Manchester Road, Dunnockshaw - The dust on the access road is being disturbed by the passage of HGVs and is blowing onto the highway and into the nearby residential properties - Dust from the access road is collecting on the wheels of vehicles and is being tracked onto the highway - Wet slurry from cement/concrete mixers is regularly being spilled onto the access road leaving the site and onto the immediate highway, leaving a trail of concrete which dries out and creates dust and an area of stone chips on the main highway directly outside of the access road - The speed of vehicles leaving the site increases the risk of dust being disturbed by their wheels and, once in the air, crossing the site boundary. Therefore, the above issues would mean that the operator of the process would not meet those conditions of an environmental permit that would seek to prevent dust from crossing the boundary of the site.
	There is only one small access road and HGVs find it difficult to pass one another so causing a blockage – engines are running and revving near to residential property. The access road is not large enough for the extra traffic.	The Environmental Protection Team of Burnley Borough Council cannot consider this aspect as part of an application for a Part B permit under the Environmental Permitting (England & Wales) Regulations 2016 as the permit is concerned solely with air pollution caused by dust. However, this aspect is a concern that would relate to any planning application for the concrete batching process, which may require a change of use for the land. Concerns on this aspect need to be submitted to the Planning Section of Burnley Borough Council during the official consultation phase of any such planning application, following their guidelines, to ensure that any concerns are taken into account. The Environmental Protection Team would

		also be consulted on any such planning application and may submit comments to the planning section. The Highways Section of Lancashire County Council would be consulted on a planning application for change of use. The Environmental protection Team may also investigate this issue under the statutory nuisance legislation should evidence be submitted to show that noise/vibration nuisance is ongoing. Residents of housing in the locality will be invited to complete diary sheets regarding this issue.
8	There has been an increase in the level of noise generally in addition to the abattoir noise already on the same site which makes the noise increase intolerable.	The Environmental Protection Team of Burnley Borough Council cannot consider this aspect as part of an application for a Part B permit under the Environmental Permitting (England & Wales) Regulations 2016 as the permit is concerned solely with air pollution caused by dust. However, this aspect is a concern that would relate to any planning application for the concrete batching process, which may require a change of use for the land. Concerns on this aspect need to be submitted to the Planning Section of Burnley Borough Council during the official consultation phase of any such planning application, following their guidelines, to ensure that any concerns are taken into account. The Environmental Protection Team would also be consulted on any such planning application and may submit comments to the planning section. The Environmental protection Team may also investigate this issue under the statutory nuisance legislation should evidence be submitted to show that noise/vibration nuisance is ongoing. Residents of housing in the locality will be invited to complete diary sheets regarding this issue.
9	The release of cement powder causes air pollution and water pollution.	The delivery and storage of cement is via a closed system that prevents the release of the cement powder into the atmosphere. The permit would contain conditions to ensure that this is the case, backed up with a requirement for staff training on the correct usage of plant, and with requirements for regular maintenance of the cement-related equipment on site. Air pollution and water pollution due to cement spillage on or outside of the site boundary of the process may occur if there are any spillages of concrete

		from the cement/concrete mixer. This issue would cause a breach of a Part B permit condition.
10	The access road to the site leads on to a busy main road and creates a danger when HGVs are accessing or leaving the site.	The Environmental Protection Team of Burnley Borough Council cannot consider this aspect as part of an application for a Part B permit under the Environmental Permitting (England & Wales) Regulations 2016 as the permit is concerned solely with air pollution caused by dust. However, this aspect is a concern that would relate to any planning application for the concrete batching process, which may require a change of use for the land. Concerns on this aspect need to be submitted to the Planning Section of Burnley Borough Council during the official consultation phase of any such planning application, following their guidelines, to ensure that any concerns are taken into account. The Highways Section of Lancashire County Council would be consulted on a planning application for change of use.
11	Fires have been reported at Dunnockshaw Farm	The Environmental Protection Team of Burnley Borough Council cannot consider this aspect as part of an application for a Part B permit under the Environmental Permitting (England & Wales) Regulations 2016 as the permit is concerned solely with air pollution caused by dust. However, the Environmental protection Team may investigate this issue under the statutory nuisance legislation should evidence be submitted to show that smoke nuisance is ongoing. Residents of housing in the locality will be invited to complete diary sheets regarding this issue.
12	Dust from the site could go into the nearby brook and cause water pollution.	The Environment Agency has raised a concern that dust from the concrete batching site could wash into the local brook immediately adjacent and cause water pollution. This issue cannot be considered as part of the environmental permit application but is relevant to any planning application that may be made for change of use of the land. The planning section is already aware of the concern.

APPENDIX B

List of Submitted Videos & Photos 28th July 2025 to 1st September 2025 - Information available to the Public

Due to the need to protect the identity of the source of the videos or photographs, the actual footage cannot be added to the public information. A precis of the contents of the photographs or video footage has been provided as a substitute.

<u>Date submitted</u>	<u>Footage type</u>	<u>Description</u>
25-8-13 A	Email with 5 photos attached	Email states that lorries get stuck on the access road when they meet each other, there is noise from the lorries and noise from the cab drivers talking. Photo 1 – Cement/concrete mixer entering the site access road Photo 2 – Dust on the access road to the concrete batching plant with a trail of wet concrete mix on the access road Photo 3 – Dust on the access road to the concrete batching plant Photo 4 - Dust on the access road to the concrete batching plant Photo 5 - Dust on the access road to the concrete batching plant
25-8-13 B	Email with 11 photos attached	Email text notes the spillage of concrete slurry and that HGV was uncovered. Photo 1 – Cement/concrete mixer entering the site access road whilst creating a cloud of dust from its wheels Photo 2 – HGV with open back and load on board entering the site, cloud of dust visible at the wheels Photo 3 – HGV with open back leaving the site Photo 4 - HGV with open back leaving the site Photo 5 – back of a cement/concrete mixer on Manchester Road, Dunnockshaw Photo 6 – HGV leaving the access road as a white van tries to enter the same road Photo 7 – HGV with covered trailer leaving the access road Photo 8 – trail of concrete slurry on the Dunnockshaw Farm site access road and leading onto main road Photo 9 – close up of part of HGV with covered trailer

		Photo 10 – HGV with open back and load on board entering the site, cloud of dust visible at the wheels Photo 11 – Cement/concrete mixer leaving the site access road and turning right, with dusty vehicle tracks of vehicle that had previously turned left out of the same access road
25-8-13 C	Email with 4 videos attached via link	Video 1 – HGV with covered trailer leaving the site access road Video 2 – HGV with open back and sheeted load entering the site access road and creating a cloud of dust at its wheels Video 3 – Cement/concrete mixer leaving the site access road and creating a trail on the road; there is a previously existing trail on the site access road that has been created by a vehicle turning out of the access road in the opposite direction Video 4 – Cement/concrete mixer and HGV with open back turning out of the site access road together
25-8-14 A	Email with video attachment	HGV with open back driving at pace along access road from the site and creating a dust cloud from its wheels
25-8-14 B	Email with video attachment	Cement/concrete mixer driving at pace along access road into the site
25-8-14 C	Email with video attachment	HGV with open back driving at pace along access road from the site and creating a dust cloud from its wheels
25-8-14 D	Email with video attachment	HGV with open back driving at pace along access road into the site and creating a dust cloud from its wheels
25-8-14 E	Email with photo attachment	Photo of vehicle engine covered with fine, light coloured dust
25-8-14 F	Email with photo attachment	Photo of vehicle engine covered with fine, light coloured dust
25-8-14 G	Email with video attachment	Cement/concrete mixer driving at pace along access road into the site
25-8-14 H	Email with video attachment	Cement/concrete mixer driving at pace along access road from the site
25-8-14 I	Email with video attachment	Open back HGV driving at pace along access road to the site
25-8-14 J	Email with 3 photos attached	Photo 1 – substantial trail of concrete mix lying on the access road to the site Photo 2 – piles of concrete mix lying on the access road to the site Photo 3 – HGV with covered trailer accessing the site on 12th August 2025 at 21.57
25-8-14 K	Email with 3 photos attached	Photo 1 – HGV with open back leaving the site on 11th August 2025 at 15.01

		Photo 2 - HGV leaving the site access road on 8th August 2025 at 08.44 Photo 3 – Cement/concrete mixer leaving the site access road on 12th August 2025 at 13.09
25-8-14 L	Email with 3 photos attached	Photo 1 – HGV with open back leaving the site on 8th August 2025 at 13.41 Photo 2 - HGV with covered trailer leaving the site access road on 12th August 2025 at 19.21 Photo 3 – HGV with covered trailer leaving the site access road on 8th August 2025 at 06.47
25-8-15 A	Email with 3 photos attached	Emailer states that the photos are of their car only two days after it having been cleaned and dust is “what is being breathed in”. All photos taken 15/8/25. Photo 1 – Light coloured dust on car bonnet Photo 2 - Light coloured dust on car bonnet Photo 3 – Light coloured dust on car rear door.
25-8-16 A	Email with 1 photo attached	Photo 1 – substantial trail of concrete mix lying on the access road to the site
25-8-17 A	Email with 2 photos attached	Photo 1 – Cement/concrete mixer leaving the site access road on 12th August 2025 at 13.09 Photo 2 – HGV with open back leaving the site access road on 8th August 2025 at 13.41
25-8-17 B	Email with video attachment	Cement/concrete mixer driving at pace into and along the access road from the site on 15 th August at 15.30. A cloud of dust is raised in its wake.
25-8-17 C	Email with 3 photos attached via link	Photo 1 – Cement/concrete mixer leaving the site access road on 8th August 2025 at 11.22 Photo 2 – HGV with covered trailer entering the site access road on 8th August 2025 at 11.52 Photo 3 – substantial trail of concrete mix lying on the access road to the site (photo dated as 11th August 2025 at 10.02)
25-8-17 D	Email with 4 photos and 3 videos attached via link	Photo 1 – Light coloured dust on car rear door. Photo 2 – Light coloured dust on front of car. Photo 3 – Light coloured dust on bonnet of car Photo 4 - Light coloured dust on side of car Video 1 – Video of HGV with covered trailer driving along Manchester Road, Dunnock-

		shaw after dark and slowing down and turning into site access road, with a lot of clanking noise on 14/8/25. Video 2 – Video of HGV with covered trailer driving along Manchester Road, Dunnockshaw after dark after turning out of site access road, with a lot of clanking noise on 17/8/25. Video 3 – Video of HGV (live animal carrier) driving along Manchester Road, Dunnockshaw after dark after turning out of site access road, with a lot of clanking noise on 17/8/25.
25-8-18 A	Email with 3 photos attached	Email states that the person submitting the email had cleaned the area outside their house and had collected the pile of detritus that appears to contain cement; worried re such matter going into the drains and blocking them. Photo 1 – area of freshly washed pavement outside a house. Photo 2 – small pile of swept up detritus from the washed area of pavement Photo 3 – close up shot of the small pile of swept up detritus from the washed area of pavement
25-8-22 A	Email with 10 photos attached	Photo 1: open top HGV entering the access road to site Photo 2: open top HGV on the access road to site Photo 3: tractor with trailer leaving access road to site Photo 4: Dust blowing from access road to site Photo 5: HGV leaving access site Photo 6: cement/concrete mixer entering access site with dust blowing at wheels Photo 7: dust blowing on the access road to the site Photo 8: cement/concrete mixer exiting the access road to the site, with dust blowing from the access road onto the main road Photo 9: sheeted open back HGV entering the access road to the site with dust blowing from the access road Photo 10: sheeted open back HGV on access road, with dust blowing from access road onto main road, and aggregate visible on the main road directly outside the access road

25-8-23 A	Email with 3 photos attached	Email complains about smoke affecting residents in area, and litter in fields which land-owners do not pick up. Photo 1 – photo of smoke coming from open air burning on the abattoir site of Dunnockshaw Farm Photo 2 – photo of smoke coming from open air burning on the abattoir site of Dunnockshaw Farm (different view point) Photo 3 - photo of smoke coming from open air burning on the abattoir site of Dunnockshaw Farm (different view point)
25-8-26 A	Email with 1 photo attached	Email states that the photo was taken on 26/8/25. Photo 1 – long line of wet concrete mix leading from the access road of the site onto the main road.
25-8-28 A	Email with 1 video attached	Email states that the video was taken on 28/8/25. Video shows an HGV driving at pace into the access road to the site, with dust billowing up behind it.
25-8-29 A	Email with 2 photos attached	Email states that the photographs are of a report posted on the Loveclough and Crawshawbooth Village Facebook group that relates to the slaughterhouse at Dunnockshaw Farm, which allegedly has the same owners as the cement batching plant. Photo 1: photo of a report that Riley Foods Limited was prosecuted by the Environment Agency after they polluted a nearby brook adjacent to Dunnockshaw Farm on 23rd February 2021 and contaminating it. Photo 2: continuation of the same report to state that Riley Foods Limited had received two previous warnings from the Environment Agency due to inadequate drainage infrastructure.

APPENDIX C

List of Submitted Videos & Photos after 1st September 2025

Due to the need to protect the identity of the source of the videos or photographs, the actual footage cannot be added to the public information. A precis of the contents of the photographs or video footage has been provided as a substitute.

<u>No. of email & Date submitted</u>	<u>Footage type</u>	<u>Description</u>
01 02/09/2025	Email with 8 video links attached	Video 1 – trail of slurry from access road onto highway, a tractor comes to end of access road and scrapes the slurry away from the end of the access road Video 2 – tractor with trailer full of earth travelling into access road Video 3 – fully laden HGV travelling along access road (unable to specify load) Video 4 – concrete mixer truck going into access road and dust billows up from vehicle wheels and over the retaining wall to the site. Video 5 – different concrete mixer truck going into access road and dust billows up from vehicle wheels and over the retaining wall to the site. Video 6 - concrete mixer truck coming out of access road and leaving a track of dust on the highway Video 7 – covered load HGV (states loose bilk loads available on back of HGV) enters access road and creates dust cloud from wheels that goes over the site boundary Video 8 – concrete mixer truck comes out of the access road and leaves a trail of wet slurry going from the access road onto the highway
02 02/09/2025	Email with 1 video attached	Video 1 - concrete mixer truck coming out of access road and leaving a trail of wet concrete slurry on the access road and on the highway
03 03/09/2025	Email with 2 photos attached	Photo 1 – blocked drain near end of access road Photo 2 – drain cover partly covered with aggregate
04 05/09/2025	Email with 1 video attachment	Video shows concrete mixer truck leaving the access road and spilling wet concrete

		slurry onto the road from the rear of the vehicle
05 05/09/2025	Email with 2 photos attached	Email states "This is there version of cleaning up" then "Leaving all the residue to dry thus creating dust and debris which then deposits on windows/cars/and health concerns. Can't open windows for fresh air due to noise and dust issues" Photo 1 – remains of concrete slurry trail on access road Photo 2 - remains of concrete slurry trail on access road (different view)
06 07/09/2025	Email with photo attachment	Email states "Please find attached photos of Sat 6 October after concrete waggons have been still dropping concrete slurry on the access road outside our house. No active cleaning after it was dropped and consequently being spread all over the road and onto the main A682 highway". Photo shows aggregate remains on access road.
07 07/09/2025	Email with video attachment	Concrete mixer truck comes out of the access road and leaves a trail of wet slurry going from the access road onto the highway
08 08/09/2025	Email with photo attachment	Photo of aggregate on access road
09 08/09/2025	Email with 2 photos attached	Email states "The attached photos are of the dehumidifiers you can hang in your wardrobes, these have been in mine for less than three months and you can see the grime that has accumulated. Ive never seen this before and am somewhat grossed out to think i am sleeping in this room with all this grime polluting the air in my house ! No wonder i cough constantly". Both photos show a dehumidifier pack with brown patches on the surface of the gel.
10 09/09/2025	Email with 2 photos attached	Photo 1 – open back HGV laden with aggregate with no sheeting over the load, and load higher than back of wagon. Time stamped as 9/9/25 at 13.47 Photo 2 – open back HGV laden with aggregate with no sheeting over the load, and load higher than back of wagon. Time stamped as 9/9/25 at 11.55
11 15/09/2025	Email with 2 photos attached	Photo 1 – close up of slurry on access road Photo 2 – slurry on access road

12 15/09/2025	Email with 2 photos attached	Photo 1 – close up of slurry on access road Photo 2 – slurry on access road
13 16/09/2025	Email with 2 photos attached	Photo 1 – close up of slurry on access road Photo 2 – slurry on access road
13A 16/09/2025	Email with 2 photos attached	Photo 1 – close up of slurry on access road Photo 2 – slurry on access road
14 16/09/2025	Email with 1 video attached	Concrete mixer truck turning right out of access road.
15 19/09/2025	Email	The emailer states that their car was covered with dust and splashes of slurry immediately after a cement mixer had left the access road and come onto the highway.
16	Email with 2 photos attached	The email states that “In fact, the tractor transports slurry and rubble from the site behind Oak Mill (where the fire brigade have been called out numerous times) to Dunnockshaw Farm. I have just seen a cement mixer arrive at Dunnockshaw Farm, having passed my house, as I was driving towards Burnley along Manchester Road. Slurry and dust is coming from the tractor and its trailer as well as the cement mixers. These vehicles are part of the same cement works operation”.
17 22/09/2025	Email with 2 photos attached	Photo 1 – rear of car covered in dust, with rear wiper having removed the dust coat from the rear window. Photo 2 – side of car covered with splashes of dirt on it
18 23/09/2025	Email with 5 photos attached	All photos show different aspects of aggregate on the access road
19 24/09/2025	Email with 6 photos attached	Photo 1 – main highway Photo 2 – double track of debris (unknown origin) going out of access road and onto highway Photo 3 – dirt on access road and tractor tyre tracks going through the dirt Photo 4 – close up of splodges of flattened dirt on the highway Photo 5 – trail of splodges of flattened dirt on the highway Photo 6 - dirt on access road and tractor tyre tracks going through the dirt
20 24/09/2025	Email with 4 photos attached	Photo 1 – aggregate and flattened splodges of dirt on the highway Photo 2 – splodges of concrete slurry, with trail leading from access road to highway

		Photo 3 – close up of splodges of concrete slurry, with trail leading from access road to highway Photo 4 – trails of dirt leading from access road onto left on highway and right onto highway
21 24/09/2025	Email with 2 photos attached	Email states “This was my car this morning caused by dust clouds off the cement mixers/Hgv waggons coming and going”. Two photos of car covered in dust.
22 24/09/2025	Email with 1 photo attached	Photo of HGV entering the access road, loaded with aggregate and not covered
23 24/09/2025	Email with 11 photos attached	The email states “The last photographs are taken in my porch, the amount of dust on the skirting boards along with a piece of paper i wiped across the floor in the porch (last cleaned at weekend). A pair of boots kept in the porch covered in dust, they had only been in there 4 weeks. Incidentally my front door is a very secure rock door which is always closed as i have a house cat. I can no longer have windows open because of the dust, there is also a picture of the dehumidifiers i had in my wardrobe where dust has collected. There is also a picture of my wheelie bin covered in dust although i know that isnt counted it shows how much there is in the air we breathe. For perspective my house is on the other side of the road from the farm and at the rear of the row so im further away from the farm entrance, yet still it is bad” Photo 1 - dehumidifier pack with brown patches on the surface of the gel Photo 2 - dehumidifier pack with brown patches on the surface of the gel Photo 3 – dirt on wet access road Photo 4 – dust on dry access road Photo 5 – van driving onto the access road, having raised a cloud of dust Photo 6 – concrete mixer truck entering the access road and raising dust cloud Photo 7 – white van leaving the access road Photo 8 – dust accumulation on top of blue wheely bin Photo 9 – dust on skirtings in house Photo 10 – dust on ankle boots

		Photo 11 – a wipe with dust accumulation on it
24 25/09/2025	Email with 1 photo attached	Photo shows trail of slurry leading from the access road onto the main highway
25 25/09/2025	Email with 1 photo attached	Photo shows a trail of slurry leading from the access road and going left onto the highway
26 25/09/2025	Email with 2 photos attached	Email states “The cloth is from wiping my car windows which on dry days is necessary before you can actually drive anywhere. The second is my vehicle where i have run my finger over the bonnet to show how much dust has collected in the space of two days. All this dust is circulating in the air all the time. I have seen this morning two men shovelling cement from the farm entrance and later damping down but as per yesterday, a short time later it was all dry again. Simply putting down water is just ineffective with the amount of dust. The dust has accumulated so much it is affecting the road some distance either side of the farm”. Photo 1 – a used wipe with an accumulation of dust on it Photo 2 – car with dust coat on it
27 29/09/2025	Email with 2 photos attached	Both photos show an HGV carrying aggregate that is partially covered and load rises above the sides of the HGV
28 30/09/2025	Email with 1 photo attached	Photo shows an HGV carrying aggregate that is partially covered and load rises above the sides of the HGV
29 30/09/2025	Email with 1 photo attached	Photo shows an HGV carrying aggregate that is partially covered and load rises above the sides of the HGV
30 01/10/2025	Email with 1 photo attached	Photo shows tractor pulling an open wagon full of aggregate (no cover over aggregate)
31 02/10/2025	Email with video attached	Video shows a cement mixer leaving the site access road whilst dropping slurry from the back
32 02/10/2025	Email with 1 photo attached	Email states: “Slurry cleanup they have just dragged all the Slurry down The access road which will now create lots more dust after Waggon's go in and out over the Slurry. Sorry to keep troubling you but we are fed up this is still going” Photo shows slurry on access road
33 02/10/2025	Email with 1 photo attached	Email states: “This is now creating dust clouds no water put down” Photo shows dried out slurry on access road

34 02/10/2025	Email	Person emailing says that they now have lung-related health problems for which medical care has been sought.
35 21/10/2025	Email with 3 photos attached	Photo 1 shows an open-back HGV entering the site access road, with dust clouds raised by the wheels Photo 2 shows a white van entering the site access road, with dust clouds raised by the wheels Photo 3 shows an HGV entering the site access road, with dust clouds raised by the wheels

APPENDIX D

Model Permit – taken from Process Guidance Note 3/01(12)

Appendix 2 - Model Permit

This Appendix contains a model permit for [] installations – see [relevant para in intro] of this note and paragraph 3.6 of the [General Guidance Manual on Policy and Procedures](#).

Notes:

- text in the model permit written in *italics* is advice to regulators.
- text in the model permit in square brackets offers choice to regulators or indicates where information needs to be inserted from the application.
- text bracketed with asterisks (eg *Alarms shall be tested at least once a week*.) may be omitted by a regulator where the past performance of the plant gives the local authority sufficient reassurance about operator compliance – “earned recognition”.
- the model permit has been drafted for local authorities in England and Wales. Regulators in Scotland and Northern Ireland will need to amend the legal heading and, where appropriate, references to ‘Council’
- references to ‘installation’ will need to be substituted with ‘mobile plant’ in relevant cases, and other amendments made accordingly
- the purpose of the activity description is to set down the main characteristics of the activity, including any directly associated activities, so it is clear to all concerned what is being authorised by the permit and therefore what changes would need further approval. Regulators are advised to include a description of any key items of arrestment and monitoring equipment the operator intends to use or is using.
- it should normally be sufficient for records relating to simplified permits to be kept for no more than 18 months. Where, however, as a result of a ‘low risk’ rating, inspections are undertaken less often, regulators may want to specify a period which ensures the records are available at the next inspection.

[] COUNCIL
POLLUTION PREVENTION AND CONTROL ACT 1999
Environmental Permitting Regulations 2010 (as amended)

Permit ref. no:

Name and address of person (A) authorised to operate the installation ('the operator')

Registered number and office of company (if appropriate)

Address of permitted installation (B)

The installation boundary and key items of equipment mentioned in permit conditions are shown in the plan attached to this permit.

Activity description

The operator (A) is authorised to operate the activity⁴ at the installation (B) subject to the following conditions.

Conditions

Emissions and monitoring

1. No visible particulate matter shall be emitted beyond the installation boundary.
2. The emission requirements and methods and frequency of monitoring set out in Table 1 shall be complied with. Sampling shall be representative.

Any monitoring display required for compliance with the permit shall be visible to operating staff at all times. Corrective action shall be taken immediately if any periodic monitoring result exceeds a limit in Table 1, or if there is a malfunction or breakdown of any equipment which might increase emissions. Monitoring shall be undertaken or repeated as soon as possible thereafter and a brief record shall be kept of the main actions taken.

*Where continuous monitors are fitted to show compliance with a numerical limit in Table 1: All continuous monitors fitted to show compliance with the permit shall be fitted with a [visible] [audible] alarm warning of arrestment failure or malfunction. They shall [activate when emissions reach [75%] of the relevant emission limit in Table 1 and] record automatically each activation. *Alarms shall be tested at least once a week.**

⁴ listed in [] in Part 2 of Schedule 1 to the Environmental Permitting Regulations
PG3/01 Publication version

3. All plant and equipment capable of causing, or preventing, emissions and all monitoring devices shall be calibrated and maintained in accordance with the manufacturer's instructions.
Records shall be kept of such maintenance.

Silos where used

4. [Bulk cement] shall only be stored within the [bulk cement]silos.
5. Dust emissions from loading or unloading road tankers shall be minimised by [venting to specify type arrestment plant] [backventing to a delivery tanker fitted with an on-board, truck-mounted relief valve and filtration system] and by connecting transfer lines first to the delivery inlet point and then to the tanker discharge point, and by ensuring delivery is at a rate which does not pressurise the silo.
6. Silos and bulk containers of dusty materials shall not be overfilled and there shall be an overfilling alarm.
7. When loading silos which were new after Jun 2004, deliveries must automatically stop where overfilling or over-pressurisation is identified.
8. Displaced air from pneumatic transfer shall pass through abatement plant prior to emission to air.

Aggregates delivery and storage

9. Dusty materials (including dusty wastes) shall only be stored in [specify storage location] as detailed on the plan attached to this permit and shall be subject to suppression and management techniques to minimise dust emissions.

Belt conveying

10. All dusty materials, including wastes, shall be conveyed using [specify conveyor, level of enclosure and enclosure type]. All transfer points shall be fitted with [specify dust control technique].

Loading, unloading and transport

11. No potentially dusty materials (including wastes) or finished products shall arrive on or leave the site other than by use of [specify transport type and dust control technique].

Roadways and transportation

12. All areas where there is regular movement of vehicles shall have a consolidated surface capable of being cleaned, and these surfaces shall be kept clean and in good repair. Quarry haul roads are excluded from this provision.
13. Vehicles shall not track material from the site onto the highway.

Techniques to control fugitive emissions

14. The fabric of process buildings shall be [maintained dust tight and doors shall be kept closed when not in use] [maintained so as to minimise visible dust emissions] *select according to visible dust potential of each process building.*

Records and training

15. Written or computer records of all tests and monitoring shall be kept by the operator for at least [] months. They [and a copy of all manufacturers' instructions referred to in this permit] shall be made available for examination by the Council. *Records shall be kept of operator inspections, including those for visible emissions.*
16. Staff at all levels shall receive the necessary training and instruction to enable them to comply with the conditions of this permit. Records shall be kept of relevant training undertaken.

The following two conditions are not needed for PPC permits which transferred automatically into the environmental permitting regime by virtue of regulation 69(6) of the 2007 Regulations and regulation 108(4) of the 2010 Regulations. Where permits are issued on or after 6 April 2008 the next two conditions will not automatically apply and need specific inclusion in the permit where required.

Best available techniques

17. 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.
18. 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.

Table 1 - Emission limits, monitoring and related provisions					
Row	Substance	Source	Emission limits/provisions	Type of monitoring	Monitoring frequency
1	Particulate matter	Whole Process	No visible airborne emission to cross the site boundary where harm or nuisance may be caused	Operator observations	At least daily
		Silo inlets and outlets (<i>for silos new since 1st July 2004</i>)	Designed to emit less than 10mg/m ³	Operator observations	At time of delivery
		Silo inlets and outlets	No visible emission		
		Arrestment equipment, or any point where dust contaminated air is extracted from the process to atmosphere, with exhaust flow >300m ³ /min. (other than silo arrestment plant)	50mg/m ³	Recorded indicative monitoring	Continuous
		Arrestment equipment, or any point where dust contaminated air is extracted from the process to atmosphere, with exhaust flow >100m ³ /min. (other than silo arrestment plant)	No visible emission Arrestment equipment should be provided with a design guarantee that the equipment can meet 50mg/m ³	*Isokinetic sampling	At least once to demonstrate compliance, then as necessary to provide a reference for the continuous indicative monitor. Continuous
2	Droplets, persistent mist and fume	Arrestment equipment, or any point where dust contaminated air is extracted from the process to atmosphere, with exhaust flow <100m ³ /min. (other than silo arrestment plant)	No visible emission	Operator observation Or Indicative monitoring	At least daily Or Continuous
		All emissions to air (except steam and condensed water vapour)	No droplets, no persistent mist, no persistent fume.	Visual observations	*On start-up and on at least two more occasions during the working day*
		Only emissions to atmosphere are required to comply with the emission limits within this table.			
Notes: *All periodic monitoring results shall be checked by the operator on receipt and sent to the Council within 8 weeks of the monitoring being undertaken.* a) The reference conditions for limits in Table 1 are: 273.1K, 101.3kPa, without correction for water vapour content, unless stated otherwise. b) All periodic monitoring shall be representative, and shall use standard methods. c) The emission limits do not apply during start-up and shut down. All emissions shall be kept to a minimum during these periods.					

Right to Appeal

You have the right of appeal against this permit within 6 months of the date of the decision. The Council can tell you how to appeal [*or supply details with the permit*]. You will normally be expected to pay your own expenses during an appeal.

You will be liable for prosecution if you fail to comply with the conditions of this permit. If found guilty, the maximum penalty for each offence if prosecuted in a Magistrates Court is £50,000 and/or 6 months imprisonment. In a Crown Court it is an unlimited fine and/or 5 years imprisonment.

Our enforcement of your permit will be in accordance with the [Regulators' Compliance Code](#).

APPENDIX E

<https://www.gov.uk/government/news/riley-foods-limited-sentenced-for-illegal-water-pollution>

Press release

Riley Foods Limited sentenced for illegal water pollution

Riley Foods Ltd guilty of causing unlawful discharge in a Burnley watercourse. Investigations revealed blood entering the water, posing risk to aquatic life.

From: Environment Agency
Published 28 August 2025

Riley Foods Limited, a Burnley-based slaughterhouse, has been fined £17,000 and ordered to pay £34,365 in costs. The sentencing followed a prosecution by the Environment Agency after the company was found guilty of illegally polluting a nearby watercourse with blood.

The case began following a report on 23 February 2021 of blood entering a stream next to the company's premises at Dunnockshaw Farm.

Environment Agency officers attended the site the following day alongside representatives from United Utilities. Investigations confirmed that the pollution was not caused by United Utilities' sewer infrastructure but instead originated from a private drainage system at Riley Foods Limited.

Evidence gathered showed effluent, including blood, entering the watercourse from a pipe connected to the company's premises. Water quality testing demonstrated that upstream of the discharge the water was of the highest quality, while downstream it was classified as 'bad', the lowest possible category, posing a serious risk to aquatic life.

History of Poor Practice

The court heard that Riley Foods Limited had a history of poor practice and non-compliance. The Environment Agency had previously issued two formal warning letters. In 2019, United Utilities also issued a site improvement plan highlighting serious concerns about drainage infrastructure and the risk of pollution. Despite this, incidents continued.

In sentencing, the court found that the company had acted deliberately.

Riley Foods Limited was fined £17,000 and ordered to pay costs of £34,365 as well as a victim surcharge of £2000.

An Environment Agency spokesperson said:

The Environment Agency takes pollution incidents extremely seriously.

Despite repeated advice, warnings, and opportunities to improve, Riley Foods Limited failed to prevent unlawful discharges into the environment.

This sentence sends a clear message that businesses who disregard environmental law and put our waterways and wildlife at risk will be held accountable."