



Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

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11th June 2020

Dear Mr Hooper

Thank you for your letter of 6th June concerning the ongoing issues surrounding the Tunnel Tech site in Misson. I have provided a response to each question raised below.

1. Why was a consultation with residents not undertaken?
There is no requirement to undertake public consultation with regards to reviewing and reissuing an existing permit under the provisions of the Environmental Permitting (England and Wales) Regulations 2016.
2. Was the granting of the permit subject to a planning committee meeting?
The granting of the permit was not subject to a planning committee meeting as it is a permitting issue not a planning issue.
3. If the permit had not been extended and TTN had appealed against this would they have been able to maintain operating pending the outcome of the appeal?
There is no provision under the Environmental Permitting Regulations 2016 to “extend” a permit. Once issued the permit remains in place until it is either surrendered by the operator or suspended or revoked by the local authority.

During any appeal against any conditions set by a permit Tunnel Tech would have been able to maintain operating pending the outcome of the appeal. In addition there would be a risk that during the appeal process, which could take many months TTN may choose to halt progress with the works currently underway.

4. Was the option of withholding an extension to the permit pending completion of the enclosure works considered? If so why was this not undertaken?

The permit was not being "extended". Once issued a permit remains in place until the company or the regulator revoke it therefore the option to withhold an extension pending the completion of the works was not a viable or legal option. Following independent legal advice BDC took the approach to revise the permit containing a condition to complete the enclosure works as the most likely and expedient way of ensuring this work is carried out.

I trust the above addresses the questions raise however should you require any further information please do not hesitate to contact me.

Yours sincerely

Andrea Stewart
Environmental Health Manager

