



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Statutory Notice

Environmental Permitting
(England and Wales) Regulations 2016
Regulation 36

**ENFORCEMENT NOTICE TO TAKE SPECIFIED STEPS IN RELATION TO A
BREACH OF PERMIT CONDITION(S)**

To: DAIRY PARTNERS (CYMRU WALES) LIMITED
Brunel Way
Stroud Water Business Park
Stonehouse
Gloucestershire
GL10 3SX

Environmental permit: EPR/ WP3231NB

Regulated facility: The Creamery, Aberarad, Newcastle Emlyn, Carmarthenshire, SA38 9DQ

Natural Resources Wales considers that the following condition of the environmental permit is being contravened: 3.5.1 in part because a specified noise abatement measure has not been installed by the operator.

You are required to take the steps set out in Schedule 1 by the date(s) specified in order to remedy the contravention.

Date....3rd September 2021.....

Signed:

Erin Smyth-Evans

Industry & Waste Regulation Team Leader

Natural Resources Wales
Maes Newydd
Llandarcy
Neath Port Talbot
SA10 6JQ

Please see over for notes.

(Signature of Natural Resources Wales)

Environmental Permitting (England and Wales) Regulations 2016

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Notes:

General

1. Failure to comply with this notice is an offence under Regulation 38(3) of the Environmental Permitting (England and Wales) Regulations 2016 and may result in legal action being taken against you.
2. Without prejudice to the requirements of this notice, failure to comply with a condition of an environmental permit is an offence and may result in legal action being taken against you.
3. You may wish to seek independent legal advice.

Appeal provisions

You are entitled to appeal against this notice under Regulation 31(1)(f) of the Environmental Permitting (England and Wales) Regulations 2016. Notice of appeal must be made within two months of the date of this notice. An appeal does not affect the requirements of this notice.

You must send written notice of the appeal and the documents listed below to:

The Planning Inspectorate
Crown Building
Cathays Park
CARDIFF
CF10 3NQ

Tel: 029 2082 3866

Email: wales@pins.gsi.gov.uk

Website: <http://www.planningportal.gov.uk/planning/appeals>

At the same time you must send a copy of the appeal notice and documents to Natural Resources Wales.

The required documents are:

- A statement of the grounds of appeal
- A copy of any relevant application
- A copy of any relevant environmental permit
- A copy of any relevant correspondence between the appellant and the regulator
- A copy of any decision or notice which is the subject matter of the appeal
- A statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying The Planning Inspectorate in writing and sending a copy of that notification to Natural Resources Wales. Further information about making an appeal and the forms that you will need are available from The Planning Inspectorate detailed above.

Legislation note

In this document "Natural Resources Wales" means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012. On 01 April 2013 the Natural Resources Body for Wales (Functions) Order 2013 transferred the relevant functions of the Countryside Council for Wales, and functions of the Environment Agency and the Forestry Commission in Wales to the Natural Resources Body for Wales.

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SCHEDULE 1 STEPS TO BE TAKEN		
Condition number	Steps to be taken	By date
3.5.1	The operator will install acoustic lagging/jackets on each of the oil separators, which form part of the three chiller units sited at the Dairy Partners installation in Newcastle Emlyn. The acoustic lagging/jacket will cover all noise generating parts.	15 th October 2021



(FAO Company Secretary)
DAIRY PARTNERS (CYMRU WALES) LIMITED
Brunel Way
Stroud Water Business Park
Stonehouse
Gloucestershire
GL10 3SX

Ein Cyf/Our ref: EPR/WP3231NB
Eich Cyf/Your ref:

Date: 3rd September 2021

Dear Madam

Regulated facility: The Creamery, Aberarad, Newcastle Emlyn, SA38 9DQ

Revised notice to comply with permit – Noise Abatement Measure (Chillers)

The Environmental Permitting Regulations (EPR) permit for the above facility, which is operated by your company, includes a condition to operate the plant without causing noise pollution. In response to an ongoing noise problem at the facility, Dairy Partners identified¹ a series of initial noise reduction measures in Oct 2020. These measures were due for implementation/installation by the end of December 2020. This was then delayed until June 2021. We were informed in June 2021 that these measures had been installed. However it now appears that one² of the principal noise abatement measures identified for reducing the noise impact still has not been completed. Specifically the installation of acoustic linings/jackets around the oil separators on the three chillers sited at the installation. In response to this we have been in discussions with your site representatives and a revised deadline has been agreed to address this. This deadline has now been formalised in this notice (attached).

If you would like to discuss this letter, please do not hesitate to contact me

Yours faithfully

Neil Herbert

Arbenigwr Arweiniol - Rheoleiddio Diwidiant a Gwastraff
Lead Specialist – Industry & Waste Regulation

Tîm Rheoleiddio Diwydiant a Gwastraff - De-Orllewin Cymru /
South West Wales Industry & Waste Regulation Team
Cyfoeth Naturiol Cymru / Natural Resources Wales

¹ Report Reference: Parker Jones Acoustics – The Creamery , Aber-Arad – Dairy Partners Ltd - BAT Noise Audit - dated 2nd October 2020.

² It should be noted that the requirements of the attached notice do not preclude the requirement of further measures to address noise pollution from the facility.

E-bost/E-mail: neil.herbert@cyfoethnaturiolcymru.gov.uk

cc. Andrew Jones, Darryl White, Steve Welch & Robert Peel (email) – Dairy Partners

attached:

- Environmental Permitting (England and Wales) Regulations 2016, Regulation 36 Notice -ENFORCEMENT NOTICE TO TAKE SPECIFIED STEPS IN RELATION TO A BREACH OF PERMIT CONDITION(S) – Notice dated: 3rd September 2021

Cyfoeth Naturiol Cymru / Natural Resources Wales
Maes Newydd, Llandarsi, Castell-Nedd, Port Talbot SA10 6JQ

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg
Correspondence welcomed in Welsh and English