

Natural Resources Wales permitting decisions

Stud Farm (Powys) Limited (Stud Poultry Farm) Transfer Decision Document

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Transfers

Full transfer

We have decided to grant the transfer for Stud Poultry Farm from Topmoor Poultry Limited to Stud Farm (Powys) Limited.

The permit number is `EPR/CB3397CH`.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Stud Farm (Powys) Limited have applied for a full transfer of one of the permits for Stud Poultry Farm (`EPR/CB3397CH`) which had been operated by Topmoor Poultry Limited. The whole installation had previously been operated by Stud Farm (Powys) Limited under the permit `EPR/KP3536MM` until 2022 when the permit's primary activity (Section 6.9 A(1)(a) Rearing of poultry or pigs intensively in an installation with more than 40,000 places for poultry) was transferred to Topmoor Poultry Limited as a result of partial transfer application.

As the two year agreement with Topmoor Poultry Limited has ended, the applicant has applied to have the part of the site that had been transferred to Topmoor Poultry Limited on the 03/02/2022, to be transferred back to Stud Farm (Powys) Limited.

Receipt of Application

The application for a partial transfer was received on the 24/03/2023 and was pick up for duly making on the 28/03/2023. The application was deemed duly made upon recipient of the application.

Confidential information

A claim for commercial or industrial confidentiality has not been made.

Identifying confidential information

We have not identified information provided as part of the application that we consider to be confidential. The decision was taken in accordance with our guidance on commercial confidentiality.

Legislation

This permit transfer and variation is issued under Regulations 20 and 21 of the Environmental Permitting (England & Wales) Regulations 2016 (as amended) (EPR). The Environmental Permitting regime is a legal vehicle which delivers most of the relevant legal requirements for activities falling within its scope.

We address the legal requirements directly where relevant in the body of this document.

A copy of the application and all other documents relevant to our determination (see below) are available for the public to view. Anyone wishing to see these documents could arrange for copies to be made.

Control of the facility

We are satisfied that the applicant (now the operator) is the person who will have control over the operation of part of the facility after the grant of the permit. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator.

Changes to permit conditions

The permit conditions have changed as a result of the transfer and therefore we have varied the permit to allow the transfer to occur.

The following condition has been removed:

1.5 Multiple operator installations

1.5.1 Where the operator notifies Natural Resources Wales under condition 4.3.1 (a) or 4.3.1 (c), the operator shall also notify without delay the other operator(s) of the installation of the same information

Condition 1.5 and 1.5.1, which is for multiple operator installations has been removed as a result of the transfer as the transferee is the same operator as the one listed for the other permit on the installation (EPR/KP3536MM). As such the condition is no longer required as both of the permits for the site are operated by the same legal entity.

We have also amended the wording on condition 2.2 in appendix 2 so it now reads as follows:

2.2 Site

2.2.1 The activities shall not extend beyond the site, being the land shown edged in red on the site plan at schedule 7 to this permit. The area shown edged in green on the site plan represents the extent of the installation covered by that of the permit EPR/KP3536MM

We have change the wording of “other operator of the installation” to “permit EPR/KP3536MM” as the transferee is the same legal entity that operates the other permit.

Environment Management System

There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.

The summary of the environmental management system (EMS) submitted was the same as the one current used on site. The new operator will use the same management systems as those already employed on the site. The transferee, Stud Farm (Powys) Limited, had previously operated the under the entire site under the permit EPR/KP3536MM.

Relevant convictions

The National Enforcement Database (COLINS) has been checked to ensure that all relevant convictions have been declared.

No relevant convictions were found.

The operator satisfies the criteria in RGN 5 on Operator Competence.