

Statutory Notice

Environmental Permitting (England and Wales) Regulations 2016 Regulation 36

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

To: The First Milk Cheese Company Limited

The Lake District Creamery, Station Road, Aspatria, Wigton, Cumbria CA7 2AR

Environmental permit: EPR/XP3830UR

Regulated facility: Haverford West Creamery, Pembroke Road, Merlins Bridge,
Haverfordwest, Pembrokeshire SA61 1JN

Natural Resources Wales considers that the following condition of the environmental permit is being contravened: 3.2.1 Emissions of substances not controlled by emission limits; because polluting matter is or has potential to discharge from release point W2 due to contamination of the effluent pipe line between the creamery and the Western Cleddau river.

You are required to take the steps set out in Schedule 1 by the date(s) specified in order to remedy the contravention and ensure any further contravention does not occur.

Date: 11 August 2023 Signed *D. Padfield*

Dale Padfield, Acting Industry Regulation Team
Leader - South Central Area

Natural Resources Wales

Plas Yr Afon, St. Mellons Business Park, Fortran Road, St. Mellons, Cardiff, CF3 0EY

Please see over for notes.

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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:

Planning and Environment Decisions Wales
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Tel: 0300 0604400

Email: PEDW.Casework@gov.wales

Website: [Planning and Environment Decisions Wales | GOV.WALES](https://www.gov.wales/planning-and-environment-decisions-wales)

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 PEDW 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 PEDW.

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
3.2.1	1. Implement controls to prevent or minimise discharge of polluting matter contaminating the effluent pipe line from release point W2 and confirm details of action taken in writing to Natural Resources Wales.	Completed
3.2.1	2. Produce a plan of action to inspect and clean the full length of the effluent treatment pipe line and any ancilliary plant or infrastructure that may be contributing to discharge of polluting matter via release point W2. Confirm details of action to be taken in writing to Natural Resources Wales in advance.	Completed
3.2.1	3. Implement the plan of action set out in step 2 to inspect and clean the full length of the effluent treatment line and any ancilliary plant or infrastructure that may be contributing to discharge of polluting matter via release point W2. Confirm details of action to be taken in writing to Natural Resources Wales in advance.	30 September 2023
	4. Provide to Natural Resources Wales a written assessment of public health and environmental risk and impact arising from the polluting matter accumulated in and on the Western Cleddau river bed and banks.	30 September 2023
	5. Produce and implement a plan of action to remediate the impact of polluting matter on the Western Cleddau river bed and banks. Confirm details of action to be taken in writing to Natural Resources Wales in advance.	Completed
3.2.1	6. Provide to Natural Resources Wales a weekly written assessment of the daily efficacy of the outfall screen installed in compliance with step 1 above in collecting the polluting matter leaving the outfall. If the efficacy of the screen in preventing polluting matter entering the Western Cleddau river reduces First Milk shall inform Natural Resources Wales immediately using the incident hotline 03000 65 3000.	First weekly report on 14 August 2023 and then weekly until completion of step 3.