

# 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**

To: Dairy Partners (Cymru Wales) Limited  
Dairy Partners Oldends Lane  
Oldends  
Stonehouse  
England  
GL10 3RL

**Environmental permit:** EPR/WP3231NB

**Regulated facility:** Dairy Partners (Cymru Wales) Ltd, The Creamery, Aberarad, Newcastle Emlyn, Carmarthenshire, SA38 9DQ

**Natural Resources Wales** considers that the following condition of the environmental permit is being contravened: 3.2.3 – requirement for liquids that could cause pollution to have secondary containment, because the aeration and balance tanks which form part of the effluent treatment plant do not have this provision.

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

**Date:** 16 April 2025

**Signed** \_\_\_\_\_



Erin Smyth-Evans, Industry Regulation Team Leader

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

**Please see over for notes.**

## Environmental Permitting (England and Wales Regulations 2016 Regulation 36

### 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](mailto:PEDW.Casework@gov.wales)

Website: [Planning and Environment Decisions Wales](http://Planning.and.Environment.Decisions.Wales) | [GOV.WALES](http://GOV.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.

## Environmental Permitting (England and Wales) Regulations 2016 Regulation 36

SCHEDULE 1 STEPS TO BE TAKEN		
Condition number	Steps to be taken	By date
3.2.3	<p>Dairy Partners (Cymru Wales) Ltd shall construct the <b>Approved Secondary Containment System</b> (for the Aeration and Balance tanks) by the deadline specified in this Notice at The Creamery, Aberarad, Newcastle Emlyn, Carmarthenshire, SA38 9DQ.</p> <p><b>Notes</b></p> <ul style="list-style-type: none"> <li>The <b>Approved Secondary Containment System</b> referred to in this notice means the approved design and plans as submitted by Dairy Partners (Cymru Wales) Ltd as part of your permit variation application (reference EPR/WP3231NB/V004), specifically the following submissions: <ul style="list-style-type: none"> <li>Response to questions (inclusive) in Section 3 of Part C3 of your permit variation application form (reference: EPR/WP3231NB/V004) - submitted on the 24<sup>th</sup> February 2022.</li> <li>Dairy Partners responses to a Schedule 5 Notice for information - as set out in your email titled <i>1498: NRW Schedule 5 PAN-017188 - New Secondary Containment Lagoon, DP Site, Newcastle Emlyn - Email 1 of 4</i> - sent on the 14<sup>th</sup> November 2022 at 16:33 and including the following attachments: <ul style="list-style-type: none"> <li>HCE-1498-101-R02 - Secondary Containment Lagoon GA Plan.pdf</li> <li>HCE-1498-102-R02 Typical Details Sheet 1 of 2.pdf</li> <li>HCE-1498-103-ROI Typical Details Sheet 2 of 2.pdf</li> <li>HCE-1498-104-ROI Setting Out Information.pdf</li> <li>HCE-1498-105-R02 Cast In-situ Concrete Wall and Slab GA.pdf</li> <li>HCE-1498-106-ROI Slab and Wall RC Detailing.pdf</li> <li>HCE-1498-107-R02 Slab and Wall Various Details.pdf</li> <li>HCE-1498-108-R02 Longitudinal Sections E-E, F-F, G-G.pdf</li> <li>HCE-1498-109-ROI Schematic Site Layout.pdf</li> <li>HCE-1498-200 Site Location Plan.pdf</li> <li>HCE-1498-Drawing &amp; Document Register 22.11.11 ISSUE.pdf</li> <li>HCE-1498-100-ROI Demolition Plan.pdf</li> </ul> </li> </ul> </li> </ul>	4th September 2026

**SCHEDULE 1  
STEPS TO BE TAKEN**

Condition number	Steps to be taken	By date
Continued from previous page	<ul style="list-style-type: none"> <li>The Aeration and Balance tanks referred to in this Notice are sited at the Dairy Partners (Cymru Wales) Ltd regulated facility at The Creamery, Aberarad, Newcastle Emlyn, Carmarthenshire, SA38 9DQ and their location is as shown in drawing reference: EPR/S36/1/2021 which is enclosed in this Notice.</li> </ul>	



