EnviResource Consulting Ltd
Reducing Your Costs, Improving Our Environment
Tel. 07803 032513 / 07966 404332

Hannagh Loughlin

Natural Resources Wales

Ty Cambria

Cardiff

10th, January, 2019

Dear Hannagh,

Re: Application Reference PAN-003864

Race Farm, Newport Road, Pontypool, NP4 0TP

I acknowledge receipt of your email confirming that the surrender documents are being returned and on receipt I will ensure both Andrew Morgan and his father have both signed them before they are returned.

In respect of the fee, if it is already in your bank account it will cover the cost of the surrender document which will be returned with the additional information you require.

Andrew Morgan of Race Farm started composting on a simple compacted hardcore area in one of his fields. He carried this out under a ` Certificate of Existing Lawful Use of Development` issued by Torfaen Council. The application No. was 07/P/15086(E) approved on the 17th, May, 2007.

Enviresource started working with Race Farm in 2012 and obtained a T23 exemption EPR/ZH0116HC/A001 issued on the 30th, March,2012.

Race Farm, therefore, has been composting green waste under the Certificate of Existing Lawful Use of Development since 2007 and continued the operation under a T23 exemption from April 2012.

A permit was applied for and registered on the 9th, May 2012 reference EM/GB3439DE. The area designated for these compost operations was identical to the area identified in the Lawful Development consent.

The permit was put in place for Andrew Morgan to expand his composting operation and produce a PAS100 product. When Andrew realised the complexities of obtaining a PAS100 product together with the need for him to obtain a level 4 WAMITAB qualification he felt it was too much to do on top of running a farm of cattle. He resolved to carry on under the exemption and not work under the conditions of the permit.

EnviResource Consulting Ltd.
23 Plas Y Fforest
Pontarddulais
Swansea
SA4 0TG

www.enviresource.co.uk

He believed, wrongly, that he never triggered the commencement of the permit and never realised the need to surrender it nor that you shouldn`t have a permit and exemption for the same operations.

With the decision made not to progress with the PAS100 accreditation Enviresource did not get involved again with Race Farm until 2016/2017 and were not aware that they were paying subsistence on their permit.

Race Farm did not carry out any testing on soil or ground water conditions before commencement of their compost operations in 2007 nor on the registration of their T23 exemption or permit in 2012 or their permit in 2012. In fact no testing has been done in this respect at all.

There have been no pollution incidents from 2007 to this day. In respect of a low risk surrender this has been recommended by your officers after due consideration of all the circumstances regarding the site operations and seems eminently sensible.

As the permit was never considered to be activated by Race Farm they were not compliant with the permit in the following instances.

1. No qualified manager with COTC status was employed.
2. No impermeable barrier was installed in the compost slab.
3. No collection system for retention of the leachate was installed.
4. No quarterly waste returns were made to NRW.
5. No CAR reports are on record.
6. No compliance with the EMS was considered.

In respect of the separation of the permit activities from the exempt activities this was never considered because all operations were deemed to be covered by the exemption, not the permit.

This surrender is possibly unique in that it refers to a permit that the permit holder never believed was functional and that he carried out all operations within his T23 exemption. Their tonnages of compost produced were so low as to keep them within the limits of their exemption.

The question has to be asked whether most of the information requested for the sire condition report is relevant in this instance.

Since the last meeting with your officers, Lara Moggridge and Ian James, who have been most helpful in the permit surrender discussions, there has been a change in operations at Race Farm. It was the original intention to continue compost operations under the T23 exemption .However the landlord of Race Farm, Jack Hanbury, was not happy about waste operations at the farm in general. To this end the Morgans ceased taking in green waste for compsting from June 2018. The current situation is that there is some matured compost on the compost slab. This will be distributed to pasture in spring 2019.

I hope this further information is of use.

Regards,

David Davies Director Enviresource Consulting Ltd