

Mr & Mrs Challoner
Pentre Barn
Triley
Nr Abergavenny
Monmouthshire

Date/Dyddiad: 8 August 2003
Your Ref/Eich cyf:
Our Ref/Ein cyf: RHO/MLP
Contact/Cyslltwch Mr R H Owen
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Dear Sir & Madam

Environmental Protection Act 1990
Complaint of odour from Upper Triley Farm

I refer to my letter dated 21st May, 2003 and our subsequent conversations, in response to your complaint to this Section of an alleged nuisance from odours emanating from the poultry units located at Upper Triley Farm.

I can advise that having undertaken numerous visits in recent months I have not experienced the regularity/intensity of poultry odours in the vicinity of your home that in my opinion would justify the service of a formal Abatement Notice with respect to the statutory nuisance provisions of the above Act.

In view of this, and that as previously advised, the system of rearing and odour control at the units is well managed, I do not intend to pursue further investigations at this time.

However, if you consider there to be substantial odour problems in the future from the poultry units, please do not hesitate to contact me and I will reappraise the situation.

For your information, Section 82 of the Environmental Protection Act 1990 does provide the right for any person aggrieved by what they consider to be a statutory nuisance to make a complaint direct to the Magistrates Court. The Magistrates, if persuaded that there is a statutory nuisance may make an Order requiring the abatement/prohibiting the recurrence of the nuisance. If you are considering this course of action I suggest you take appropriate legal advice.

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