



Animal &
Plant Health
Agency

Animal and Plant Health Agency
Access to Information Team
Weybourne Building
Ground Floor
Woodham Lane
New Haw
Addlestone
Surrey
KT15 3NB

T 01932 341111
F 01932 357608

www.gov.uk/apha

[REDACTED]
{By Email}

Our Ref: ATIC00783

9 February 2016

Dear [REDACTED]

PROVISION OF REQUESTED INFORMATION

Thank you for your request for information about an anaerobic digester and biogas energy production facility which we received on 13 January 2016. Your request has been handled under the Environmental Information Regulations (EIR) 2004.

The information you requested and our response is detailed below:

"I am conducting an environmental assessment of an anaerobic digester and biogas energy production facility in Northamptonshire, and would be grateful if you could please respond to the following questions under the Environmental Information Regulations 2004. I have attached a site plan to help with identifying the specific location of the site in question.

The Company is: **Fernbrook Bio Limited**

Who's Registered Office is:

**158 Washbrook Road
Rushden
Northamptonshire
NN10 6AA**

Operating a facility at:

**Rothwell Lodge Farm
Rothwell Road
Kettering
Northamptonshire
NN16 8XF**

1. Does the facility hold any permits or approvals with APHA?

All operations approved or registered by APHA are listed at the attached link:
<https://www.gov.uk/government/publications/animal-by-product-operating-plants-approved-premises>

Fernbrook Bio Limited is listed as an Animal By-Products (ABP) biogas plant with approved number 29/097/8005/ABP/BIO.

2. If so have there been any recorded breaches of the constraints of this permit/approval? If so, please give details.

The detail relating to this question has been withheld under Exception 12(5)(e) of the EIR which refers to the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest.

APHA positively recognises the emphasis of EIR is that of openness and transparency in relation to information concerning the environment. However, with regard the detail of this point we reasonably believe that the commercial damage caused to the business would outweigh the public interest in disclosure. In addition, to this there is an expectation of confidentiality between these types of business operators and APHA.

3. Has the APHA ever had cause to inspect the facility? If so, please provide details of visits and findings.

APHA inspect all ABP approved sites on a risk basis. For compost plants, APHA usually carry out four inspection visits per year. The details of these visits and findings are withheld for the same reasons as question 2.

4. Is the APHA satisfied that operations at the facility are taking place in compliance with all guidance and constraints imposed by the APHA?

There is scope within ABP legislation to suspend or revoke approvals for non-compliant premises. This site is currently on our publicly available approved or registered by APHA list (see question 1).

5. Does the APHA have any inspections of the facility planned in the future? If so please briefly explain whether these are due to a timetable of scheduled inspections or whether they are due to other influences.”

APHA inspect all ABP approved sites on a risk basis. For compost plants, APHA usually carry out four inspection visits per year.

I attach an Annex which explains the copyright that applies to the information being released to you and contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact the Access to Information Team at the email address below or postal address at the top of this letter.

Yours sincerely

ACCESS TO INFORMATION TEAM

Email: enquiries@apha.gsi.gov.uk

Annex

Copyright

The information supplied to you is Crown copyright, unless otherwise stated, and is protected by the Copyright, Designs and Patents Act 1988. You are free to use it for your own purposes, including any non-commercial research, and for the purposes of news reporting. Any other re-use, for example commercial publication, will require permission. You can find details on the arrangements for re-using Crown copyright information at:

<http://www.nationalarchives.gov.uk/doc/open-government-licence/open-government-licence.htm>

Information you receive which is **not** subject to Crown Copyright continues to be protected by the copyright of the person, or organisation, from which the information originated. You must ensure that you gain their permission before reproducing any third party (non Crown Copyright) information.

In keeping with the spirit and effect of the Freedom of Information Act 2000/Environmental Information Regulations 2004, all information is assumed to be releasable to the public unless exempt. The information released to you may now be published on our website together with any related information that will provide a key to its wider context.

Complaints

If you are unhappy with the result of your request for information you may request an internal review within 40 working days of the date of this letter.

If you wish to request an internal review, please contact: The Access to Information Team at enquiries@apha.gsi.gov.uk or at the postal address at the top of this letter, who will arrange for an internal review of your case.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted APHA's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF