

Permitting decisions

Surrender

We have decided to accept the surrender of the permit for Courtney's Farm operated by Buddleford Estates Limited.

The permit number is EPR/CP3030CC.

We are satisfied that the necessary measures have been taken to avoid any pollution risk and to return the site to a satisfactory state. We consider in reaching that decision we have taken into account all relevant considerations and legal requirements.

Purpose of this document

This decision document provides a record of the decision making process. It summarises the decision making process in the decision checklist to show how all relevant factors have been taken into account.

This decision document provides a record of the decision making process. It:

- highlights [key issues](#) in the determination
- summarises the decision making process in the [decision checklist](#) to show how all relevant factors have been taken into account

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit and the surrender notice. The introductory note summarises what the notice covers.

Key issues of the decision

1. Reason for surrender application

The installation comprises five poultry houses numbered 1 to 5 which provide a combined capacity for 110,000 broiler places. The birds were brought on site as one-day old chicks and remained on site for approximately 45 days. At the end of the growing period, all birds were removed and houses washed down, and litter removed off site for land spreading off site by third parties. There were approximately seven crop cycles per year.

However, the farm has since reduced in poultry numbers, bringing it below the need for permitting.

Two poultry houses have been decommissioned and they are currently used for agricultural storage. The remaining three poultry houses are still used to house poultry, however, they are stocked below the 40,000 poultry threshold.

Since 14th October 2015, the site has been stocked with a maximum of 33,220 birds. The reason for the reduction in numbers has been largely due to farm profitability. The operator was selling birds to buyers on

the open market, where the price per kilogram fluctuated hugely. The operator now works with a local poultry rearer and processor, on a fixed contract. The operator predominantly broods chickens from day-olds to grow-on age, at which point, the birds go to free range accommodation (located off site), and eventually into the free range market. The buyer has a group of farmers doing this, which gives him a constant supply to the processing plant. It is for this reason that the operator does not need the volume of birds they once stocked on site.

The operator has also noted that family circumstances has been another factor in reducing bird numbers and that the current volume of birds is not only less intensive in terms of the nature of farming, but also less labour intensive.

Additionally, recent site inspection reports reflect that litter is now disposed of onsite through the operator's Biomass Boiler (report dated 12/09/2016).

The operator states that they are not aware of any pollution incidents since the site was first permitted and claim it is in a satisfactory condition.

A visit by the site inspector on 24/09/2014 noted that:

- 1) a more comprehensive defect diary of inspection and maintenance records needs to be produced.
- 2) Training records need to be kept to demonstrate to the inspecting officer that a training regime exists.
- 3) Records of exported litter need to be maintained. However, once the AD plant is operational records of the tonnage and date of being transferred to the AD plant will fulfil this requirement.
- 4) The shed feed towers need to be protected from collision damage.

A visit on 19/10/15 noted that there was a cracked breeze block from which liquor was escaping.

The site inspector has confirmed that the above issues have now been addressed by the operator (email from Area received 23/10/17) and that these are no longer an issue at the site.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential. The decision was taken in accordance with our guidance on confidentiality.
The site	
Pollution risk	We are satisfied that the necessary measures have been taken to avoid a pollution risk resulting from the operation of the regulated facility.
Satisfactory state	We are satisfied that the necessary measures have been taken to return the site of the regulated facility to a satisfactory state. In coming to this decision we have had regard to the state of the site before the facility was put into operation.
Growth Duty	

Aspect considered	Decision
Section 108 Deregulation Act 2015 – Growth duty	<p>We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit surrender.</p> <p>Paragraph 1.3 of the guidance says:</p> <p>“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p>We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.</p>