

Permitting decisions

Part surrender

We have decided to accept the surrender in part of the permit for the Belasis Site operated by Marlow Foods Limited.

The permit number is EPR/BW9247IK.

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:

- 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

Marlow Foods Limited operate a production facility in Billingham (the "Belasis" site) where a fermentation process is used to produce mycoprotein paste, the raw material used in Quorn foods products. The Belasis site has been subject to environmental regulation since 1993, initially under an Integrated Pollution Control permit (reference AH2389), then under an Integrated Pollution Prevention and Control permit (reference BW9247IK) from 2005 until 2011 when it was converted to an environmental permit (reference EPR/BW9247IK) under the Environmental Permitting (England and Wales) Regulations 2010. The most recent variation (V007) of the environmental permit was granted on 03/08/2018.

Following the partial revocation of the permit on 7 November 2017, the Section 4.7 activity was removed. Therefore, the operation of the deep shaft aerated effluent treatment plant under Section 5.4 is the only permitted activity occurring on site.

This partial surrender has been undertaken to remove the land associated with the production facilities from the permit.

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 facility | |
| The regulated facility | The permitted regulated facilities have changed as a result of the partial surrender. This is described in more detail in the key issues section of this document. |
| The site | |
| Extent of the surrender application | The operator has provided a plan showing the extent of the site of the facility that is to be surrendered. We consider this plan to be satisfactory. |
| 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 sufficient information has been supplied to show that the site is in a satisfactory state (insofar as there is no evidence of pollution since the permit was issued and the activity revoked). We therefore accept the application to partially surrender the permit. |
| Permit conditions | |
| Changes to permit conditions as a consequence of the surrender | The permit conditions have not changed as a result of the partial surrender. |

Growth Duty

Section 108 Deregulation Act 2015 – Growth duty

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.

Paragraph 1.3 of the guidance says:

“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.”

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.