

Permitting decisions

Surrender

We have decided to accept the surrender of the permit for Brickhouse Farm Pig Unit operated by Pole Farming Limited.

The permit number is [EPR/KP3233XL](#).

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 in to 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.

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 site	
Pollution risk	<p>We are satisfied that the necessary measures have been taken to avoid a pollution risk resulting from the operation of the regulated facility.</p> <p>A site inspection on 22nd February 2019 confirmed that pig stock numbers had been reduced.</p> <p>The operator has confirmed that the last remaining sow pigs left the farrowing unit in February 2019, and that the last remaining finished pigs left the unit in July 2019.</p>
Satisfactory state	<p>We are satisfied that the necessary measures have been taken to return the site of the regulated facility to a satisfactory state.</p> <p>In coming to this decision we have had regard to the state of the site before the facility was put into operation.</p> <p>On 4th November 2019 we confirmed that we consider the surrender application for this installation and its land as low risk.</p> <p>The operator confirmed in the Site Condition Report dated 17th September 2019 that there has been no pollution incidents during the lifetime of the permit.</p> <p>The operator has confirmed that the slurry storage and dung heap were removed from the site, and spread on land in August 2019. Afterwards, the exterior area around the buildings was checked to ensure the integrity of pollution controls had not been compromised.</p> <p>Once emptied, the site was cleared.</p> <p>Afterwards, the site remained empty until September 2019 when, on a trial-basis, weaners were accepted on-site. With this change, the site no longer exceeds the threshold for requiring a permit.</p>
Growth Duty	
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</p>

Aspect considered	Decision
	<p>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> <p>We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.</p>