

# Permitting decisions

## Surrender

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We have decided to accept the surrender of the permit for **Lincoln Road Farm Poultry Site** operated by **Wot-an-Egg Limited and Mrs Ann Shepherd, Miss Rachael Ann Shepherd and Miss Helen Jane Shepherd trading as RG Shepherd.**

The permit number is **EPR/UP3039UA**

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.

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

This is a full surrender based on the farm no longer being an installation. The farm is no longer operating above EPR 6.9 A (1) (a) (i) intensive farming schedule activity threshold of 40,000 poultry places.

The facility has seen significant reduction in the number of poultry sheds being used for active production bringing the bird number below the above EPR threshold at just under 35,000 birds. The sheds being used for pullet and barn rearing production on the Lincoln Road site have been decommissioned into dry goods storage facilities. The overall permit has been under the 40,000 from the middle of 2017 when the pullet and barn production came to a halt.

The operator updated site condition report provided with this application outlines exactly which sheds are no longer in active use and labels their location. All disused poultry buildings have had no changes made to them other than the poultry equipment inside being removed. All feed silos sit empty. The generators and storage tanks for the sites are still in use to supply the active laying sheds.

The partnership within the Operator name has been updated in this surrender from Priory Pullets Limited to Wot-an-Egg Limited. This is because on March 7<sup>th</sup> 2019 the name changes as listed on Companies House without a change of registration number and hence no transfer was needed as not a change of legal entity.

## Decision checklist

Aspect considered	Decision
<b>Receipt of application</b>	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
<b>The site</b>	
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	<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>
<b>Growth Duty</b>	
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> <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>