

# Permitting decisions

## Part surrender

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We have decided to accept the surrender of part of the permit for The Mill, Belle Eau Park operated by Noble Foods Co.

The permit number is EPR/WP3534RW.

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.

The applicant, Noble Foods Co, has provided an application for a part surrender to reduce the permitted area of the site. This part surrender removes an area in the north east part of the site that was sold prior to the issue of the original permit. Following our review of the part surrender application and supporting information we, the Environment Agency, are satisfied that the operator, has provided sufficient evidence to demonstrate that this area of land has been returned in a satisfactory state.

This surrender is considered low risk and a Site Condition Report was not submitted by the operator, and therefore there is no Site Condition Report Evaluation Template.

## Decision checklist

| Aspect considered                               | Decision   |
|---|--|
| <b>Receipt of application</b>                   |  |
| 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.  |
| <b>The facility</b>                             |  |
| The regulated facility                          | The permitted regulated facilities have changed as a result of the partial surrender. The installation boundary is highlighted in green, shown in Schedule 4 of the part surrender notice.   |
| <b>The site</b>                                 |  |
| 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.<br><br>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 the necessary measures have been taken to return the site of the regulated facility to a satisfactory state.<br><br>In coming to this decision we have had regard to the state of the site before the facility was put into operation.   |
| <b>Growth Duty</b>                              |  |
| 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.<br><br>Paragraph 1.3 of the guidance says:<br><br>“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.”<br><br>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 |

| <b>Aspect considered</b> | <b>Decision</b>  |
|--------------------------|--|
|                          | economic growth at the expense of necessary protections. |