

## Permitting Decisions- Bespoke Permit

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We have decided to grant the permit for Traditional Norfolk Poultry operated by Traditional Norfolk Poultry Limited.

The permit number is EPR/AP3402PK.

The application is for a permit for a poultry slaughtering and processing site which has the capacity to operate above the threshold at which an environmental permit under the Environmental Permitting Regulations is required.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

### Purpose of this document

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

- summarises the decision making process in the [decision considerations](#) section to show how the main relevant factors have been taken into account
- highlights [key issues](#) in the determination
- shows how we have considered the [consultation responses](#)

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

Read the permitting decisions in conjunction with the environmental permit.

# Key issues of the decision

## Improvement programme

The permit contains an improvement programme which the operator must complete within the specified timescales given in the permit. The improvement programme has been set to address the remaining deficiencies within aspects of the operator's proposals.

Currently some areas of the site used for external storage consist of unmade ground and pose a risk of pollution to ground waters. In addition, uncontaminated surface water from some areas of the site discharges to the waste water drainage system, which does not represent Best Available Technique. IC1 requires the operator to submit a written report to the Environment Agency for approval, review the options available to provide all external storage areas with impermeable surfacing and to separate all uncontaminated surface water run-off from process waste water requiring treatment and/or disposal. The report must include a plan with proposals for providing impermeable surfacing and segregating the water streams, with timescales for implementing the improvements.

Currently, all process waste water from the slaughtering process is removed from the site daily by a specialist waste management company. This method for handling process waste water does not represent Best Available Technique and is not sustainable; effluent storage has also been highlighted as one of the main impacts at the site in the Climate Change Risk Assessment. IC2 requires the operator to submit a written report to the Environment Agency for approval, reviewing the options available for handling process waste water from the slaughtering process in accordance with the 'Reference Document on Best Available Techniques in the Slaughterhouses and Animal By-products Industries', dated 2005, and the 'Best Available Techniques (BAT) Reference Document for the Food, Drink and Milk Industries', dated 2019. Options for replacing the effluent storage tanks, in accordance with Sector Guidance Note S5.06 must also be reviewed as the current effluent storage tanks do not meet the required standards. The report must include a plan with proposals for handling process waste water, including replacement of the effluent storage tanks, and timescales for implementing these improvements.

A number of noise mitigation measures have been proposed by the operator, within their revised Noise Management Plan, to minimise noise emissions from the site. IC3 has been included in the permit which requires the operator to provide evidence that these noise mitigation measures have been completed. IC4 requires the operator to submit a noise assessment report, upon completion of IC3, to assess whether the noise mitigation measures which have been implemented have reduced noise emissions from the site. In the event that the report shows that noise could still have a significant impact, the operator must propose further measures to attenuate/manage noise and timescales for implementing these measures.

## **Decision considerations**

### **Confidential information**

A claim for commercial or industrial confidentiality has not been made.

The decision was taken in accordance with our guidance on confidentiality.

### **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.

### **Consultation**

The consultation requirements were identified in accordance with the Environmental Permitting (England and Wales) Regulations (2016) and our public participation statement.

The comments and our responses are summarised in the [consultation responses](#) section.

The application was publicised on the GOV.UK website.

We consulted the following organisations:

- The Food Standards Agency
- The Health and Safety Executive
- The Department of Public Health
- Public Health England
- Animal and Plant Health Agency
- Breckland Council – Planning and Environmental Health

The comments and our responses are summarised in the [consultation responses](#) section.

## **Operator**

We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.

## **The regulated facility**

We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility' and Appendix 2 of RGN2 'Defining the scope of the installation'.

The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.

## **The site**

The operator has provided a plan which we consider to be satisfactory.

This shows the extent of the site of the facility.

The plan is included in the permit.

## **Site condition report**

The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.

## **Nature conservation, landscape, heritage and protected species and habitat designations**

We have checked the location of the application to assess if it is within the screening distances we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is within our screening distances for these designations.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report as part of the permitting process.

We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified.

We have not consulted Natural England.

The decision was taken in accordance with our guidance.

## **Environmental risk**

We have reviewed the operator's assessment of the environmental risk from the facility.

The operator's risk assessment is satisfactory.

The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment all emissions may be screened out as environmentally insignificant.

## **Climate change adaptation**

We have assessed the climate change adaptation risk assessment.

We have decided to include a condition in the permit requiring the operator to review and update their climate change risk assessment over the life of the permit.

## **General operating techniques**

We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility. The operating techniques include:

- Birds are stunned within the module; CO<sub>2</sub> is used for stunning and slaughtering.
- Floor drains are fitted with screens and/or traps to prevent solid material from entering the waste water.
- Blood collected from the bleeding process is stored in a sealed, covered skip and removed from the site daily to minimise odour.
- All process animal by-product is segregated and stored in separate receptacles, to maximise disposal under the waste hierarchy, and removed from site daily.
- The majority of the site is serviced by a contained drainage system; effluent produced in internal processing areas, effluent from vehicle washing and some rainwater and wash-down liquids in relevant external areas, are discharged to the process effluent drainage system, which in turn is directed to four large containment tanks. These are emptied daily by a specialist waste management company to minimise odour.

The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.

## **Operating techniques for emissions that screen out as insignificant**

All emissions of have been screened out as insignificant, and so we agree that the applicant's proposed techniques are Best Available Techniques (BAT) for the installation.

## **Odour management**

We have reviewed the odour management plan in accordance with our guidance on odour management.

We consider that the odour management plan is satisfactory and we approve this plan.

We have approved the odour management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance 'Control and monitor emissions for your environmental permit'.

The plan has been incorporated into the operating techniques S1.2.

## **Noise and vibration management**

We have reviewed the noise and vibration management plan in accordance with our guidance on noise assessment and control.

We consider that the noise and vibration management plan is satisfactory and we approve this plan.

We have approved the noise and vibration management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance 'Control and monitor emissions for your environmental permit'.

The plan has been incorporated into the operating techniques S1.2.

## **Raw materials**

We have specified limits and controls on the use of raw materials and fuels, as follows:

- Fuel for biomass boiler unit - Biomass pellets

## **Improvement programme**

Based on the information on the application, we consider that we need to include an improvement programme.

See [key issues](#) section.

## **Emission Limits**

We have decided that emission limits are not required in the permit, as all emissions have been screened out as insignificant.

## **Reporting**

We have specified reporting in the permit.

We made these decisions in accordance with the 'Best Available Techniques (BAT) Reference Document for the Food, Drink and Milk Industries', dated 2019, and the 'Reference Document on Best Available Techniques in the Slaughterhouses and Animal By-products Industries', dated 2005.

## **Management System**

We are not aware of any reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.

The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.

## **Previous performance**

We have assessed operator competence. There is no known reason to consider the applicant will not comply with the permit conditions.

We have checked our systems to ensure that all relevant convictions have been declared.

No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.

## **Financial competence**

There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.

## **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.

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.

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.



# Consultation Responses

The following summarises the responses to consultation with other organisations and our notice on GOV.UK for the public and the way in which we have considered these in the determination process.

## Responses from organisations listed in the consultation section:

Response received from Public Health England (PHE).

### Brief summary of issues raised:

The main emissions of potential concern are fugitive dust and odour emissions. The applicant has provided environmental risk assessments and proposed control measures. PHE has no significant concerns regarding the risk to the health of the local population from the installation, assuming that all appropriate measures to prevent or control pollution will be taken, in accordance with the relevant sector guidance and industry best practice.

### Summary of actions taken:

Standard conditions 3.2.1, 3.2.2 and 3.3.1 concerning fugitive emissions and odour have been included in the permit. The operator has submitted an environmental risk assessment which includes measures to minimise emissions of dust and odour. The operator has also submitted an odour management plan.

No other responses were received.

