

Permit with Explanatory Note

POLLUTION PREVENTION AND CONTROL ACT 1999
Environmental Permitting (England & Wales) Regulations 2016
(as amended)

PERMIT TO OPERATE A:

PET FOOD MANUFACTURING PROCESS

FINER BY NATURE LTD UNIT 1 ABC
WHITESTONE BUSINESS PARK
HEREFORD
HR1 3SE

Permit Ref No: PPC/6.8/001

HEREFORDSHIRE COUNCIL
Environmental Health and Trading Standards
8 St Owen Street
Hereford
HR1 2PJ

Tel: (01432) 261761
Email: air&waterpollutionteam@herefordshire.gov.uk
Website: <https://www.herefordshire.gov.uk>

HEREFORDSHIRE COUNCIL

Pollution Prevention and Control Act 1999
The Environmental (England and Wales) Permitting Regulations 2016 (as amended)

PERMIT TO OPERATE A PRESCRIBED PROCESS:

PET FOOD MANUFACTURING PROCESS

PERMIT NUMBER : PPC/6.8/001

Operator	Mr Gary Pitchford
Installation Address	Finer By Nature Ltd Unit 1 ABC Whitestone Business Park Hereford HR1 3SE
Grid Reference	356546 242393
Registered Office	Finer By Nature Ltd Unit 1 ABC Whitestone Business Park Hereford HR1 3SE

This installation falls within the definition of the Environmental Permitting Regulations 2016 (as amended). Schedule 1, Part B, Chapter 3, Section 6.8 of the attached location plan "Appendix 1 – Site Plan" shows the designated site.

This Environmental Permit (the permit) reference PPC/6.8/001, is issued by Herefordshire Council (the Regulator) under Regulation 13(1) of the Environmental Permitting (England and Wales) Regulations 2016 (S.I. 2016/1154), to operate an installation prescribed in Part 2 of Schedule 1 of those Regulations, to the extent specified in the conditions of this Permit and within the installation boundary as specified in the plan "Appendix 1" of this document.

Provenance	Relevant Dates
Date original PPC application made	1 st March 2023
Date PPC 'Duly Made'	20 th April 2022
Date PPC permit issued	20 th March 2023

Activity description

Site Description

The building itself is made up of 11400 sq ft of warehousing and a small office space. The warehousing is divided in to 3 distinct areas:

- Unit A is used for storage of dry goods and is used for pick, pack and dispatch.
- Unit B is used for storage and also contains a small retail outlet.
- Unit C is used for the production of raw dog food along with storage freezers and at the rear of unit C is a small office area.

The days and hours of operation vary depending on the time of year. Generally the working day is 8am until 5pm, however in the summer months these change to 6.30am until 2.30 for most staff although there is a presence in the building until 5pm.

Raw food production

A full HACCP process is in place for production which includes compliance with the food safety and hygiene regulations. The process of raw food production is as follows:

1. Raw material arrives in frozen form by the pallet. Each pallet is delivered at a temperature between -18 and -25 degrees.
2. On arrival and as part of our HACCP the delivery is checked for quality, condition and accuracy.
3. From arrival the material is stored in a freezer until processing.
4. For processing the material remains frozen and is minced in a cold room which provides a temperature controlled environment.
5. After mincing the material is bagged straight away in the packing area, boxed and placed in the freezer.
6. The product will remain in the freezer until dispatch at which point it is packaged further to be shipped the same day.

Waste

Waste raw product or items in contact with raw product (packaging) is kept under temperature control within the freezers or chill room and stored in Dolvas until collected by licenced waste contractors, which is every couple of weeks.

Natural dried treats and chews

The picking, packing and distribution process of dried treats and chews is as follows:

1. Products arrive. These are ambient products contained within boxes or bagged.
2. Product is checked and inspected, anything not meeting acceptance requirements are rejected.
3. The product is booked in and placed in the warehouse for storage.
4. The product is picked and packed, once an order is received.
5. Product is packed and shipped in bags and boxes via national carriers

If the material is judged as failing quality control, it is assigned to waste. Waste collections take place twice per week.

Permit Conditions

The operator (A) is authorised to operate the activity¹ at the installation (B) subject to the following conditions.

1. No cooking of pet foods shall take place within the premises.
2. The operator shall:
 - contain processing operations within the building and prevent the release of uncontrolled odour emissions;
 - maintain and implement an odour management plan. The Odour Management plan shall be approved by the Local Authority.

Buildings ventilation

3. Buildings containing processing operations shall:
 - prevent the uncontrolled release of air from raw materials receipt, processing and storage.
 - maintain a chilled atmosphere inside the processing room.
 - all raw and processed raw product shall be stored within freezers.

Processing

4. Processing of raw meat shall be undertaken within the chiller/cold room which is maintained at a temperature of below 4 degrees.
5. Any raw product removed from the cold room or freezers shall be maintained within a temperature range of - 4 and below.
6. The product shall not remain out of a chilled atmosphere for longer than 8 hours.

Good hygiene for odour control

7. To minimise emissions of odour, the operator shall ensure that:
 - a) the buildings, floors, equipment and containers that hold raw materials and waste raw materials, shall be capable of being cleaned effectively, and be kept in good condition;
 - b) provision shall be made so that any liquids drain appropriately;
 - c) the drainage system shall be cleaned and inspected weekly to prevent blockages and build-up of material that could impact on the correct functioning of the drainage system and cause odour emissions. Where blockages occur frequently, the cause of blockages should be investigated. Inspections and cleaning actions will need to be reviewed and corrective action implemented.

¹ listed in 6.8 Part B (a) in Part 2 of Schedule 1 to the Environmental Permitting Regulations

- d) raw materials shall be unloaded and stored within the freezers within 1 hour;
- e) waste raw materials shall be clearly labelled as waste and stored within designated areas in the freezer and/or chiller room.
- f) vehicles shall be cleaned appropriately;
- g) containers in contact with raw materials and product shall be cleaned as soon as possible and at least before the end of the working day;
- h) Raw materials and product shall be stored on suitable containers to collect any liquid/leakage from the product.
- i) any leaks or spillages, including from raw product shall be cleaned immediately.
- j) All floors and surfaces in contact with raw product shall be cleaned thoroughly, before the end of the working day.

Effluent and Wastes capable of causing an odour

8. Waste effluent storage tanks shall be adequately covered.
9. Collection tank should be inspected on a weekly basis to check levels and determine if it requires emptying.
10. Waste made up of raw materials and product, including packaging that has been in contact with raw product, shall be removed frequently from site. When waste is moved between buildings, and when it is outdoors, it shall be in sealed containers.

Records and training

11. Written or computer records of all tests and monitoring shall be kept by the operator until the next inspection, or for at least 24 months whichever is the longer. They shall be made available for examination by the regulator. Records shall be kept of:
 - operator inspections, including those for odorous emissions
 - temperature checks
 - drainage checks
 - odour complaints and details and outcome of investigations
12. Staff at all levels shall receive the necessary training and instruction to enable them to comply with the conditions of this permit. Records shall be kept of relevant training undertaken
13. The best available techniques shall be used to prevent or, where that is not practicable, reduce emissions from the installation in relation to any aspect of the operation of the installation which is not regulated by any other condition of this permit.
14. If the operator proposes to make a change in operation of the installation, he must, at least 14 days before making the change, notify the regulator in writing. The notification must contain a description of the proposed change in operation. It is not necessary to make such a notification if an application to vary this permit has been made and the application contains a description of the proposed change. In this condition 'change in operation' means a change in the nature or functioning, or an extension, of the installation, which may have consequences for the environment.

Contact Details

Herefordshire Council can be contacted on **Tel : 01432 261 761**. Please ask for the Environmental Protection Team (Permits). In the case of any 'out of hours' emergency relating to this information, contact the same number and your enquiry will be passed to the appropriate officer.


Correspondence Address

All correspondence to Herefordshire Council relating to this information shall be addressed to:

**EHTS
Herefordshire Council,
8 St Owens Street,
Hereford
HR1 2PJ**

e-mail – Air&WaterPollutionTeam@herefordshire.gov.uk

Rights of Appeal – See explanatory notes

Signed: ... 

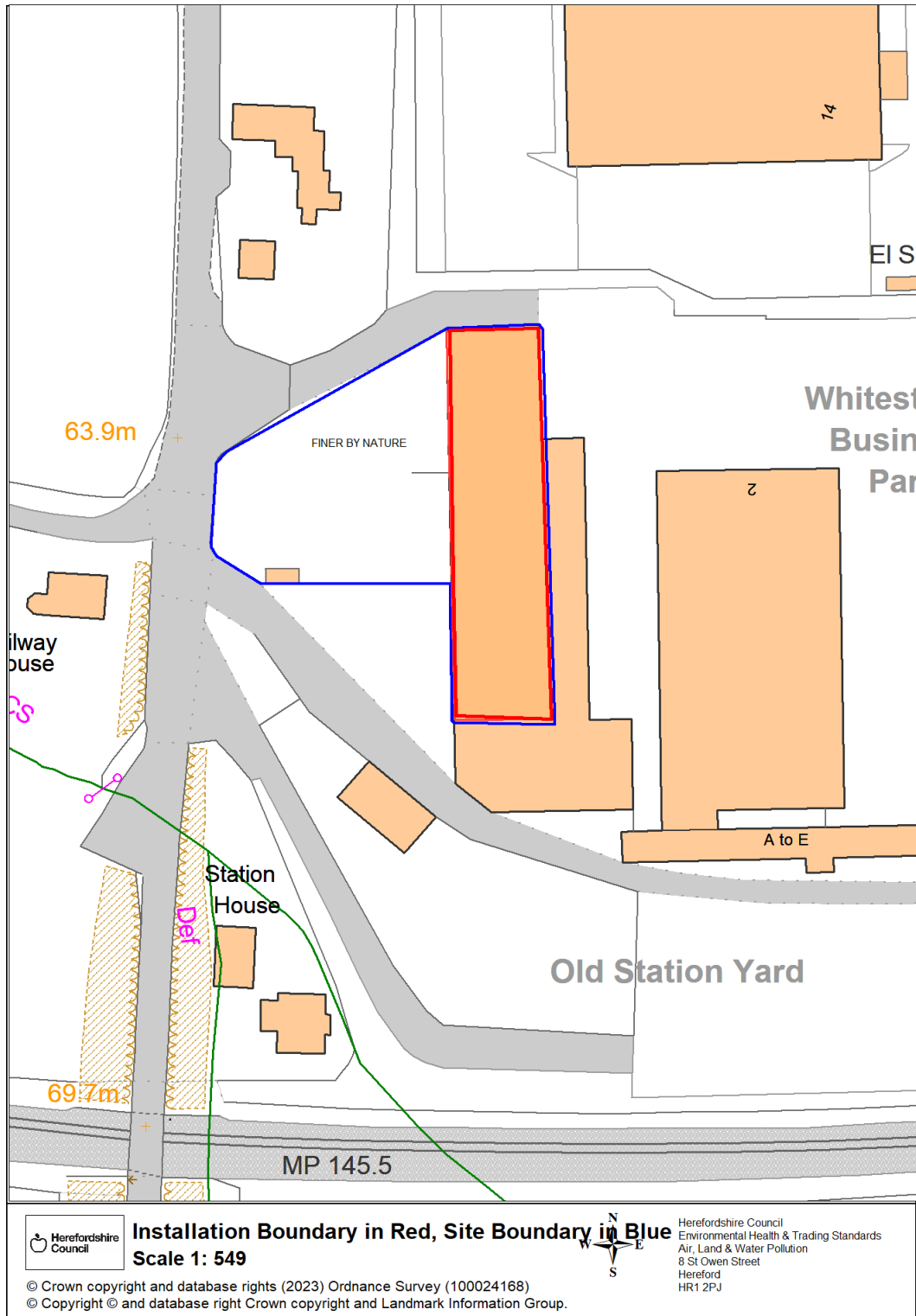
Date : 20th March 2023

Charles Yarnold

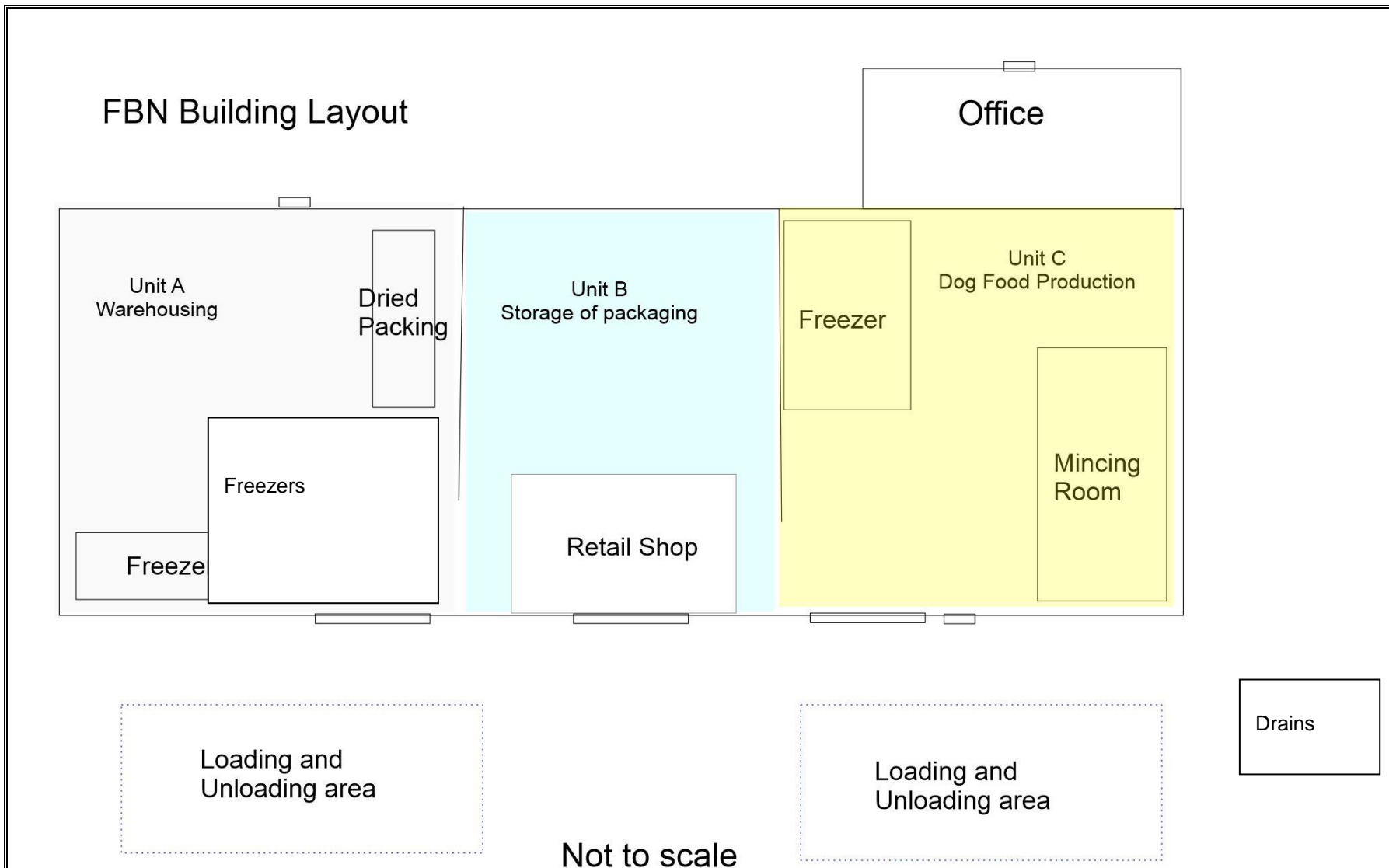
**Service Manager - Environmental Health
Environmental Health & Trading Standards**

An Authorised Officer of the Council.

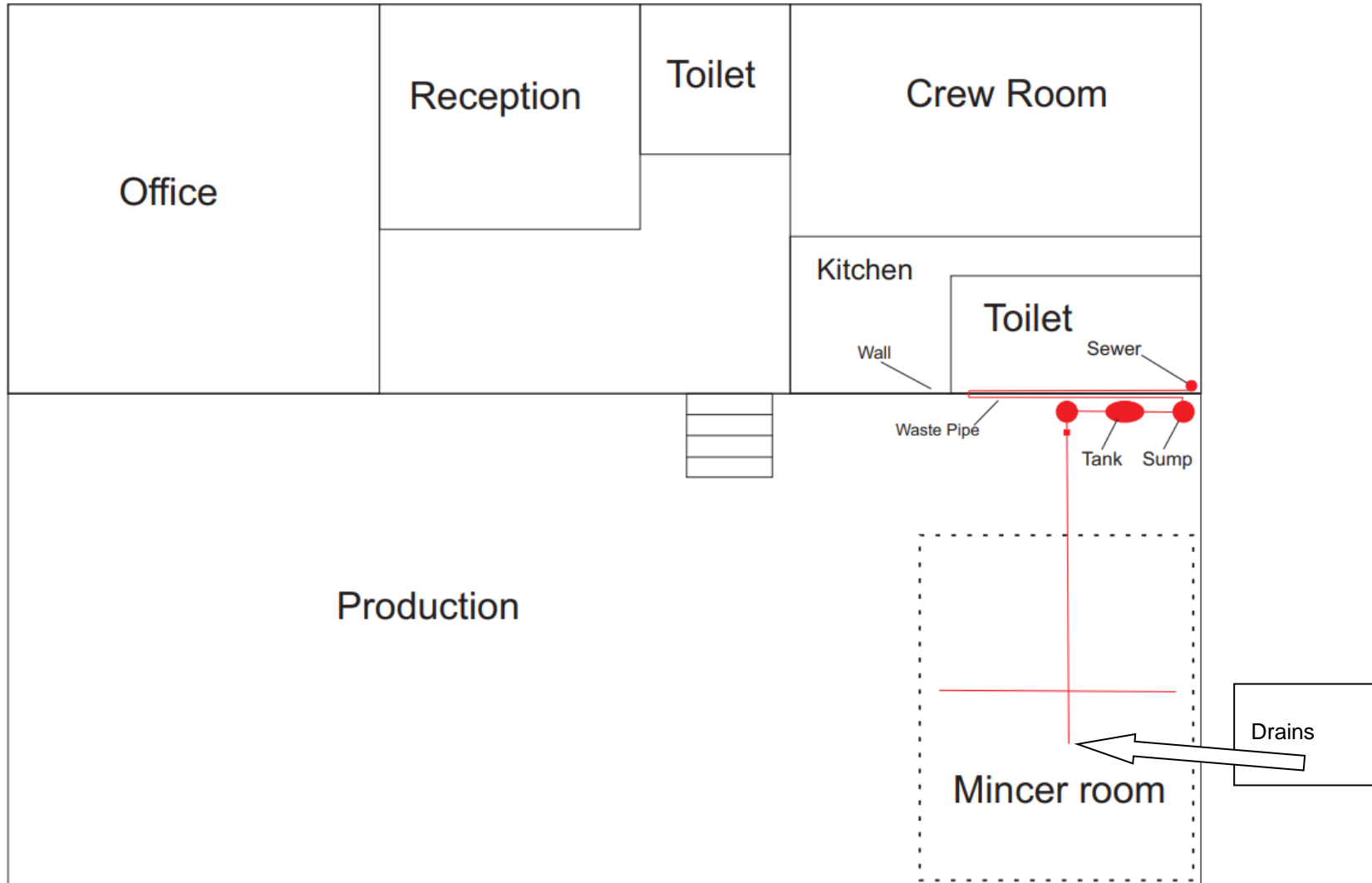
Appendix 1 Site Plan



Appendix 2



Appendix 3 – Drainage Plan (Raw product)



Glossary of Terms/Definitions:

Provided to avoid doubt. Unless otherwise stated, the meaning of terms used within this permit is taken to be that listed in the glossary of terms and definitions as provided.

See notes on previous Permit e.g:-

Activity	One or more stationary technical units falling within the defined sections of the Schedule 1 of the Environmental Permitting (England and Wales) Regulations 2010(as amended)
Authorisation	The written authority to operate a process prescribed for LAPC replaced by PPC
Cement	A dry powder made from silica, alumina, lime, iron oxide and magnesia which hardens when mixed with water; used as an ingredient in concrete, for these purposes, cement should be taken to include Portland cements, high alumina and other powders, used as cementitious materials or partial cement replacements such as pulverised fuel ash or ground slag.
Concrete	A controlled mixture of Portland cements or a mixture of cementitious materials in a powder form, together with coarse or fine aggregates (gravel, crushed stone or sand) and water.
ELV	Emission Limit Values, those values stipulated in guidance for emission of particular pollutants to atmosphere.
Emission	The direct release of substances or heat from individual or diffuse sources in an installation into air.
EPA	Environmental Protection Act, the former pollution control regime, now redundant due to the implementation of PPC
Existing Process	A process which was being carried out at some time in the 12 months immediately preceding the first day of the month following publication of the guidance note (June 2004).
Installation	One or more stationary technical units comprising at least one activity or activities falling within the description of Schedule 1 of the Environmental Permitting (England and Wales) Regulations 2010 (as amended) within a defined area.
LEV	Local Exhaust Ventilation normally associated with small uncontained plant or equipment.
Permit	The written permission to operate an installation.
PPC	Pollution Prevention and Control, the new pollution control regime replacing that under EPA.
Regulator	Means the Air and Water Team of Herefordshire Council. When contacting the regulator it is not sufficient to contact any other part of the council other than the Air and Water Team at the address specified in the additional notes or at the telephone numbers provided.
Indicative Monitoring	Monitoring which measures the performance of the abatement plant, rather than the quantity of dust etc emitted. In the case of bag filtration, this is normally achieved by alarming the pressure drop across the abatement plant, so that an alarm is set off should a bag / sleeve split.

Explanatory Note - (This section does not form part of the Permit)

This Explanatory Note does not form a part of the Permit, but are provided as useful information for the operator. The additional notes have been checked and are as accurate as possible but the regulator cannot be held responsible for changes made by DEFRA or others to website or other information during the lifetime of this permit. It is the operators responsibility to check current details should the need arise. For the purposes of this explanatory note EP Regulation refers to Environmental Permitting (England and Wales) Regulations 2016 (as amended) (No.1154). Available on the Government webpage: <http://www.legislation.gov.uk/ukxi/2016/1154/schedule/1/made>

Statutory Guidance

The Permit conditions have been based on Statutory Guidance published by the Department of Environment, Farming and Rural Affairs (DEFRA). These guidance documents can be obtained from the Government web link: <https://www.gov.uk/local-authority-environmental-permit>

BAT (Best Available Techniques)

Article 3(10) of the IED Directive defines “best available techniques” as follows:
“the most effective and advanced stage in the development of activities and their methods of operation which indicates the practical suitability of particular techniques for providing in principle the basis for emission limit values designed to prevent, and where that is not practicable, generally to reduce emissions and the impact on the environment as a whole”.

- “techniques” shall include both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned,
- “available” techniques shall mean those developed on a scale which allows implementation in the relevant industrial sector , under economically and technically viable conditions, taking into consideration the costs and advantages, whether or not the techniques are used or produced inside the Member State in question, as long as they are reasonably accessible to the operator,
- “best” shall mean most effective in achieving a high general level of protection if the environment as a whole.

Appeal against Permit Conditions

Anyone who is aggrieved by the conditions attached to a permit can appeal to the Secretary of State for the Environment, under Regulation 31 of the EP Regulations. Schedule 6 of the EP Regulations sets out the detailed procedures.

Notice of appeal against the conditions attached to the permit must be sent to the Secretary of State no later than 6 months from the date of the decision (normally the date on the bottom of the permit).

Please note: An appeal will not suspend the effect of the Permit conditions appealed against; the conditions must still be complied with.

In determining an appeal against one or more conditions, the Act allows the Secretary of State in addition to quash any of the other conditions not subject to the appeal and to direct the local authority either to vary any of these other conditions or to add new conditions.

How to Appeal

Guidance on the appeals procedures is contained on the Government webpage:-
<https://www.gov.uk/government/publications/environmental-permit-appeal-form>

The appeal must be in the form of a written notice or letter stating that the person wishes to appeal and listing the condition(s) which is/are being appealed against. The written notice must include the following documents :-

- a) a statement of the grounds of appeal,
- b) a copy of any relevant application,
- c) a copy of any relevant environmental permit,
- d) a copy of any relevant correspondence between the person making the appeal ("the appellant") and the Council,
- e) a copy of any decision or notice which is the subject matter of the appeal, and
- f) a statement indicating whether the appellant wishes the appeal to be in the form of a hearing or to be dealt with by way of written representations.

Appeals relating to operations in England should be sent to :

The Planning Inspectorate Environment Appeals Team, Room 3/H Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN

Tel: 0303 444 5584 E-mail: environment.appeals@pins.gsi.gov.uk

At the same time, the notice of appeal and documents must be sent to the Council, and the person making the appeal should inform the Secretary of State that this has been done.

To withdraw an appeal the appellant must notify the Planning Inspectorate in writing and copy the notification to the local authority.

Notification of Operation Changes

As part of your permit, issued under the EP Regulations, you are required to notify the Council of any proposed change in operation at least 14 days before making the change. Changes to an operation can be classified as 'change in operation' or 'substantial change in operation' and defined in Paragraph 5 of Part1 of Schedule 5 of the Regulations:-

A change in operation means " in relation to an installation or mobile plant, a change in the nature or functioning or an extension of the installation or mobile plant which may have consequences for the environment ".

A substantial change means "in relation to an installation or mobile plant, a change in operation which, in the opinion of the regulator, may have significant negative effects on human beings or the environment". Any substantial change will be of a significant nature, which justifies requiring the operator to submit proposals as if for a new application, together with a full consultation process.

You must ensure the notification of a change is made in writing and must contain a full description of the proposed change in operation and the likely consequences. Additionally, if this involves a SUBSTANTIAL CHANGE to the installation you will be required to submit an application, pay the relevant fee and advertise the application accordingly.

Changes to a permit could be as follows:-

- **Variations to the Permit**

If the Operator itself wants any of the Conditions of the Permit to be changed, a formal Application must be submitted, in accordance with Regulation 20 of the EP Regulations. The Permit may also be varied by the Council by serving a Variation Notice on the Operator.

- **Surrender of the Permit**

Where the operator of a Part B installation or mobile plant ceases or intends to cease the operation of the activity the operator may notify the regulator of the surrender of the whole permit, in any other case, notify the regulator of the surrender of the permit in so far as it

authorises the operation of the installation or mobile plant which he/she has ceased or intends to cease operating. The notification shall contain information as described in Regulation 24 or 25 of the EP Regulations.

- **Transfer of the Permit or Part of the Permit**

Before the Permit can be wholly or partially transferred to another person, a joint application to transfer the Permit has to be made by both the existing and proposed holders, in accordance with Regulation 21 of the EP Regulations. A transfer will be allowed unless Herefordshire Council considers that the proposed holder will not be the person who will have control over the operation of the installation or will not ensure compliance with the conditions of the transferred Permit.

If you consider that a proposed change could result in the breach of the existing permit conditions, or is likely to require the variation of permit conditions then you may serve a Notice on the Council requesting that they determine whether any change that is proposed would constitute a substantial change before you proceed with application.

A full explanation of the terms 'change in operation' and 'substantial change', together with an explanation of the notification procedures is contained in the following document:-

Secretary of State's Guidance - General Guidance Manual on Policy and Procedures for A2 and B Installations. PB8094.

This is available on the Government webpage :- <https://www.gov.uk/government/publications/local-authority-pollution-control-general-guidance-manual>

Enforcement

The operator will be liable to enforcement action where: -

- a) the operator fails to comply with or contravene a permit condition;
- b) a change is made to the installation operation without prior notification of the change to Herefordshire Council;
- c) intentional false entries are made in any record required to be kept under the conditions of the permit;
- d) false or misleading statement is made, without reasonable excuse, in relation to the operation and permit.

You will be liable for prosecution if you fail to comply with the conditions of this permit. If found guilty, the maximum penalty for each offence if prosecuted in a Magistrates Court is £50,000 and/or 6 months imprisonment. In a Crown Court it is an unlimited fine and/or 5 years imprisonment

Our enforcement of your permit will be in accordance with the Council's Enforcement and Prosecution Policy. Web Link

https://www.herefordshire.gov.uk/directory_record/1783/enforcement_and_prosecution_policy

Inspections and Right to Review, Update or Vary this Permit

Regular inspections will be made by officers of Herefordshire Council (with or without prior notice), in order to check and ensure full compliance with this permit.

This permit shall be subject to review at intervals not exceeding six years from the date it is granted. It may also be reviewed and/or varied at the discretion of Herefordshire Council in case of changes in law or accepted standards of technology. These reasons are not exclusive.

Annual Subsistence Fee

In accordance with Regulation 66 of the EP Regulations, the holder of a permit is required to pay a fee for the subsistence of the Permit. This fee is payable annually and you will be contacted separately each year in respect to this payment. The subsistence fees will be proportionate to the risk rating as determined by the Local authorities' most recent inspection. Local authorities rate installations as high, medium or low risk. This is based on two things. Firstly, what the environmental impact would be if something went wrong. Secondly, how reliable and effective the operator of the installation is. The annual charge is lower for low- and medium-risk installations.

You are advised that under the provisions of Regulation 65 (5) of the EP Regulations, if you fail to pay the fee due promptly, Herefordshire Council may revoke the Permit.

Public Register

The Council is required by Regulation 46 of the EP Regulations to maintain a Public Register containing information on all LAPPC installations and mobile plant. The register is available for inspection by the public free of charge during office hours (Monday to Friday 9.00 am to 5.00 pm) at the following address:

Environmental health and Trading Standards

Herefordshire Council,

8 St Owens Street,

Hereford

HR1 2PJ.

e-mail – ethelpline@herefordshire.gov.uk

Tel : 01432 261 761

Confidentiality

Herefordshire Council has a duty to consider the question of confidentiality of information supplied to it. If any information supplied is considered confidential, a statement of which information this applies to and the reasons why it is considered confidential should be specified. The Operator is reminded that they may apply to Herefordshire Council for the exclusion of information from the public register under Regulation 48 of the EP Regulations.

Health and Safety at Work and Other Statutory Requirements

This permit does not detract from any other statutory requirement including the need to obtain planning permission, hazardous substances consent, discharge consents from the Environment Agency, building regulations approval or a waste management licence. Also the responsibilities and duties you have under legislation for health, safety and welfare in the workplace remain in force.