


Signed Gráinne Oglesby Date: 29-Jan-16

 <p>Environmental Protection Agency An Ghníomhaireacht um Chaomhu Comhshlua</p>	<p>OFFICE OF ENVIRONMENTAL SUSTAINABILITY</p>
<p>ENVIRONMENTAL LICENSING PROGRAMME MEMORANDUM</p>	
<p>TO:</p>	<p>Dara Lynott</p>
<p>FROM:</p>	<p>Gráinne Oglesby</p>
<p>DATE:</p>	<p>29/01/2016</p>
<p>RE:</p>	<p>Request for the Transfer of Licence Reg No P0408-01, from Mr Donal Brady to DDS BRADY FARMS LIMITED, CRO No 536315</p>

Background

Licence Reg No P0408-01 was granted to Mr Donal Brady on the 22/10/1999 for Class 6.2 - :-the rearing of pigs in installations, whether within that complex or within 100 meters of that complex, where the capacity exceeds 1,000 units on gley soils or 3,000 units on other soils where units have the following equivalents:- 1 pig = 1 unit, 1 sow = 10 units.

A review application was initiated by the Agency on 18/12/2014 and is currently being assessed.

On the 28/10/2015 a Transfer Application was received from Mr Donal Brady and DDS BRADY FARMS LIMITED. According to the applicants the basis for the transfer application is succession. The transfer of licence will allow DDS BRADY FARMS LIMITED to operate the pig farm installation, which is currently operating at Carrickboy Farms, Ballyglassin, Edgeworthstown, County Longford, under Licence Reg No P0408-01.

The Agency is informed that DDS BRADY FARMS LIMITED is a limited company incorporated under the laws of Ireland and registered in the Companies Registration Office (Registered Number 536315).

Assessment

The application was assessed under Section 94 of the Environmental Protection Agency Act 1992 as amended. It is deemed to comply with the requirements of the above, as follows:

Requirements of Section 94(2) and 94(3)

- The application complies with Subsection (2) having been jointly made by the current licensee and the proposed transferee.
- The application was made in the form prescribed by the Agency.
- The fee for this application was waived as this transfer is intra-family (father to son and daughter).

Such information as may be required by Section 94(3)

- The Office of Environmental Enforcement (OEE) has confirmed that no ELRA or CRAMP is required for this installation, as ELRA or CRAMP is not required for intensive agriculture applications.

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- The transferee or any relevant person has not had an application for a licence refused.

Requirements of Section 94(5)

Information in relation to the status of the proposed transferee as a 'Fit and Proper Person' has been provided and, based on a review of the information; the proposed transferee has no relevant convictions and has sufficient technical experience and support.

In relation to Financial Provision (FP), the Office of Environmental Enforcement (OEE) has confirmed that FP is not required for this installation as such provision is not required for intensive agriculture installations in which there are no site specific environmental liabilities.

The Senior Inspector (ELP) has reviewed the transfer application and considers, on the basis of the information provided in the application, together with other publicly available information, that the proposed transferee can be deemed a Fit & Proper Person for the purpose of this transfer.

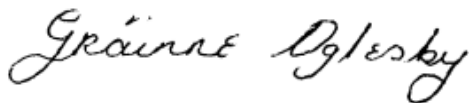
Requirements of Section 94(6)

The proposed transferee has stated in writing that they accept all liabilities, requirements and obligations provided for in or arising under the licence regardless of how and in respect of what period, including a period prior to the transfer of a licence, that may arise.

OEE confirmed on 27th January 2016 that there are no outstanding legal enforcement issues.
Finance Unit confirmed on 27th January 2016 that no outstanding fees were due from the licensee.

Recommendation

It is recommended that the transfer of licence Reg. No. P0408-01 from Mr Donal Brady to DDS BRADY FARMS LIMITED, CRO No 536315, is approved under Section 94 of the Environmental Protection Agency Act 1992 as amended.



Gráinne Oglesby
Programme Officer
Environmental Licensing Programme
Office of Environmental Sustainability