


Signed: 
Noeleen Keavey

Date: 20/02/2018

	OFFICE OF ENVIRONMENTAL SUSTAINABILITY
ENVIRONMENTAL LICENSING PROGRAMME MEMORANDUM	
TO:	Eimear Cotter
FROM:	Noeleen Keavey
DATE:	20/02/2018
RE:	Request for the Transfer of Licence , Reg No P0382-01, from Mr Antone Kiernan to Kiernan Farms (Sligo) Unlimited Company, CRO No 437768

Background

Licence Reg No P0382-01 was granted to Mr Antone Kiernan on the 14/12/1999 for Class 6.2: the rearing of pigs in installations where the capacity exceeds (b) 2,000 places for production pigs which are over 30kg. A Transfer Application was received on 09/11/2017 from Mr Antone Kiernan and Kiernan Farms (Sligo) Unlimited Company. According to the applicants the basis for the transfer application is to change from a Sole Trader to Company structure (Unlimited Company). The transfer of licence will allow Kiernan Farms (Sligo) Unlimited Company to operate the installation, currently operating at Carrowcushcly Pig Unit, Carrowcushcly, Ballymote, County Sligo, under Licence Reg No P0382-01.

The Agency is informed that Kiernan Farms (Sligo) Unlimited Company is an unlimited liability company incorporated under the laws of Ireland and registered in the Companies Registration Office (Registered Number 437768).

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.

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

- The licence does not require ELRA, CRAMP or FP.
- The Office of Environmental Enforcement (OEE) has confirmed there are no unusual liabilities associated with the site.
- 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.
- OEE has confirmed that Financial Provision is not required for this intensive agricultural activity.
- The Senior Inspector (ELP) has reviewed the transfer application and considers, on the basis of the information provided in the application, 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 13/11/2017 that no outstanding legal issues required to be resolved.

Finance Unit confirmed on 10/11/2017 that no outstanding fees were due from the licensee.

Recommendation

It is recommended that the transfer of Industrial Emissions licence Reg. No. P0382-01 from Mr Antone Kiernan to Kiernan Farms (Sligo) Unlimited Company, CRO No 437768, is approved under Section 94 of the Environmental Protection Agency Act 1992 as amended.



Programme Officer
Environmental Licensing Programme
Office of Environmental Sustainability

