



Signed: 

Date: 23/06/2022

	OFFICE OF ENVIRONMENTAL SUSTAINABILITY
ENVIRONMENTAL LICENSING PROGRAMME MEMORANDUM	
TO:	Sharon Finegan, Director
FROM:	Aisling Kehoe
DATE:	23/06/2022
RE:	Request for the Transfer of Licence, Reg. No. P0621-02, from Mr. Martin O'Donovan to Carhue Piggeries Limited, CRO No. 439267.

Background

Licence Reg. No. P0621-02 was granted to Mr. Martin O'Donovan on the 14/11/2003. A Transfer Application was received on 07/09/2021 from Mr. Martin O'Donovan and Carhue Piggeries Limited. According to the applicants the basis for the transfer application is that this farm is being transferred from Martin O Donovan to Carhue Piggeries Limited, of which he is a director. It is a family transaction, to prepare for family generational transfer. The transfer of licence will allow Carhue Piggeries Limited to operate the installation, currently operating at Cooligboy, Timoleague, Bandon, County Cork, under Licence Reg. No. P0621-02.

The Agency is informed that Carhue Piggeries Limited is a limited liability company incorporated under the laws of Ireland and registered in the Companies Registration Office (Registered Number 439267).

- P0621-01 was originally granted to Mr. Martin O'Donovan on 21/02/2003.
- Revised Licence P0621-02 was granted on 14/11/2003.
- Technical Amendment (A) re. proper recovery of manure/slurry was issued on 29/01/2009.
- Technical Amendment (B) re. surface water discharge monitoring was issued on 10/12/2010.
- Technical Amendment (C) re. organic fertilizer movements was issued on 12/02/2013.
- IE Amendment was issued on 17/12/2013.
- The applicant plans to submit a licence review application after this transfer into Carhue Piggeries Ltd.

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 application was accompanied by the appropriate fee, in accordance with Article 7(a) of the EPA (Licensing Fees) Regulations.

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

- An Exceptional Circumstances Assessment was completed by OEE for this installation. This confirmed no ELRA/CRAMP is required in relation to this Licence Transfer.
- 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.

- An Exceptional Circumstances Assessment was completed by OEE for this installation. This confirmed that no Financial Provision is required in relation to this Licence Transfer.

The Senior Manager (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 06/05/2022 that there were no outstanding legal issues required to be resolved.

- Finance Unit confirmed on 27/04/2022 that no outstanding fees were due from the licensee.

- The Proposed Transferee has indicated that their Financial Standing, does not include any current/past bankruptcy or insolvency proceedings.

Recommendation

It is recommended that the transfer of Industrial Emissions licence Reg. No. P0621-02 from Mr. Martin O'Donovan to Carhue Piggeries Limited, CRO No. 439267, is approved under Section 94 of the Environmental Protection Agency Act 1992 as amended.

***Environmental Licensing Programme
Office of Environmental Sustainability***