



For official use only

Date Received

Appeal Ref

The Pollution Prevention and Control Act 1999 The Environmental Permitting (England and Wales) Regulations 2010

Environmental Permitting Appeal Form

If you need this document in large print, on audio tape, in Braille or in another language please call 0303 444 5584.

WARNING: The appeal must reach the Inspectorate with the statutory appeal deadlines as laid out in Schedule 6 of the above mentioned regulations.

PLEASE PRINT CLEARLY IN CAPITALS USING BLACK INK

A. APPELLANT DETAILS

Name MIDLAND PIG PRODUCERS LIMITED

Organisation Name (if applicable) C/O MR MARTIN BARKER

Contact reference Number —

Address RYKFIELD HOUSE, ALREWAS, BURTON ON TRENT,

STAFFORDSHIRE Postcode DE13 7AB

Daytime Tel 01283 790722 Fax 01283 790975

Email MARTIN.B@LEAVESLEY.COM

I prefer to be contacted by: Email Post

B. AGENT DETAILS (if applicable)

Name MISS JULIA DIXON

Organisation Name (if applicable) SQUIRE PATTON BOGGS UK LLP

Contact reference Number MID.273-0001

Address 2. PARK LANE, LEEDS

Postcode LS3 1ES

Daytime Tel 0113 2847305 Fax 0870 4603413

Email JULIA.DIXON@SQUIREPB.COM

I prefer to be contacted by: Email Post

Please turn over

C. REGULATOR DETAILS - ENVIRONMENT AGENCY/LOCAL AUTHORITY

Name ENVIRONMENT AGENCY
Contact reference Number EPR/LP3930FA/A001
Date of Application 230311 - NOTE LATER SUBMISSIONS DETAILED IN COVERING LETTER
Date of Decision 180215

D. APPEAL SITE ADDRESS

Site Address FOSTON PIG UNIT, LANDS ADJACENT TO
FOSTON PRISON, DERBY, DERBYSHIRE
Postcode (if known) DE65 5DN

E. GROUNDS OF APPEAL

Please indicate the grounds for appeal by ticking whichever box applies and then set out your reasons in section F of this form.

- | | |
|--|--|
| 1. Refusal to grant a Permit; | 1. <input checked="" type="checkbox"/> |
| 2. Refusal to grant a variation of the conditions of an existing Permit; | 2. <input type="checkbox"/> |
| 3. Conditions attached to a Permit following an application for a Permit or variation; | 3. <input type="checkbox"/> |
| 4. Refusal of application to transfer or conditions attached to Permit to take account of transfer; | 4. <input type="checkbox"/> |
| 5. Refusal of application to surrender the Permit or conditions attached to Permit to take account of surrender; | 5. <input type="checkbox"/> |
| 6. Variation, Enforcement, Revocation, Prohibition or Suspension Notice; | 6. <input type="checkbox"/> |
| 7. Refusal of approval to initiate closure procedures or is served with closure notice; | 7. <input type="checkbox"/> |
| 8. Failure by regulator to give notice of determination of application for Permit, variation, transfer or surrender within statutory time-period - 'deemed refusal'; | 8. <input type="checkbox"/> |
| 9. Deemed withdrawal of application following failure to provide required information. | 9. <input type="checkbox"/> |

F. REASONS FOR APPEAL

PLEASE SEE ATTACHED REASONS FOR APPEAL (DOCUMENT 1)

G. CHOICE OF PROCEDURE

Please choose option 1 , 2 or 3 by *ticking one box only*

Please note that we must also take the Environment Agency's/Local Authority's preference into account when we decide how the appeal will proceed.

1. Written Representations

This procedure involves an exchange of the parties' written statements, followed by a visit to the appeal site by the Inspector who is responsible for determining the appeal.

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You and a representative of the Environment agency/Local Authority will be given an opportunity to accompany the Inspector during the site visit.

2. Hearing

A hearing is a discussion, held under the direction of the Inspector. It lets parties exchange their views in a less formal atmosphere than at a public inquiry. Hearings are open to the public, and third parties may be heard at the discretion of the Inspector. Hearings are generally conducted in the spirit of the Town and Country Planning (Hearing Procedure) (England) Rules 2000, SI 2000 No 1626.

Hearings are not usually suitable for appeals that:

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- are complicated or controversial and have created a lot of local interest
- require cross-examination of witnesses.

Although you may prefer a hearing, the Inspectorate will also consider whether your appeal would be best dealt with at a more formal inquiry or on the basis of written representations.

3. Inquiry

This is the most formal procedure and is usually the best way to deal with a case that involves complex legal issues and or where many third parties have expressed an interest in the case. Expert evidence is often presented at an inquiry and witnesses may be cross-examined. An inquiry will normally take longer than a hearing, and in some cases could continue for several days. It is not a court of law but proceedings may appear to be quite similar. Inquiries are open to the public and third parties may be heard at the discretion of the Inspector.

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An inquiry will be held if you or the regulator decide that you do not want to use the written representations procedure and we decide that a hearing is unsuitable.

Sometimes even if both parties have opted for the written representations procedure or an informal hearing we may decide to hold an inquiry. If we do, we will tell you why.

If you want us to hold an inquiry please set out you reasons.

"I wish to be heard by an Inspector at an inquiry because..."

PLEASE SEE ATTACHED REASONS FOR INQUIRY (DOCUMENT 2)

H. ESSENTIAL SUPPORTING DOCUMENTS

The documents listed below, **must** be sent with your appeal form. If we do not receive all your appeal documents within the statutory appeal period we may not be able to accept it.

Please tick the boxes to show the documents you are enclosing.

- | | |
|--|--|
| 1. Copy of relevant application (if applicable); | 1. <input checked="" type="checkbox"/> |
| 2. copy of relevant Environmental Permit (if applicable); | 2. <input type="checkbox"/> |
| 3. Copy of the Decision or Notice (the subject of the appeal); | 3. <input checked="" type="checkbox"/> |
| 4. Copies of any relevant correspondence, plans etc between you and the regulator. | 4. <input checked="" type="checkbox"/> |

I. CONFIRMATION


DECLARATION

I understand that:

- The Planning Inspectorate may use the information I have given for official purposes in connection with the processing of my appeal;
- Details from this form, including my name, the site description and my grounds of appeal may appear on the Planning Portal.

By signing this form I am agreeing to the above use of the information I have provided.

I have completed all sections of the appeal form and confirm that the details are correct to the best of my knowledge. (Please Note: signature is not necessary for electronic submissions)

Signature  Date **0 5 0 8 1 5**

Name (in capitals) **JULIA DIXON (SQUIRE PATTON BOGGS)**

On behalf of (if applicable) **MIDLAND PIE PRODUCERS LIMITED**

The gathering and subsequent processing of the personal data you give on this form accords with the terms of the Planning Inspectorate's registration under the Data Protection Act 1998. More about the Planning Inspectorate's data protection policy can be found on the Planning Portal at <http://www.planningportal.gov.uk/planning/appeals/online/about/privacystatement>

Please now send this form and all the necessary supporting documents to:

*Environment Team, The Planning Inspectorate, Room 3/25 Hawk Wing,
Temple Quay House, 2 The Square Temple Quay, Bristol, BS1 6EA*

Or e-mail it to: environment.appeals@pins.gsi.gov.uk

You also need to send a copy of it to the regulator that issued the Notice

When we receive your appeal form, we will:

- Check that the appeal is valid and everything is in order;
- If everything is in order, we will give you an appeal timetable and **start date**;
- Inform the regulator of the start date of the appeal (if applicable).

If you submit information or representations late we may be unable to consider them, the Inspector may not see them, and they may be returned to you.

At the end of the appeal process you will receive the Inspector's decision, in writing (including details of the Inspector's reasoning).

J. SUPPLEMENTARY SHEET

This section of the page is a large, empty rectangular area filled with horizontal yellow lines. It is designed for students to provide supplementary information, such as calculations, diagrams, or written answers, related to the main content of the worksheet. The lines are evenly spaced and extend across the width of the page, leaving a small margin on the left side.