

**Environmental Permitting (England and Wales) Regulations 2016
Regulation 36**

**ENFORCEMENT NOTICE TO TAKE SPECIFIED STEPS IN RELATION TO A
BREACH/ANTICIPATED BREACH OF PERMIT CONDITION(S)**

To: **GTR Aggregates & Recycling Ltd
Stoneraise Quarry
Great Salkeld
Penrith
Cumbria
ENGLAND
CA11 9NF**

Environmental permit: EPR/TB3396TD

Regulated facility: GTR Aggregates & Recycling Ltd, Dee Bank Industrial Estate, Boot End, Bagillt, Flintshire, CH6 6HD.

Natural Resources Wales considers that the following condition of the environmental permit is being contravened:

Condition 2.1.2 ‘Engineered site containment and drainage systems’ due to the results of the recent CCTV drainage survey of the site, a number of issues were identified which require action. The survey identified that the site drainage infrastructure is not currently fit for purpose.

As yet, GTR Aggregates & Recycling Ltd have been unable to provide suitable evidence to show how site drainage meets the standards specified in **Table 2.1**.

There is also regularly standing water on site which indicates current drainage systems are not effective.

GTR Aggregates & Recycling Ltd are also yet to submit evidence as to how site drainage will be inspected and maintained going forward.

You are required to take the steps set out in **Schedule 1** by the date specified in order to remedy the contravention.

Signed: 

Date: 15/11/2021

Carys Williams

Team Leader – Waste Regulation North East

Natural Resources Wales

Chester Road

Buckley

CH7 3AG

Please see over for notes.

Environmental Permitting (England and Wales) Regulations 2016

Regulation 36

Notes:

General

1. Failure to comply with this notice is an offence under Regulation 38(3) of the Environmental Permitting (England and Wales) Regulations 2016 and may result in legal action being taken against you.
2. Without prejudice to the requirements of this notice, failure to comply with a condition of an environmental permit is an offence and may result in legal action being taken against you.
3. You may wish to seek independent legal advice.

Appeal provisions

You are entitled to appeal against this notice under Regulation 31(1)(f) of the Environmental Permitting (England and Wales) Regulations 2016. Notice of appeal must be made within two months of the date of this notice. An appeal does not affect the requirements of this notice.

You must send written notice of the appeal and the documents listed below to:

The Planning Inspectorate
Crown Building
Cathays Park
CARDIFF
CF10 3NQ

Tel: 029 2082 3866

Email: wales@pins.gsi.gov.uk

Website: <http://www.planningportal.gov.uk/planning/appeals>

At the same time you must send a copy of the appeal notice and documents to Natural Resources Wales.

The required documents are:

- A statement of the grounds of appeal
- A copy of any relevant application
- A copy of any relevant environmental permit
- A copy of any relevant correspondence between the appellant and the regulator
- A copy of any decision or notice which is the subject matter of the appeal
- A statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying The Planning Inspectorate in writing and sending a copy of that notification to Natural Resources Wales. Further information about making an appeal and the forms that you will need are available from The Planning Inspectorate detailed above.

Legislation note

In this document "Natural Resources Wales" means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012. On 01 April 2013 the Natural Resources Body for Wales (Functions) Order 2013 transferred the relevant functions of the Countryside Council for Wales, and functions of the Environment Agency and the Forestry Commission in Wales to the Natural Resources Body for Wales.

Environmental Permitting (England and Wales) Regulations 2016
Regulation 36

SCHEDULE 1 STEPS TO BE TAKEN		
Condition number	Steps to be taken	By date
2.1.2	Following the CCTV drainage survey, perform appropriate maintenance works to ensure the drainage system is fit for purpose and in good working order, as per standards specified in Table 2.1 of the site's permit. Evidence should be included to show this.	Friday 7 th January 2022
2.1.2	Submit to NRW a revised drainage plan that shows how the system is constructed, inspected, validated and maintained.	Friday 7 th January 2022