



*Licence as amended by
Secretary of States decision.*

WASTE DISPOSAL LICENCE FOR KINGSWOOD FARM, FORDEN, WELSHPOOL

- GRID REFERENCE SJ 246018

NOTES

These notes are for general guidance only and they do not constitute an authoritative statement of the law.

This licence relates only to the requirements of the Control of Pollution Act 1974 Part I for the deposit of waste or the use of plant or equipment subject to the conditions set out in this licence and does not constitute a consent required by any other legislation in particular it is the responsibility of the licence holder to comply with any requirements of the -

- (i) Health and Safety at Work etc., Act, 1974
- (ii) Radioactive Substances Act 1960
- (iii) Town and Country Planning Acts

and all relevant Water Protection and Environmental Health legislation.

If the licence holder ceases to occupy the land specified above, then he may transfer the licence to the new occupier after giving notice to the Waste Regulation Authority that he proposes to transfer the licence on a day specified in the notice. The Authority may decline to accept the new licence holder.

If the licence holder wishes to cancel this licence, he must return it to the Waste Regulation Authority together with a notice stating that he no longer requires the licence. Cancellation of the licence will not affect any outstanding liability of the licence holder under the conditions of the licence.

The Council has the right to revoke this licence or amend it in accordance with the provisions of the Control of Pollution Act, 1974.

Contravention of Licence Conditions

The deposit of controlled waste or the use of plant or equipment for the purpose of disposing of controlled waste otherwise than in accordance with the conditions of this licence or the Control of Pollution Act 1974, constitutes a criminal offence.

Your attention is drawn to the provisions of Sections 3, 9 and 16, of the Control of Pollution Act, 1974.

SECTION 3 - This Section prohibits under penalty the deposit of waste, or the use of plant or equipment, otherwise than in accordance with the terms of a licence. This Section applies to all the conditions contained herein, including any which may be the subject of appeal to the Secretary of State under Section 10 of the Act.

Any deposit which takes place without compliance with all the licence conditions may lead to prosecution under this Section. A person who contravenes Section 3 may be guilty of an offence and liable on summary conviction to a fine not exceeding £2,000 or on conviction on indictment to imprisonment for a term not exceeding 2 years or a fine or both.

SECTION 9 - Non compliance with any licence condition may lead to the revocation of this licence.

SECTION 16 - The Regulation Authority may require the removal of any waste deposited when any of the conditions contained in this licence are breached.

A. DEFINITIONS

The following meanings shall apply throughout this licence:-

- A.1 **THE SITE** shall relate to the area of land marked in blue on the 1:2500 location plan. No deposit of waste shall take place outside the area marked in red on the aforementioned plan.
- A.2 **WORKING PLAN** - shall refer to the drawing entitled 'Proposed Landfill Tipping Scheme at Kingswood Farm, Forden, Welshpool, Powys' submitted in 1981 with planning application No. M9371 and to the drawing entitled 'Kingswood Farm, Forden, Welshpool Proposed Landfill Tipping Scheme'.
- A.3 **WASTE REGULATION AUTHORITY** - shall have the meaning assigned to it in Section 30(1) of the Environmental Protection Act 1990, and in the case of this licence is Montgomeryshire District Council.
- A.4 **DULY AUTHORISED OFFICER** - shall mean any person authorised in writing by the Regulation Authority pursuant to Section 91(1) of the Control of Pollution Act 1974.
- A.5 **LICENCE HOLDER** - shall mean the person or persons to whom this licence is granted.
- A.6 **BIODEGRADABLE** - shall mean material which may be broken down by the action of micro-organisms.
- A.7 **OPERATING** - shall mean the deposit of waste or acceptance of waste for depositing and all matters incidental thereto.

- A.8 **INFRASTRUCTURE** - shall mean the buildings, roads, static plant and engineering works that form the framework of the waste facility.
- A.9 **ADEQUATE LIGHTING** - shall be defined as a lighting level not less than 100 Lux, local lighting may be appropriate.
- A.10 **LEACHATE** - shall mean liquid which seeps through the landfill and by doing so extracts substances from the deposited waste.
- A.11 **BUNDS** - shall mean in this instance an embankment of clean stone/soil used to prevent the lateral movements of waste and/or leachate.
- A.12 **CELL** - shall mean the area within a landfill in which waste is deposited excluding the bunds. The boundaries of each cell shall be as specified in the working plan.
- A.13 **CAPPING** - shall mean the covering of the landfill with one metre of soil with a low permeability, free from materials likely to interfere with final restoration.
- A.14 **SITE DIARY** - means a daily record of all site operations as specified in the licence conditions. It is recommended that the format of this diary be specified by the licensing authority.
- A.15 **LOWER EXPLOSIVE LIMIT (LEL)**- shall mean the lowest percentage concentration by volume of a mixture of a flammable gas with air which will propagate flame at 25°C at atmospheric pressure.
- A.16 **DRUM CONTAINER** - shall mean any container in which material is stored. Such containers having storage capacities less than 10 litres or alternatively greater than 250 litres shall not be regarded as drum containers for the purpose of this licence.
- A.17 **ENVIRONMENTAL HAZARD** - shall have the meaning contained in Section 4(5) of the Control of Pollution Act 1974.
- A.18 **THE ACT** - shall mean the Control of Pollution Act 1974 as amended, and any subsequent legislation which may override the powers of the said Act.
- A.19 **CONTROLLED, HOUSEHOLD, COMMERCIAL AND INDUSTRIAL WASTE** - shall have the same meaning as in the Control of Pollution Act 1974.
- A.20 **CLEAN** - shall in this Licence be taken to mean not contaminated with any substance liable to cause a pollution problem.
- A.21 **NON-LEACHATE PRODUCING MATERIALS** - shall be taken to mean those materials which either do not decompose or

decompose only very slowly and do not exert a 'Biochemical Oxygen Demand' when in contact with water.

B. GENERAL CONDITIONS

B.1 Site name - Kingswood Farm, Forden, Welshpool, Powys.
Grid reference SJ.246018

B.2 Licence Holder/Manager : Mr. J. A. Williams

Address:-
Kingswood Farm, Forden, Welshpool, Powys.

C. THE WORKING PLAN

C.1 The drawing entitled 'Proposed Landfill Tipping Scheme at Kingswood Farm, Forden, Welshpool, Powys' submitted in 1981 with planning application No. M9371 and the drawing entitled 'Kingswood Farm, Forden, Welshpool - Proposed Landfill Tipping Scheme' submitted in support of planning application No. M9371, together with any later drawings or written statements received by the Waste Regulation Authority in substitute for, or in augmentation of such drawings will hereafter be referred to as 'The Working Plan'.

C.2 Within three months of this licence coming into force, the operator will provide the Waste Regulation Authority with a suitable working plan to illustrate how he intends to operate the site in conjunction with this licence.

C.3 The Licence holder shall notify the Waste Regulation Authority of any proposed changes to 'The Working Plan', as altered by any previously notified changes, at least one month before the proposed change is implemented. The proposed change shall not be implemented without the written approval of the Waste Regulation Authority.

C.4 Subject to the terms of this licence, the licence holder shall conduct its operations in accordance with the Working Plan'.

D. EARTHWORKS

D.1 Waste shall not be deposited into any cell, until all vegetation has been cleared, and the topsoil removed and stockpiled.

D.2 The maximum length of any cell shall not exceed 40m.

D.3 A bund wall shall be constructed out of stone and/or soil between adjacent cells. The bund wall shall be

progressively constructed as tipping proceeds, and shall remain at a height of at least 2m above the level of tipping until the final level is achieved.

D.4 The position of each bund wall shall be permanently marked by driving posts into virgin ground on either side of the dingle. The posts must be conspicuous, and of such quality and so located to enable them to be easily referred to, until such times as the Waste Regulation Authority, National Rivers Authority and Emergency Services regard them unnecessary.

D.5 A bund wall (of the construction detailed in Condition D3) shall be constructed 10m north of the point where the issue arises. There shall be no tipping of tyres (either shredded or whole) to the south of this bund.

D.6 Clean top and subsoil only may be tipped to the south of the bund required in Condition D5, the gradient of which must be no greater than 1 in 4.

E. TYPES OF WASTE TO BE DEPOSITED

E.1 Those wastes permitted to be deposited at the site shall be restricted to clean, dry, non leachate producing materials from the following list, which are not mixed with other materials,

Subsoil
Topsoil
Stone
Clay
Sand
Whole/shredded tyres

E.2 All waste arriving on site shall be visually inspected to ensure that they conform with the requirements of condition (E1) of this licence. Wastes which do not conform with the said conditions shall be rejected as being unsuitable for disposal at the site.

E.3 Any waste not permitted to be disposed of on this site, which is brought onto the site by accident or otherwise, shall be removed from the landfill area immediately and placed in the area designated for this purpose, for subsequent removal to a suitably licensed waste disposal facility.

E.4 The Regulation Authority shall be notified immediately of any waste that is rejected as being unsuitable for disposal at the site by virtue of condition (E3) of this licence. This notification shall include the nature and quantity of the waste involved. A record shall be kept in the site diary of the date and time the waste was rejected, the name and address of the producer of the waste, the registration number of the vehicle delivering

the waste and the name of the vehicle's driver.

F. TYPES OF WASTE NOT PERMITTED

F.1 No wastes containing any of the following wastes namely:-

Vegetable matter
Timber
Plasterboard
Plaster
Cardboard
Sawdust
Paper
Hardcore
Brickwork
Concrete
Excavated tarmacadam/bitumen road material (unless being used for site roads)
Fibre glass
Polythene
PVC
Asbestos
Metal
Glass
Plastic
Containers (made of any material)
or any biodegradable or putrescible waste shall be deposited on the site.

F.2 No household or commercial waste, as defined in the Collection and Disposal of Wastes Regulations 1988 shall be deposited at the site.

F.3 No special waste, which is subject to Section 17 of the Control of Pollution Act 1974, and Regulations made thereunder, shall be deposited at the site.

F.4 No clinical waste as defined in Regulation 2(1) of the Control of Pollution (Collection and Disposal) Regulations 1988 shall be deposited on the site.

F.5 No waste shall be deposited in drum containers.

F.6 No water soluble industrial material shall be deposited at the site.

F.7 No liquid waste or sludge shall be deposited on site.

F.8 Without prejudice to any of the foregoing conditions, no waste shall be deposited on the site, the presence of which on the land is likely to give rise to an Environmental hazard as defined in Sections 4(5) and 5(6) of the Control of Pollution Act 1974.

G. QUANTITIES OF WASTE PERMITTED

G.1 The ratio of tyres to soil must not exceed 5% of the total volume of material deposited in any one cell.

G.2 Tyres shall only be accepted provided there is sufficient soil on site to enable a 5/95% ratio by volume of tyres to soil to be maintained within the cell.

G.3 The quantity of waste of the types mentioned in Condition E1 imported to the site shall not exceed 300 tonnes in total per week.

G.4 In order to satisfy the Waste Regulation Authority that Conditions G1, G2 and G3 are being complied with, the operator must forward accurate records of material (including any excavated on site) deposited within the operating cell to the Waste Regulation Authority (Conditions M1 and M2).

G.5 For the purposes of this licence each load will be judged to contain the maximum carrying capacity of the vehicle entering the site unless a weight ticket is provided to prove that the load is less than that of the carrying capacity.

H. HOURS OF OPERATION

H.1 The site shall operate between the hours of 08.00 and 19.00 on Monday to Saturday, although no commercial vehicles will be permitted on site after 17.00 on any working day.

H.2 There shall be no operation of the site on Sundays, without the prior written approval of Montgomeryshire District Council.

H.3 Operations shall not take place during hours of darkness (as defined by the Science Research Council) unless adequate lighting (see A.9) is provided, maintained and used to cover all operating areas of the facility.

I. SITE INFRASTRUCTURE

I.1 Site Office

The site office will be sited on the access road.

I.2 Notice Board

No further deposit of material shall take place until a site identification board (minimum size 1.5 X 1.06 metres) of durable material and finish has been displayed at the site entrance. This shall show (the minimum height of lower case letters to be 25mm),

- (a) The name of the Site.
- (b) The licence number of the Site.
- (c) The name, address and telephone number of the operator.
- (d) The hours of operation of the Site.
- (e) The name and telephone number of the Waste Regulation Authority responsible for issuing the licence.
- (f) The telephone number to be used in case of emergency.
- (g) The location of the telephone to be used in case of an emergency.
- (h) The words, NO UNAUTHORISED TIPPING.

I.3 Fly Tipping

If the use of the site results in unauthorised deposits of waste within the boundaries of the site, the Waste Regulation Authority shall be notified forthwith and a sign shall be erected to indicate that such deposits are illegal and an offence under the Control of Pollution Act 1974. Any such deposits shall be removed immediately on discovery to a disposal point authorised by the Waste Regulation Authority.

J. SITE SECURITY AND BOUNDARY FENCE

- J.1 A stockproof fence shall be provided around the entire perimeter of the working area and are as agreed with the Waste Regulation Authority.
- J.2 Within one month of this site licence being granted a lockable field gate, shall be provided at the site entrance.
- J.3 All access gates to the site shall be kept locked shut whenever the site is unattended. A 5 lever padlock shall be used for this purpose.
- J.4 All site fences and gates shall be inspected at intervals of not more than 7 days. Any damage which impairs their effectiveness found during the course of these inspections or at any other time shall be repaired within 5 working days. These inspections should be recorded in the site diary according to Condition M3iv)c.

K. SITE ACCESS AND ROADS

- K.1 Access to the site shall be via the Farm road which enters the north-eastern corner of the site.
- K.2 Adequate steps shall be taken to ensure that mud, waste or other materials are not tracked onto the public highway by vehicles using the site (in compliance with Condition 1 of planning permission). If mud or any other debris is carried onto the highway by vehicles using the site immediate steps shall be taken to cleanse the affected area. If such a problem continues to arise then suitable wheel cleaning facilities must be provided, maintained and used to prevent mud or other debris being carried onto the public highway.
- K.3 The primary site road will be surfaced in such a way as to afford access in all weather conditions and prevent problems detailed in Condition K2.
- K.4 The primary site road shall be maintained in good repair. Any potholes or other defects shall be made good within 5 working days.

L. SURFACE AND RAINWATER RUN-OFF

- L.1 The land drain which enters the north west corner of the site must be intercepted by the perimeter surface water cut-off drain at a point agreed with the Waste Regulation Authority, to prevent the ingress of water from the land drain into the site.
- L.2 The surface water cut off drainage shall be maintained at all times. They shall be inspected not less frequently than once each week and kept free from waste debris or blockage. (Condition M3.iv)b)

M. SITE DIARY AND RECORDS

- M.1 A daily record sheet shall be kept of,
 - (i) the types and quantities of waste deposited;
 - (ii) the time that waste entered the site;
 - (iii) the name of the driver and the registration number and carrying capacity of the vehicle depositing the waste;
 - (iv) the place of origin of the waste.
 - (v) Volumes of material excavated at the site.
- M.2 These records shall be kept on Forms supplied by the Waste Regulation Authority and a copy furnished to the

Waste Regulation Officer at the end of each calendar month. A copy of these records shall be kept at the site office for inspection during working hours by any authorised officer of the Waste Regulation Authority.

M.3 In addition to the above, a site diary shall be kept of the following,

- (i) the weather conditions;
- (ii) any incidence of fires on site;
- (iii) any incidence of fly-tipping at the site;
- (iv) dates on which the site was inspected for:
 - (a) obstructions to the surface water cut off drain
 - (b) defects in the fencing/security
 - (c) compliance with the site licence conditions
 - (d) signs of infestation
- (v) dates on which:-
 - (a) water sampling was carried out;
 - (b) gas monitoring was undertaken.

The results of (v)(a) and (v)(b) shall be entered into the diary, not later than 5 working days after they have become available.

(vi) Any mechanical breakdowns of the plant. A note shall be entered into the diary when the machine was again fully operational.

(vii) Any incidents of unauthorised wastes being brought onto site.

M.4 The site diary shall be made available for inspection by an authorised officer of the Waste Regulation Authority.

N. WASTE HANDLING METHODS

- N.1 No deposit shall take place unless the conditions of this licence have been made known to the person who is given responsibility for the management or control of the site.
- N.2 No deposit shall take place unless the site is supervised by a person competent and qualified to secure compliance with the limitations and conditions specified in this licence. The site shall be inspected at least weekly by that person to ensure that the limitations and conditions specified in this licence are being observed. A record of these inspections shall be made and retained for inspection by officers of the Waste Regulation Authority (Condition M.3iv(c)).

N.3 The site shall be manned at all times by at least one operative while it is open for the reception of waste. No waste shall be received and deposited unless at least one operative is manning that area of the site in which the deposit of waste is permitted (see Condition A1). That area shall remain manned at all times while waste is being deposited.

N.4 There shall be no tipping into standing water.

N.5 Solid waste shall be compacted and formed into a layer as soon as possible after deposit and not later than the end of the working day in which the waste was deposited.

N.6 The depth of a layer of waste shall not exceed 2.0 metres before compaction.

N.7 The maximum width of the working face shall not exceed 6 metres.

N.8 Waste may either be;

i) deposited on the surface of the site behind the face, or

ii) deposited on the ground forming the base of the site or on a previous layer in front of the face and shall be formed into a compacted layer by being pushed upwards and driven over by the specified compaction plant (Condition N9).

N.9 The layer of waste shall be formed in either of the ways given in Condition N.8, using equipment that is capable of producing a compaction of 0.42 bar.

N.10 Before covering, working faces and flanks shall be compacted to form gradients no steeper than 1 in 3.

N.11 At the end of each working day, the deposited material shall (if not already done so) be formed into a layer (Condition N5) and any deposited tyres which remain exposed shall be covered to a depth of not less than 100 mm with sub/topsoil.

N.12 Should tipping at the site cease for a period in excess of one month, any tipping face must be regraded to ensure a gradient of no greater than 1 in 4. The area must be covered with one metre of low permeability soil.

N.13 Unless otherwise agreed by the Waste Regulation Authority, the Authority must be given not less than 7 clear days notice of:-

(i) any proposed cessation of operations lasting 7 days or more; and

(ii) any proposed recommencement of operations.

- N.14 No person shall sort over or disturb any waste delivered to or deposited at the site.
- N.15 No waste materials shall be burnt within the boundaries of the site. A fire at the site shall be regarded as an emergency and immediate action shall be taken to extinguish it. All outbreaks of fire shall be notified to the Waste Regulation Authority and Fire Officer forthwith.

Q. PLANT

- O.1 A suitable track dozer with a ground pressure no less than that stated in Condition N9, a tracked 360° backhoe excavator, and a dumptruck are to be used on this site.
- O.2 The plant stated in Condition O1 is to remain on site at all times, in case the Emergency Services, the Waste Regulation Authority or the National Rivers Authority require their use.

P. ENVIRONMENTAL CONTROLS

P.1 Dust Suppression

Both primary and subsidiary site roads shall, as necessary in dry weather, be sprayed with water to prevent dust nuisance occurring.

P.2 Pest Control

(i) The site shall be inspected weekly for any signs of infestation by vermin or insects. The dates when these inspections are conducted, should be entered into the site diary (Condition M3(iv)d)

(ii) In the event of infestation occurring at the site, a suitably qualified Pest Control Company must be instructed to carry out works to alleviate any such problem. All tipping at the site must cease until such time as it can be shown that there is no longer an infestation problem.

Q. LANDFILL GAS MONITORING AND CONTROL

- Q.1 Soil probe tests to the depth of 1.5m over the completed areas of the site, are to be undertaken at six monthly intervals for the first two years, subsequently thereafter these tests should be carried out annually, by the site licence holder. These probes are to enable sampling for the presence of methane and carbon dioxide, in the site. This monitoring shall be carried out using portable gas detection equipment. A plan showing where monitoring was undertaken shall be attached to the Waste Regulation Authority's copy of the results (Condition M3(v)b)

- Q.2 Portable gas detection equipment used for landfill gas monitoring shall be calibrated in accordance with the manufacturer's instructions for the gas it is intended to monitor. Copies of the calibration certificates shall be kept for inspection by an authorised officer.
- Q.3 The results of the gas monitoring required by Condition Q.1 of this licence shall be written into the site diary as required by Condition M.3 v)b. A true copy of these results shall be forwarded to the Regulation Authority within one month of these tests being undertaken.
- Q.4 Should it become evident at any time that landfill gas is being generated and is migrating from the site, measures shall be taken to prevent further gas migration from the site. Such measures shall ensure that the concentrations of methane and carbon dioxide at the perimeter of the site do not exceed 1% by volume in air and 1.5% by volume in air respectively. In the light of the readings obtained, the Waste Regulation Authority may alter the frequency of monitoring required by Condition Q.1. The Waste Regulation Authority will confirm such changes in writing.
- Q.5 Once the site has been completed monitoring shall continue at the frequency given in Condition Q1 until levels of methane and carbon dioxide have remained below 1% and 1.5% by volume respectively over a 24 month period.

R. WATER SAMPLING

- R.1 The operator shall agree and implement a water/leachate sampling programme as and when requested to do so by the Waste Regulation Authority in consultation with the National Rivers Authority.
- R.2 Should samples be required they must be submitted for analysis to a Public Analyst to be tested for compliance with the requirements of the Waste Regulation Authority in consultation with the National Rivers Authority.
- (i) The cost of monitoring and analysis to be borne by the licence holder.
- (ii) Copies of the analyst's report to be sent to the Authority, not later than three days after the receipt of the reports.

- R.3 The dates on which water samples were taken should be recorded in the site diary (Condition M3(v)a).

S. RESTORATION

- S.1 The site shall be progressively restored. Each completed phase will be capped with 1 metre of low permeability soil, before being regraded, topsoiled and seeded in accordance with planning conditions.

T. EMERGENCY PLAN

T.1 An emergency plan shall be provided (within three months of this licence being granted) detailing the procedures to be adopted should

(i) a fire break out on site, including details of how the water course is to be protected, adequate water is to be supplied, etc.

(ii) unacceptably high concentrations of landfill gas migrate or be found to have migrated from the site.

In drawing up the emergency plan the following statutory bodies shall be consulted respectively:-

(i) the Local Environmental Health/Technical Services Departments, the Health and Safety Executive; Emergency Services; and the National Rivers Authority.

(ii) all those statutory bodies mentioned in (i) in addition to British Gas.

T.2 The emergency plan detailed above shall be submitted to the Waste Regulation Authority for their approval within three months of this site licence being granted. Any modifications requested by the Waste Regulation Authority and agreed to by the licence holder shall be incorporated into the plan within two months of such agreement.

T.3 A lagoon shall be engineered to the south of the site having a minimum capacity of 75,000 litres. Water collecting under normal conditions shall be pumped into the stream. The lagoon shall be surrounded by a stock-proof fence, and a warning notice with the words DANGER, DEEP EXCAVATION, KEEP OUT, shall be erected.

Note: Excavation of the lagoon will require planning permission which should be sought as soon as this licence is granted, also a discharge consent will be required by the National Rivers Authority.

T.4 In the event of an emergency at the site any pumping out from the lagoon should be immediately discontinued, and advice from the Emergency Services, Waste Regulation Authority or the National Rivers Authority followed.

T.5 A minimum supply of 50,000 litres of water shall be maintained at the northern section of the site.

T.6 A windsock must be supplied on site within one month of the licence becoming operational. Consultations shall take place with Welshpool Airport as to its size, location and colour.

T.7 There must be access to a telephone at all times, in case of an emergency.

T.8 There must be no naked flames or smoking permitted on site.

T.9 A sign stating the requirements of Condition T8 shall be erected at the site entrance.

CW/AJM
10.11.92