



CONTROL OF POLLUTION ACT 1974 PART I



WASTE DISPOSAL LICENCE

THE * Preseli Pembrokeshire District Council
HEREBY GRANT a Waste Disposal Licence, pursuant to an application dated
, in respect of the following:

Full name and address of licence holder	Mansel Davies & Son Ltd. Station Yard, Llanfyrnach, Pembrokeshire
Full name and address of local representative (if any) of licence holder	
Location of site to which this licence relates	Glogue Quarry Glogue Pembrokeshire
Form of deposit or disposal to which this licence relates	
Types of waste of which deposit or disposal is authorised and any limitation as to quantity	Inert Waste (Class A Wastes)

This Licence is granted subject to the following conditions:—
Schedule A which contains certain definitions
Schedule B which relates to site preparation
Schedule C which contains the definition of inert waste
Schedule D which is the schedule of operating conditions

THE WORKING PLAN AND ASSOCIATED DRAWINGS

Dated 31st JULY 1992 (Signed) A.E. Scott
(Designation) Director of Housing and Environmental Health

THE LICENCE HOLDER SHOULD READ CAREFULLY THE NOTES OVERLEAF.

* Insert name of Waste Disposal Authority.

7.—(1) While a disposal licence issued by a disposal authority is in force, then—

(a) subject to any regulations in force by virtue of subsection (1) of the preceding section, the authority may—

(i) on its own initiative, serve a notice on the holder of the licence modifying the conditions specified in the licence to any extent which, in the opinion of the authority, is desirable and is unlikely to require unreasonable expenditure by the licence holder, and

(ii) on the application of the licence holder, serve a notice on him modifying the said conditions to the extent requested in the application;

and

(b) it shall be the duty of the authority to serve a notice on the licence holder modifying the conditions specified in the licence—

(i) subject to subsection (4) of this section, to the extent which in the opinion of the authority is required for the purpose mentioned in section 9(1)(a) of this Act, and

(ii) to the extent required by any regulations in force as aforesaid.

(2) Subsection (4) or, in relation to Scotland, subsection (5) of section 5 of this Act shall with the necessary modifications apply to a proposal to serve a notice in pursuance of paragraph (a) or paragraph (b)(i) of the preceding subsection as it applies to a proposal to issue a disposal licence, except that—

(a) the disposal authority may postpone the reference in pursuance of the said subsection (4) or (5) so far as the authority considers that by reason of an emergency it is appropriate to do so; and

(b) the disposal authority may disregard any other authority for the purposes of the preceding provisions of this subsection in relation to a modification which, in the opinion of the disposal authority, will not affect the other authority.

(3) Section 5(6) of this Act shall apply to an application in pursuance of subsection (1)(a)(ii) of this section as it applies to an application for a disposal licence.

(4) Where a disposal licence issued by a disposal authority is in force and it appears to the authority—

(a) that the continuation of activities to which the licence relates would cause pollution of water or danger to public health or would be so seriously detrimental to the amenities of the locality affected by the activities that the continuation of them ought not to be permitted; and

(b) that the pollution, danger or detriment cannot be avoided by modifying the conditions specified in the licence, it shall be the duty of the authority by a notice served on the holder of the licence to revoke the licence.

(5) A notice served in pursuance of this section shall state the time at which the modification or revocation in question is to take effect.

Transfer and relinquishment of licences

8.—(1) The holder of a disposal licence may, after giving notice to the authority which issued the licence that he proposes to transfer it on a day specified in the notice to a person whose name and address are so specified, transfer the licence to that person; but a licence in respect of which such a notice is given shall cease to have effect on the expiration of the period of ten weeks beginning with the date on which the authority receives the notice if during the period of eight weeks beginning with that date the authority gives notice to the transferee that it declines to accept him as the holder of the licence.

(2) If by operation of law the right of the holder of a disposal licence to occupy the relevant land is transferred to some other person, that person shall be deemed to be the holder of the licence during the period of ten weeks beginning with the date of the transfer.

(3) Except as provided by the preceding provisions of this section, references in this Part of this Act to the holder of a disposal licence are references to the person to whom the licence was issued.

(4) The holder of a disposal licence may cancel the licence by delivering it to the authority which issued it and giving notice to the authority that he no longer requires the licence.

Supervision of licensed activities

9.—(1) While a disposal licence is in force it shall be the duty of the authority which issued the licence to take the steps needed—

(a) for the purpose of ensuring that the activities to which the licence relates do not cause pollution of water or danger to public health or become seriously detrimental to the amenities of the locality affected by the activities; and

(b) for the purpose of ensuring that the conditions specified in the licence are complied with.

(2) For the purpose of performing the duty which is imposed on a disposal authority by the preceding subsection in connection with a licence, any officer of the authority authorised in writing in that behalf by the authority may, if it appears to him that by reason of an emergency, it is necessary to do so, carry out work on the relevant land and on any plant or equipment to which the licence relates.

(3) Where a disposal authority incurs any expenditure by virtue of the preceding subsection, the authority may recover the amount of the expenditure from the holder of the disposal licence in question, or if the licence has been revoked or cancelled from the last holder of it, except where the holder or last holder of the licence shows that there was no emergency requiring any work or except such of the expenditure as he shows was unnecessary.

(4) Where it appears to a disposal authority that a condition specified in a disposal licence issued by the authority is not being complied with, then, without prejudice to any proceedings in pursuance of section 3 or 6(3) of this Act in consequence of any failure to comply with the condition, the authority may—

(a) serve on the licence holder a notice requiring him to comply with the condition before a time specified in the notice; and

(b) if in the opinion of the authority the licence holder has not complied with the condition by that time, serve on him a further notice revoking the licence at a time specified in the further notice.

Appeals

If a licence holder is aggrieved by the decision of the Waste Disposal Authority in granting a licence subject to conditions he may appeal to the Secretary of State in accordance with Section 10 of the Control of Pollution Act 1974. Appeals must be notified within 6 months of the date of this notice to the Secretary, Department of the Environment Waste Disposal Division, Queen Anne's Chambers, 28 Broadway, London SW1H 9JU (for sites in England) or to the Secretary, Welsh Office, Local Government Division, 13th Floor, Pearl Assurance House, Greyfriars Road, Cardiff CF1 3RT, (for sites in Wales). The Secretary of State has power to allow a longer period for the giving of notice of an appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of an appeal.

N.B.—The issue of this licence under the provisions of Part I of the Control of Pollution Act 1974 in no way lessens the need of the licence holder to comply with other legislation and any statutory obligations which may rest on him thereunder, in particular the Health and Safety at Work, etc. Act 1974, the Radioactive Substances Act 1960, and any legislation relating to planning, water protection and environmental health.

LANDFILL LICENCE - CATEGORY "A" WASTES

CONTROL OF POLLUTION ACT 1974

LICENCE TO DISPOSE OF WASTE

The Presell Pembrokeshire District Council in pursuance of the powers conferred on them by the Control of Pollution Act 1974, hereby licence:

Mansel Davies & Son Ltd.

of Station Yard, Llanfyrnach, Pembrokeshire
(hereinafter called the "licence holder")

to operate a landfill facility for the disposal of inert waste
on land at Glogue Quarry, Glogue, Crymmych, Pembrokeshire.

This licence is granted subject to the conditions set out in the
schedules attached hereto.

Dated this 31st day of JULY 19 92

Signed A. F. Scott
(Authorised Officer)

The licence holder's attention is drawn to the notes overleaf

NOTES

THESE NOTES ARE FOR GENERAL GUIDANCE ONLY AND DO NOT CONSTITUTE AN
AUTHORITATIVE STATEMENT OF THE LAW

1. This licence relates only to the requirements of the Control of Pollution Act 1974 for the deposit of waste and the use of plant or equipment subject to the conditions set out in the Schedules and does not constitute a consent required by other legislation. In particular it is the responsibility of the licence holder to comply with any requirements of the HEALTH AND SAFETY AT WORK ACT 1974, the RADIOACTIVE SUBSTANCES ACT 1960, the TOWN AND COUNTRY PLANNING ACTS, BUILDING REGULATIONS and ALL RELEVANT WATER PROTECTION and ENVIRONMENTAL HEALTH legislation.
2. 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 Disposal Authority who has the right to decline to accept the new licence holder.
3. If the licence holder wishes to cancel this licence he must return it to the Waste Disposal 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.

CONTRAVENTION OF LICENCE CONDITIONS

Your attention is drawn to the provisions of Sections 3, 9 and 16 of the Control of Pollution Act 1974. A brief resume is included overleaf.

Section 3

Prohibits under penalty the deposits of waste or the use of plant or equipment, otherwise than in accordance with the terms of the licence. This Section applies to all the conditions contained herein, including any which may be the subject of an 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.

Section 9

Non compliance with any licence conditions may lead to the revocation of this licence.

Section 16

The licensing authority is empowered to require the removal of any controlled waste deposited in circumstances where any of the conditions of this licence are not being complied with.

Penalties under Section 3

A person who contravenes Section 3 sub section (1) shall, subject to subsection (4), be guilty of an offence and liable on summary conviction to a fine of an amount not exceeding scale 5 (currently £2,000) or on conviction on indictment to imprisonment for a term not exceeding two years or a fine or both.

The increased penalty may be given where a person contravenes Section 3(1) and the waste in question is poisonous, noxious and polluting, is likely to give rise to an environmental hazard, and has been brought for the purpose of being disposed of. Under such circumstances the person would be liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding scale 5 or on conviction on indictment to imprisonment for a term not exceeding five years or a fine or both.

SCHEDULE A - DEFINITIONS

1. WORKING PLAN shall mean the operational statement together with Drawing Numbers 2923/1WP, 2923/2WP of the proposed facility contained in Schedule E.
2. THE ACT shall mean the Control of Pollution Act 1974 as amended.
3. DISPOSAL AUTHORITY shall have the meaning assigned to it in Section 30 (1) of the Control of Pollution Act 1974.
4. DULY AUTHORISED OFFICER shall mean any person authorised in writing by the Disposal Authority pursuant to Section 91 (1) of the Control of Pollution Act 1974.
5. ENVIRONMENTAL HAZARD shall have the meaning assigned to it in Section 4 (5) of the Control of Pollution Act 1974.
6. LICENCE HOLDER shall mean the person or persons to whom this licence is granted.
7. BIODEGRADABLE shall mean material which may be broken down by the action of micro organisms.
8. LEACHATE shall mean liquid which seeps through the landfill and by doing so extracts substances from the deposited waste.
9. INERT WASTE shall mean solid or granular dry materials, free from any noxious, poisonous, or polluting substance, which does not decompose or for which the environmental impact of decomposition is less than, or comparable with, that of topsoil and is virtually insoluble in water.
10. EMERGENCY shall mean a case where a person has reasonable cause to believe that circumstances exist which are likely to endanger life or health or cause damage to property or pollution of water.
11. OPERATING shall mean the deposit of waste or acceptance of waste for deposit and all matters incidental thereto.
12. Notwithstanding the above, words and phrases in this licence have the meaning ascribed to them by the Control of Pollution Act 1974 and its associated regulations.

SCHEDULE B - SITE PREPARATION

1. The preparatory works required by conditions 2 to 9 below shall be supervised and certified, by a suitably qualified person, that they have been constructed in accordance with the working plan. Certification shall be forwarded to the Waste Disposal Authority and no waste material shall be accepted at the facility until the Waste Disposal Authority confirms, in writing, that the site preparatory works have been carried out in accordance with the working plan.

Site Infrastructure

2. Perimeter fencing and gates shall be provided and maintained at all times. The gates shall be securely locked at all times when the facility is unattended. Any damage to the gates and fencing which impairs their effectiveness will be repaired by the end of the working day and if this cannot be accomplished the licence holder shall provide security personnel to guard the facility until such repair is effected.
3. An identification board of durable material and finish shall be displayed at the entrance to the facility, as indicated in the working plan. The following information shall be provided:
 - (a) Name, address and telephone number of facility;
 - (b) Name, address and telephone number of the Waste Disposal Authority responsible for issuing this Licence and the Waste Disposal Licence Number;
 - (c) Hours of Operation (as per licence condition);
 - (d) Name, address and telephone number of Licence Holder;
 - (e) Twenty-four hour emergency telephone number and contact.

The board shall be maintained in a legible condition at all times.

4. A site control office of the type specified in the working plan shall be provided at the location specified in the working plan. The site control office shall be maintained to the original standard as specified in the working plan.
5. The road from the site entrance to the site control office (hereinafter called the site access road) shall be constructed in accordance with the working plan. The site access road shall be maintained to the original standard as specified in the working plan.
6. Wheel cleaning equipment of the type specified in the working plan shall be provided at the location specified in the working plan. The equipment shall be used and maintained as specified in the working plan.
7. Provisions for the storage and maintenance of plant shall be constructed in accordance with the working plan and shall be maintained to the original standard as specified in the working plan.

Site Preparation

8. All water courses, springs and issues located within the facility shall be intercepted and diverted to the perimeter of the facility in accordance with the working plan, in order to prevent the contamination of the water courses, springs and issues.
9. Perimeter surface water drainage shall be constructed in accordance with the working plan. The drainage system shall be maintained to the original standard as specified in the working plan.

SCHEDULE C - TYPES OF WASTE

1. The types of controlled waste accepted at the facility shall consist only of the following inert wastes, as defined in paragraph 9 of Schedule A:

Topsoll
Subsoll
Brickwork
Stone
Concrete
Clay
Sand
Silica (excluding finely powdered waste)
Glass

2. The total quantity of waste accepted daily shall not exceed 200 tonnes. For the purpose of this licence all vehicles discharging waste of whatever size shall count towards this total.

SCHEDULE D - OPERATIONS

1. The licence holder shall operate the facility in accordance with the working plan as approved by the Waste Disposal Authority and contained in Schedule E of this licence.
2. Any proposed modification to the approved working plan shall be submitted to the Waste Disposal Authority together with the proposed date of implementation at least 8 weeks before the proposed date of such implementation.
3. The licence holder shall obtain written approval from the Waste Disposal Authority for any proposed modification to the actual conduct of the operations from the proposals approved in the working plan.
4. The types of wastes accepted at the facility shall consist only of those specified in Schedule C of this licence. All wastes shall be visually inspected to ensure that they conform with the requirements of Schedule C of this licence. Any wastes not conforming to the requirements of Schedule C shall be rejected as unsuitable for disposal at the facility.
5. The Waste Disposal Authority shall be notified immediately of any waste that has been rejected as unsuitable for disposal in accordance with condition 4 above and Schedule C of this licence. This notification shall include the nature and quantity of waste, the name and address of the producer of the waste, the registration number of the vehicle delivering the waste, the name and address of the vehicle's driver and operator, and the date and time of rejection of the waste.
6. No operations shall be carried out at the facility during the hours of darkness as defined by the statutory lighting up times published by the Science Research Council; i.e. half an hour after sunset to half an hour before sunrise.
7. The facility shall be manned and supervised during operating hours (see condition 8 overleaf) in accordance with the working plan. supervisors must be able to identify the types of waste permitted by this licence and those wastes specifically excluded.

8. Permitted wastes shall be delivered to the facility between the hours of daylight specified below. No delivery of waste shall take place outside these hours without the prior written approval of the Waste Disposal Authority.

Mondays - Fridays	From	<u>0730 hours</u>
	To	<u>2000 hours</u>
Saturdays	From	<u>0730 hours</u>
	To	<u>2000 hours</u>
Bank Holidays & Sundays	From	<u>Closed</u>
	To	<u></u>

9. A written record shall be kept of the characteristics and quantities of all wastes delivered to the facility, the name and address of the person delivering the waste, the registration number of the vehicle delivering the waste, the date and time of the delivery, and identification of the origin on the waste. This record shall be available to any representative of the Waste Disposal Authority for inspection at the facility at any reasonable time.
10. A summary of the records required by condition 9 above of all wastes delivered to the facility in a calendar month shall be submitted to the Waste Disposal Authority before the tenth day of the succeeding calendar month.
11. The phasing and direction of the depositing of waste shall be carried out as specified in the working plan and each phase shall be completed before the deposit of waste is commenced in each subsequent phase.
12. All available top soil shall be removed from each individual phase prior to any waste being deposited in each individual phase. The top soil removed shall be stored at the facility at the location specified in the working plan.
13. No material shall be burnt within the boundaries of the facility. Any outbreak of fire shall be regarded as an emergency and immediate action shall be taken to extinguish it. Fire fighting equipment and emergency water supplies shall be provided, maintained and identified in accordance with the working plan. All outbreaks of fire shall be reported immediately to the County Fire Brigade and the Waste Disposal Authority.

14. Measures, in accordance with the working plan, shall be taken to remove any mud, debris or any other material that is deposited on any roadway by vehicles using the facility. These measures shall include the sweeping of the site access road, hard surfaced areas and the public highway leading from the facility.
15. The depth of any layer of waste shall not exceed 2.5 metres after initial compaction.
16. Each layer of waste and covering material shall be laid to a fall to encourage surface water run-off from the working face.
17. No processing, sorting, or re-excavation of any waste shall take place at the facility without the prior written approval of the Waste Disposal Authority.
18. All vehicles leaving the facility shall use the wheel cleaning apparatus required by condition 7 in Schedule B of this licence.
19. Measures, including proper maintenance and use, shall be undertaken to control the noise of machinery and vehicles operating at the facility which may be detrimental to the amenities of the locality.
20. Measures in accordance with the working plan shall be taken to effectively suppress dust and malodours which may be detrimental to the amenities of the locality.
21. Measures in accordance with the working plan shall be taken to deal effectively with any vermin and insects at the facility.
22. Until final restoration, completed landfill areas shall be graded and maintained as detailed in the working plan.
23. Any cessation of operations for a period in excess of 12 weeks shall be notified to the Waste Disposal Authority. Not less than 14 days notice shall be given to the Waste Disposal Authority of the date on which operations are to recommence in the event of such a cessation.
24. A copy of any notice or instruction received in respect of the facility from any authority, other than the Waste Disposal Authority, which in any way relates to the use of the facility, shall be given to the Waste Disposal Authority within 3 days of the receipt of such a notice or instruction.
25. The terms of this licence shall be made known to any person who is given responsibility for the management or control of the facility and be available at all times at the facility for the use of such persons.

26. All site operations shall be carried out in accordance with the licence holder's safety policy entitled "Safe Working Practices" attached to the working plan in Schedule *.
27. Notwithstanding the generality of the conditions in this Schedule, the activities to which this licence relates shall not be carried on so as to cause pollution to water or danger to public health or become seriously detrimental to the amenities of the locality affected by the activities.