

**CONTROL OF POLLUTION ACT 1974
PART I****WASTE DISPOSAL LICENCE**

THE DELYN BOROUGH COUNCIL
HEREBY GRANT a Waste Disposal Licence, pursuant to an application dated
13th February, 1984, in respect of the following:

Full name and address of licence holder	Mr. W. Lockhart, Merseyscent Limited, Woodend Avenue, Speke, Liverpool. L24 9JF
Full name and address of local representative (if any) of licence holder	N/A
Location of site to which this licence relates	Disused railway line at Waen Farm, Nercwys, as shown on attached O.S. plan.
Form of deposit or disposal to which this licence relates	Landfill of above site.
Types of waste of which deposit or disposal is authorised and any limitation as to quantity	Building rubble, mineral fibre, other non-hazardous inert and non-inflammable industrial waste, as may be agreed with the licencing Authority.

This Licence is granted subject to the following conditions:—

See attached schedule.

Dated 13th April

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(Signed) 

Chief Environmental Health Officer
Principal

THE LICENCE HOLDER SHOULD READ CAREFULLY THE NOTES OVERLEAF.

Health Department,
~~Civic Offices~~, Guildhall,
~~Colleshill Street~~, Flint,
~~Nolwell, Clwyd.~~ Clwyd.
Telephone Flint 3551
Telephone: 710710

NOTES

The Control of Pollution Act 1974 provides as follows:—

Variation and Modification of Licences

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.

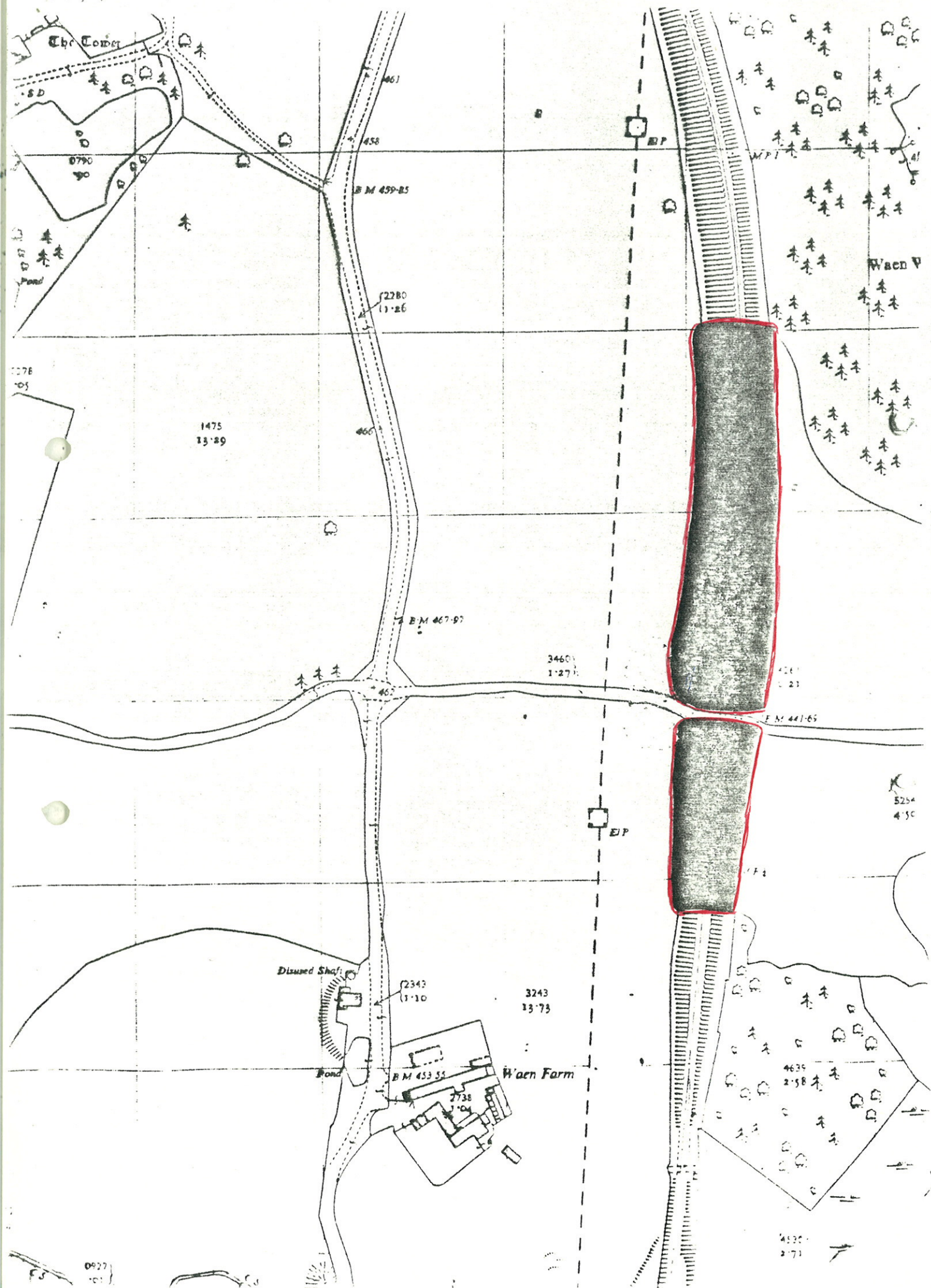
(4) Where it appears to a disposal authority that a condition specified in a disposal licence issued by the authority is not being complied with, then, without prejudice to any proceedings in pursuance of section 3 or 6(3) of this Act in consequence of any failure to comply with the condition, the authority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



WAEN FARM, NERCWYS.

1. The Licence shall restrict the depositing of waste to the filling-in of the railway cutting to the area shown on the attached plan.
2. Waste deposited on the site shall consist of building rubble, mineral fibre, other non-hazardous, inert and non-inflammable industrial waste as may be agreed with the Licensing Authority.
3. Waste shall be formed into a layer as soon as possible after tipping and not later than the end of the working day on which the waste is received.
4. The layer of waste shall be formed using a tractor equipped with a blade or other appropriate levelling device. Waste shall be deposited on the surface of the tip behind the face and, if necessary, partially compacted by the tractor before being pushed over the face.
5. The layer of waste shall be formed so that it does not exceed 8' 0" in depth after initial compaction.
6. The tipped waste shall be covered progressively so that all surfaces, including the tip face and flanks, are covered at the end of each working day with a layer of soil or other suitable sealing material spread so that it is not less than 6" thick.
7. All large articles or hollow containers should be tipped in front of the tip face. They shall be crushed, broken up or flattened by the tractor and covered each day by other waste, in such a position that they are not within 3' 0" of the tip surface or 6' 0" from the tip face and flanks.
8. The site shall be adequately manned and supervised during working hours.
9. Not less frequently than once per week, any loose waste which may be lying on or near to the site shall be gathered and disposed of in such a way as to keep the site tidy.
10. No waste shall be burnt on the site and a fire shall be regarded as an emergency and immediate action shall be taken to extinguish it.
11. A record shall be kept of the type and quantities of waste deposited on the site and the record shall be available for inspection by Local Authority Officers at all reasonable times. On completion of depositing on the site a copy of the records shall be forwarded to this Authority for retention.
12. Not less than 14 days notice shall be given to this Authority of the date on which waste disposal is to commence.
13. Suitable measures shall be taken to prevent insect and rodent infestations and immediate action shall be taken to rid the site of any such infestations if any are found to exist.
14. The site shall be prepared for tipping to commence in accordance with the details specified with your application.
15. All precautions shall be taken to prevent the carrying over of mud, and debris or waste from off the site onto the roadway, and, if necessary, suitable wheel-washing equipment shall be installed, maintained and used.

16. The site shall comply with all aspects of the Health and Safety at Work Act 1974, and comply with any requirement of the Health and Safety Executive. Suitable welfare facilities should be provided on site, including provision of washing and toilet facilities for operatives on site.

17. The site shall be suitably fenced to prevent access by persons or animals and whilst not in use a secure gate shall be maintained in a closed position and locked to prevent unauthorised tipping.

18. The terms of the Site Licence shall be made known to any person who is given responsibility for the management or control of the site and copy of this shall be displayed at the Site Control Office.

19. The name, address and telephone number of the operator of the site should be conspicuously displayed at the entrance to the site.

20. The Licence shall expire on the 30th July, 1984.