

**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: **Mr Philip Bowles**
BDC Aggregates Ltd.
Barry Plant
Dock 2 Atlantic Way
Barry
Vale of Glamorgan
CF63 3RA

Environmental permit: EPR-BB3096CB

Regulated facility: Barry Plant, Dock 2 Atlantic Way, Barry, Vale of Glamorgan CF63 3RA

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

4.2.2 Within one month of the end of each quarter, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter.

Because:

Waste returns for quarters 1,2,3 and 4 for 2020 have not been received by NRW by the dates specified in the permit nor has the operator submitted them in response to an email requesting the same sent to him on 23 February 2021.

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

Date: 11 March 2021

Signed:

A handwritten signature in black ink, appearing to read 'A. Davis', written in a cursive style.

Natural Resources Wales
Rivers House
St Mellons Business Park
St Mellons
Cardiff
CF3 0EY

Please see over for notes.

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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.

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SCHEDULE 1 STEPS TO BE TAKEN		
Condition number	Steps to be taken	By date
4.2.2	Submit quarterly waste returns for Q1, Q2, Q3 and Q4 of 2020 to waste.returns@cyfoethnaturiolcymru.gov.uk	30 April 2021