

Statutory Notice

**Environmental Protection Act 1990
Section 59(1)(a) and (b)**

**NOTICE TO REMOVE CONTROLLED WASTE
AND REQUIREMENT TO TAKE STEPS TO ELIMINATE/REDUCE
CONSEQUENCES OF SUCH UNLAWFULLY DEPOSITED WASTE**

To: **Phillip Bowles
Associated British Ports Barry
Dock 2
Atlantic Way
Vale of Glamorgan
CF63 3RA**

Under Section 59(1)(a) and (b) of the Environmental Protection Act 1990, as amended, **Natural Resources Wales** can require removal of controlled waste or extractive waste and specify steps to reduce or eliminate the consequences of such deposits.

Being satisfied that the controlled waste namely whole tyres, baled tyres and shredded tyres as pictured in photographs YM1 - YM11 has been deposited at Dock 2, Associated British Ports, Atlantic Way, Vale of Glamorgan, CF63 3RA as shown edged red on the attached plan Map 1, in contravention of Section 33(1) of the Environmental Protection Act 1990, as amended, **Natural Resources Wales** requires you to remove the above mentioned waste by 08/10/2021.

Natural Resources Wales also requires you to take the steps specified in Schedule 1 to eliminate or reduce the consequences of the deposit.

Date: 6 August 2021


Signed:
Gareth Davies
South Central Waste Regulation Team Leader

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

Please see over for notes.

Environmental Protection Act 1990

Section 59(1)(a) and (b)

Notes:

General

- 1 If you fail to comply with this notice Natural Resources Wales may take the steps and recover from you any expenses reasonably incurred in so doing.
- 2 Failure to comply with this notice is an offence under Section 59 (5) of the Environmental Protection Act 1990, as amended, 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 Section 59(2) of the Environmental Protection Act 1990, as amended. Notice of appeal must be made within a period of 21 days beginning with the service of this notice to a Magistrate's Court by way of a complaint. The requirements of this notice shall have no effect pending the determination of the appeal.

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 Protection Act 1990
Section 59 1(a) and (b)

SCHEDULE 1	
Steps to be taken	By date
All whole waste tyres to be removed from the site to an authorised waste facility	08/10/2021
All baled waste tyres to be removed from the site to an authorised waste facility	08/10/2021
All shredded waste tyres to be removed from the site to an authorised waste facility	08/10/2021
All duty of care notes to be submitted via email to Yeliz Marshall of Natural Resources Wales for review yeliz.marshall@cyfoethnaturiolcymru.gov.uk	15/10/2021



YM1



YM2



YM3



YM4



YM5



YM6



YM7



YM8



YM9



YM10



YM11



END