



OUTGOING



PERMIT

ENVIRONMENTAL PROTECTION ACT 1990, sect. 37(1)(a)

## NOTICE OF MODIFICATION OF WASTE MANAGEMENT LICENCE

To: Greenacre Waste Management Ltd  
Of: Greenacre, Princes Gate, Narberth

WHEREAS on 6th October 1995 you were granted a Waste Management Licence, number 950003, by South Pembrokeshire District Council relating to land at Eastern Avenue, Waterloo Industrial Estate, Pembroke Dock.

NOTICE is HEREBY GIVEN that the Environment Agency modifies the conditions contained in the said waste management licence as detailed in Appendix A attached. These modifications shall take effect from 00.00 hours 06 October 2000.

Dated: 30 October, 2000.

(Signed).....

For Environment Planning Manager

**N.B.- The person served with this notice may under Section 43 of the 1990 Act appeal against the Agency's decision to the Secretary of State within six months of the date of the decision or such longer period as the Secretary of State may allow. (See notes overleaf.)**

Environmental Protection Act 1990  
Section 37  
Licence No. 950003  
22nd February 1999

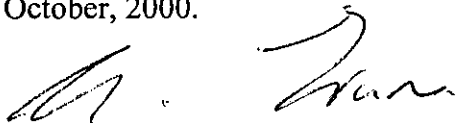
APPENDIX A

The following condition (number 3) shall be added to Schedule C, Types of Waste:

3. The total quantity of waste accepted at the site per year shall not exceed 4,999 tonnes.

Dated: 30 October, 2000.

(Signed).....

A handwritten signature in black ink, appearing to be 'M. Khan', written over a dotted line.

For Environment Planning Manager

## WASTE MANAGEMENT LICENSING APPEALS

### Introduction

- 1.1 The purpose of this Appendix is to explain the procedure for, and the provisions relating to, the submission of appeal to the Secretary of State for Wales under:

Section 43 of the Environmental Protection Act 1990 against decisions made by the Environment Agency on waste management licences; (Section 35 (12) of the Act provides that "licence" means a waste management licence. The term "licence" is subsequently used in the rest of this Appendix.)

- 1.2 Section 35 (8) and 74 (5) of the 1990 Act duties on the Environment Agency to have regard to any guidance issued to it by the Secretary of State with respect to the discharge of their functions in relation to licences. The Environment Agency should make prospective applicants and licence holders aware of authorities' duties to have regard to this advice; and that the Secretary of State will similarly have regard to this advice in his determination of appeals made to him.

### Right to Appeal

- 1.3 Applicants and other persons have a right of appeal to the Secretary of State in the circumstances set out in paragraphs 1.4 below.
- 1.4 Section 43 (1) (a) of the 1990 Act sets out the right of appeal to the Secretary of State **by a licence holder** where an application to modify the conditions of a licence submitted under Section 37 (1) (b) is rejected by the Environment Agency or is deemed to be rejected under section 37 (b);

### Notice of Appeal

- 1.5 **Regulation 6 (1)** provides that any person who wishes to appeal to the Secretary of State under Section 43 must do so by notice in writing. **Regulation 6 (2)** provides that the notice of appeal must be accompanied by certain information:

#### The information to be provided

- (a) a statement of the grounds of appeal;
  - (b) a copy of any correspondence relevant to the appeal;
  - (c) a copy of any other document relevant to the appeal including, in particular, any relevant consent, determination, notice, planning permission, established use certificate of lawful use or development; and
  - (d) a statement including whether the appellant wishes the appeal to be in the form of a hearing or to be determined on the basis of written Representations;
  - (e) a copy of the appellants application and any supporting documents; and
  - (f) a copy of the waste management licence.
- 1.6 A copy of a form on which notice of appeal may be given is available from:

The Planning Inspectorate  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

- 1.7 **Regulation 6 (3)** requires the appellant to serve a copy of his notice of appeal and any documents provided under paragraph 1.5 above, on the Environment Agency.

### The Effect of Making an Appeal

1.8 The Environment Agency's decision remains in effect pending determination of the appeal in cases of:

#### Section 43 (1) (a)

- (a) an application for a licence submitted under Section 36 (1) (a) or (b) is rejected by the Environment Agency or is deemed to be rejected under Section 36 (9);
- (b) an application to modify the conditions of a licence submitted under Section 37 (1) (b(b)) is rejected by the Environment Agency or is deemed to be rejected under Section 37 (6);

### Withdrawal of an Appeal

1.9 Regulation 6(4) provides that if an appellant wishes to withdraw his appeal he must do so by notifying the Secretary of State in writing and send a copy of that notification to the Environment Agency. Subject to these requirements, an appellant may withdraw his appeal at any time.

### Time Limit for Making an Appeal

1.10 Regulation 7 (1) provides that, subject to Regulation 7 (2), notice of appeal must be given:

#### Appeals Under Section 43 (1) (a)

- (a) before the expiry date of 6 months beginning with:
  - (i) the date of the decision which is subject to appeal; or
  - (ii) the date on which the Agency is deemed by Section 36 (9), 37(6), 39(10) or 40 (6) of the 1990 Act to have rejected the application; or

1.11 Regulation 7 (2) provides that the Secretary of State may, in relation to an appeal under Section 43 of the 1990 Act, at any time allow notice of appeal to be given after the expiry of 6 month period mentioned in paragraph 1.17 (a) above. In the case in which the Secretary of State receives a notice of appeal after the expiry of this 6 month period he will request from the person wishing to appeal, and before considering the exercise of his discretion under Regulation 7 (2), an explanation of the reasons for that person's not giving notice within the time limit provided by Regulation 7 (1) (a). The Secretary of State has no discretion under Regulation 7 (2) to accept an appeal under Section 66 (5) after the expiry of 21-day limit provided by Regulation 7 (1) (b).



ASiantaeth YR  
AMGYLCHEDD CYMRU  
ENVIRONMENT  
AGENCY WALES

Ein cyf/Our ref: PG/LIC\_NO 950003  
Eich cyf/Your ref:

Dyddiad/Date: As Postmark

Mr R Jones  
Shanks Waste Solutions  
Heathfield Industrial Estate  
Thornhill Road  
Cwmgwili  
Carmarthenshire  
SA14 6PT

Dear Sir,

**ENVIRONMENTAL PROTECTION ACT 1990 - SECTION 37  
MODIFICATION OF WASTE MANAGEMENT LICENCE NUMBER 950003  
CIVIC AMENITY SITE, EASTERN AVENUE, WATERLOO INDUSTRIAL ESTATE**

Please find enclosed a notice under 37 (a) of the Environment Protection Act 1990 for the modification of the above site licence. This modification only addresses those conditions relating to the total permitted annual amount of waste to be accepted at the site and does not modify any other conditions. Please note that this modification will not change the current operation of your site.

This modification notice will regularise the level of fees and charges made payable to the Agency via the addition of the above condition.

Should you have any queries please do not hesitate to contact the Waste Licensing department at our Swansea office.

Yours faithfully

**ROSS GRISBROOK  
LICENSING OFFICER**

Asiantaeth yr Amgylchedd Cymru, Glan Tawe, 154 Ffordd Sant Helen, Abertawe, SA1 4DF  
Ffon 01792 645300, Ffacs 01792 470068

Environment Agency Wales, Glan Tawe, 154 St Helens Road, Swansea, SA1 4DF  
Tel 01792 645300, Fax 01792 470068