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ASiantaeth Yr
AMGYLCHEDD CYMRU
ENVIRONMENT
AGENCY WALES

ENVIRONMENTAL PROTECTION ACT 1990 SECTION 37(1)(a)

WASTE MANAGEMENT LICENCE NOTICE OF MODIFICATION

LICENCE REF No: EAWML/37154 (NOW-526-L) LICENCE HOLDER: David I Kelly Legacy Car Dismantlers Bluebell Cottage Bluebell Lane Pandy, Wrexham LL12 8EE	FACILITY TYPE: Metal Recycling Site LICENSED FACILITY: Legacy Car Dismantlers Esclusham Mill Llwyneinion Rd Legacy, Wrexham LL14 4ET NGR – SJ 28879 47702
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WHEREAS on the 15 June 1998 the Environment Agency Welsh Region (North Wales Area) issued a waste disposal licence (now to be treated as a waste management licence) in pursuance of its powers under Part II of the Environmental Protection Act 1990 for the above named facility to you.

AND WHEREAS on the 22 March 1999 and 29 November 2001 the Environment Agency modified the conditions of the said licence pursuant to Section 37 (1)(a) of the Environmental Protection Act 1990

NOTICE IS HEREBY GIVEN that the Agency modifies the conditions of the said licence in accordance with Section 37 (1)(a) of the Environmental Protection Act 1990 and as set out in the Schedule attached to this notice.

Signed 

Dated 10th March 2005.

Name **Dave Powell**
Environment Management Team Leader

This modification shall take effect on **14th March 2005** at 00.01 hours

**YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL DETAILED AT THE END
OF THIS MODIFICATION.**





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SCHEDULE – CONDITIONS RELATING TO THIS MODIFICATION

Modification of conditions under section 37 (1)(a) as follows:

Delete following conditions;

B3 Site Security

- B3.1 Site security gates shall be located as on Drawing No.1 and they shall be securely locked in a closed position when the site is not in operation. They shall consist of as a minimum 2 metre high metal gates.
- B3.2 Site security fencing shall be erected along the perimeter of the site and shall be as a minimum as described in the Working Plan and as detailed in the relevant planning permission granted by the Local Authority.
- B3.3 The gates and fencing referred to in Conditions B3.1 and B3.2 shall be inspected daily. A written record of all inspections and action taken shall be made in the site diary.
- B3.4 Defects in the gates and fencing which may permit unauthorised access to the site shall be repaired by the end of the working day in which they are discovered. Where such repair is not possible then personnel shall be employed to ensure 24 hour security cover until such repair is effected. All other defects in the gates and fencing shall be repaired within 3 working days. A written record of all repairs shall be made in the site diary.

D1 Handling, segregation and storage.

- D1.2 Before a vehicle is removed from the concreted hard standing it shall be drained of all liquids and the vehicle washed down. Any detritus shall be washed into the catch pit.
- D1.5 Any tyres removed from vehicles shall be stored as agreed in writing with the Agency. Details should be forwarded to the Environment Agency within one month from the issue of this licence.

Add New Conditions;

B3 Site security

- B3.1 Site security systems shall be provided at all times during the subsistence of this licence, the objective of which shall be to prevent access by humans, and livestock, which is not authorised either by the Licence Holder or under legal powers of entry. These shall be installed, operated and maintained, and shall be fully documented and recorded, in accordance with the requirements specified in Table 3.1:

Table 3.1 Site security system standards

Site security system	Specified standards
Timetable of provision	Site security provisions outlined in this modification shall be provided within a specified time period as agreed in writing with the Environment Agency.
Design standards	Unless otherwise agreed in writing by the Agency, this shall consist of a chainlink security fence at least 1.8 metres high around the perimeter of the site, which shall meet the standards specified in British Standard BS1722 or an agreed alternative, and shall have a lockable gate to at least the same height and standard at the site access.
Operational standards	The site shall be kept closed and secure at all times when unattended.
Maintenance standards	The site security shall be fully inspected at the commencement of each working day. Any defects or damage shall be made secure by temporary repair by the end of the working day, and shall be repaired within 7 working days of the damage being detected. All inspections, defects, damage and repairs shall be recorded in the site diary.

D1 Handling, Segregation and Storage

- D1.2 Before a vehicle is removed from the concreted hard standing it shall be drained of all liquids. Any detritus shall be washed into the catch pit.
- D1.5 Tyres removed from vehicles shall be stored in separately designated areas provided with an impermeable pavement and sealed drainage.
- Tyres shall be stored in stable stacks with individual capacities of no greater than 50 cubic metres and to a height of no greater than 3 metres
 - Individual tyre stacks shall not be stored within 6 metres of each other
 - individual tyre stacks shall not be stored within 15 metres of the site boundary or building
 - Tyre stacks shall not be located within 10 metres of any area used for flame cutting operations.

RIGHTS OF APPEAL

Section 43(1) of the Environmental Protection Act 1990 provides that:

Where, except in pursuance of a direction given by the Secretary of State, the conditions of a licence are modified, the licence holder may appeal from the decision to the Secretary of State.

Therefore, if you feel aggrieved by the decision detailed on the attached notice, you may obtain the appropriate form on which to give written notice of an appeal from :-

The Planning Inspectorate
Room 4/19
Eagle Wing, Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

For Wales, the address is – The Planning Inspectorate
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Tel: 0117 987 8812
Fax: 0117 987 6093

Tel: 02920 823859
Fax: 02920 825150

This notice of appeal should be accompanied by the following information:

A statement of the grounds of appeal;

A copy of any application to modify the licence

A copy of the licence;

A copy of any correspondence relevant to the appeal;

A copy of any other document relevant to the appeal including, in particular, any relevant consent, determination, notice, planning permission, established use certificate or certificate of lawful use or development and

A statement indicating whether you wish the appeal to be in the form of a hearing or on the basis of written representations.

You are also required to serve a copy of your notice of appeal, together with copies of any the above documents that have accompanied your notice of appeal, on the Environment Agency (at the address overleaf). You should appeal within 6 months of the date that this notice takes effect but the Secretary of State may allow notice of appeal to be given after the expiry of this time period.

