

creu lle gwell  
creating a better place



Asiantaeth yr  
Amgylchedd Cymru  
Environment  
Agency Wales

---

ENVIRONMENTAL PROTECTION ACT 1990, sect. 40(5)

---

**NOTICE OF TRANSFER OF  
WASTE MANAGEMENT LICENCE**

To: The Company Secretary  
Of: Environmental Waste Controls PLC  
298, Hale Road  
Widnes  
Cheshire  
WA8 8PX

WHEREAS on 12<sup>th</sup> September 1997, Greenacre Waste Management Limited was granted a Disposal Licence SWW 168L (relating to land at Brytwyn Road, Cymmer, Neath, Port Talbot, SA13 3EE) by the Environment Agency.

AND WHEREAS the conditions of the said licence may have been modified from time to time.

NOTICE is HEREBY GIVEN that the Environment Agency, having exercised its powers under section 40 (5) of the Environmental Protection Act 1990, endorses the transfer of the said Waste Management Licence number SWW 168L(EAWML/34151) to:

**Environmental Waste Controls PLC, 298 Hale Road, Widnes, Cheshire  
Company Registration Number: 4944994**

The Transfer of this licence shall effect from the date of this notice.

Dated ...2<sup>nd</sup> August 2005.....

(Signed).....  
**Audrey Evans (Team Leader Regulatory Waste)**

**Asiantaeth yr Amgylchedd, Maes Newydd, Llandarsi, Nedd Port Talbot, SA10 6JQ  
Tel : 08708506506 Facs: 01792 325500**

**Environment Agency, Maes Newydd, Llandarcy, Neath Port talbot, SA10 6JQ  
Tel : 08708506506, Fax: 01792 325500**

# DECISION DOCUMENT – WASTE MANAGEMENT LICENSING ( Transfer )

*The permitting officer must complete all fields to the extent that they are relevant to the specific application. All text in Italics should be deleted from the final document.*

## 1. Introduction

Applicant(s):	Environmental Waste Controls PLC (Transferee) / Greenacre Waste Management Ltd ( Transferor)	
Registered Office Address:	298,Hale Road Widnes Cheshire WA8 8PX ( Transferee)	Dunedin House Auckland Park Mount Farm Milton Keynes MK1 1BU ( Transferor)
Company Number (if applicable):	4944994	02783057
Correspondence Address:	As above	
Facility Address including NGR:	Brytwyn Road, Cymmer, Neath, Port Talbot, SA13 3EE SS858960	
Facility Type (OPRA category):	A11/13 Civic Amenity Site.	

- **Brief description of the activities to be permitted. Including any exempt activities and discharge consents:**

The licence Authorises the Keeping and Treating of waste for recovery and recycling ( and Disposal) of Household, Commercial and Industrial waste.

- **Brief site and licensing history and previous land use**

The original licence holder was Greenacre Waste Management Limited, who are now run by Shanks Waste Solutions. Both have been operating the site, on behalf of Neath and Port Talbot Council, as a Civic Amenity Site.

## Receipt of submission

### **Calculation of fee paid and correct Charging Table:**

A sum of £1717 was received on 23<sup>rd</sup> June 2005, which is the standard fee for a WML Transfer.

### **Claims for commercial confidentiality.**

Under Section 66 (1) of The Environmental Protection Act 1990 (the Act), the person furnishing information, for the purpose of an application or for the modification of a licence, can apply to the Agency to have that information excluded from the public register on the grounds that it is commercially confidential.

No claim made.

### **Occupancy**

- Environmental Waste Controls PLC occupy the land, and operate the site, on behalf of the Council.

02/08/05

▪ **Consultation & Other Representations**

None required

**2. Fit and Proper Status**

**Assessment of Relevant Convictions**

Checks made with our legal dept revealed that none of the nominated technically competent managers or company directors had any relevant convictions.

**Assessment of Technical Competence:**

1. Certification level.

The site is required to be run by a WAMITAB Certificate holder of level TSNH3. The nominated manager holds a WAMITAB certificate TSH4, which is over and above the required level for this site. Reference number is 05430.

TCM IS REQUIRED TO BE CONTACTABLE DURING OPERATIONAL HOURS OF THE SITE.

2. Nominated Manager.

Nominated manager is Reginald Terrence Griffiths.

**Financial Provision**

- Financial provision has been secured in the form of Credit Check on the company. Validation carried out and confirmed by the Regional Finance Department 14<sup>th</sup> July 2005. Company have satisfied Agency requirements for Financial Provision.
- FP was set at £2825.

**3. Decision**

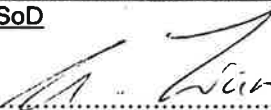
It has been decided that this application should be granted and Transfer endorsed.

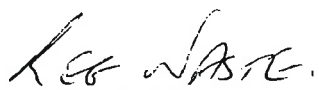
i) Signed 

Designation: Permitting Officer

Date 2/8/05

(ii) Decision document and determination of application approved by designated person under NFSOD

Signed 

Designation   
Team Leader  
2/8/05

02/08/05

## **Key Points for Consideration of Completed Decision Document**

### **Application for a new licence**

The decision document for a new licence should demonstrate that the following requirements of the Act have been met:

- the licence holder will be a Fit and Proper Person, and
- will be in occupation of the licensed area (in the case of a site licence), or
- will be the operator of the plant (in the case of a mobile plant licence), and
- that the proposed use of the land has the benefit of an appropriate planning permission (where required), and
- that the activities, if conducted in accordance with licence conditions, will not cause pollution of the environment or harm to human health or, in cases where this is not covered by planning permission, serious detriment to the amenities of the locality.

### **Modification of licence conditions**

- A notice of modification under Section 37(1)(b) of the Act can only modify conditions to the extent requested by the applicant. Where other conditions are to be modified or new conditions inserted as a result of the modification, each condition must be justified as being 37(1)(a) or 37(2)(a), and separate notices should be prepared where more than one section is being used.
- Planning permission is not a prerequisite to the issue of a modification notice, however the planning authority's views may be a key element in the determination of whether the modification may cause pollution of the environment, harm to human health or, where relevant, serious detriment to the amenities of the locality.
- Financial provision and technical competence should be in place to address any new obligations expected from the modification application.

### **Transfer of licence**

- The grounds for determination of an application to transfer a licence are solely those that relate to the fit and proper person status of the proposed transferee.

### **Surrender of licence**

- The decision document should indicate whether the condition of the land, in so far as that condition is the result of the use of that land for the treatment, keeping or disposal of waste (whether or not in pursuance of the licence), is likely or unlikely to cause pollution of the environment or harm to human health.

**Environmental Waste Controls Plc**  
298, Hale Rd.  
Widnes  
Cheshire  
WA8 8PX

**Dyddiad/Date:** 2<sup>nd</sup> August 2005  
**Ein cyf/Our ref:** WML/ISSUE/SW/LH

**For the attention of Mrs Pat Kirwan**

Dear Sir/Madam,

**ISSUE OF WASTE MANAGEMENT LICENCE TRANSFER, LICENCE NUMBER EAWML/34151, CYMMER CIVIC AMENITY SITE.**

I am pleased to enclose your waste management licence, licence number, EAWML34151.

You are advised to read this letter carefully as it contains information important to your business.

A waste management licence is an important document and you should keep the original in a safe place. You must ensure that both yourself and relevant employees are familiar with the requirements of the licence and that a copy is available on site during operational periods. To facilitate this you may wish to make photocopies of the original.

If you do not agree with the conditions of this licence you may appeal to the Secretary of State for Wales. Details of the appeals procedure are given in the Waste Management Licensing Regulations 1994. Before lodging such an appeal you may first wish to discuss the matter with the Environment Agency and should refer to the guidance notes appended to the licence.

**Licence Transfers, Modifications and Surrenders**

Both parties can only transfer a licence to another holder on application to the Environment Agency. Similarly, variation of the conditions of the licence, and surrender of the licence can only be achieved following application to, and approval by, the Environment Agency.

In the event of you considering the transfer, modification or surrender of the licence you are strongly advised to enter into preliminary discussions with the Agency in advance of any formal application

Asiantaeth yr Angylchodd  
Maes Newydd, Llandarcy,  
Nedd Port Talbot, SA10 6AQ.  
Ffôn: 01792 325500, Ffacs: 01792 325511

Environment Agency  
Maes Newydd, Llandarcy,  
Nedd Port Talbot, SA10 6AQ  
Tel: 01792 325500, Fax: 01792 325511

**Supervision**

The Environment Agency is required by Section 42 of the Environmental Protection Act 1990 to supervise licensed activities. The Environment Agency has a specific duty to ensure that the conditions of the licence are not breached and that the licensed activities at the site do not cause pollution of the environment, harm to human health, or serious detriment to the amenities of the locality.

The Environment Agency takes this responsibility very seriously and therefore will visit and inspect your site regularly, normally without prior warning. Although the Environment Agency and its warranted officers have specific powers to enable it to carry out this task your co-operation would be greatly appreciated.

Following an inspection of your site by an Environment Agency officer a copy of his/her report will be provided to the operator as a record of the visit and of any remedial actions which may be required.

Under normal circumstances the officer will discuss any action required with the operator. However, you have the right to request a letter from the Agency confirming the requirements and explaining the reasons why any action is necessary.

In circumstances where an officer judges that immediate action is required it may not be possible to provide an explanatory letter. In such circumstances a written explanation will be provided as soon as practicable after the event.

Under certain circumstances the Environment Agency can modify licence conditions and can suspend, revoke or partially-revoke the licence itself. Each of these procedures is subject to service of legal notices.

Recipients of various notices have certain rights of appeal which are detailed on the reverse of the particular notice. In addition, unless immediate action is necessary, the Environment Agency has a policy of warning operators that it is minded to serve such notices and allow a period in which the recipient can make representations.

You are advised that it is an offence to fail to comply with any condition of your licence or to keep, treat or dispose of waste in a manner likely to cause pollution of the environment or harm to human health.

**Public Registers**

The Environment Agency is also required to maintain comprehensive registers of information and correspondence relating to the licensing process and the supervision of licensed activities.

These registers are open for scrutiny by the public and contain, for example, copies of licences, working plans, monitoring data, legal notices and copies of inspection reports.

You may apply to the Environment Agency to have certain information excluded from the register