

Asiantaeth yr Amgylchedd

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Environment Agency

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ENVIRONMENTAL PROTECTION ACT 1990 - PART II, SECTION 37

NOTICE OF MODIFICATION OF WASTE MANAGEMENT LICENCE

Licence Number: **EAWML/37128 (RHU/009/95)**

Licence Holder: **David Elwyn Lewis**

WHEREAS on 5th April 1995 a Waste Disposal Licence was granted under Section 5 of the Control of Pollution Act 1974 (number RHU/009/95) by Rhuddlan Borough Council to keep and sort waste at: City Skips Transfer Station, Greens Industrial Estate, The Roe, St. Asaph

NOTICE is HEREBY GIVEN that the Environment Agency in exercise of its powers under Section 37 (1)(a) of the Environmental Protection Act 1990 modifies Waste Management Licence No: EAWML 37128 (RHU/009/95) as follows:

See attached schedule

Such modification shall take effect from 00.01 hours on 27th November 2002

Signed

Name: Dave Andrew

Team Leader Environment Management

Date: 26th November 2002

**YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL DETAILED IN THE NOTES AT THE END
OF THIS NOTICE OF MODIFICATION**

SCHEDULE - CONDITIONS RELATING TO THIS MODIFICATION

Existing

Conditions

A:9: Working Plan

1. Without prejudice to any other provisions of these conditions all operations on the site shall be conducted in accordance with the working plan, drawings and Statement of Intended methods of operation dated November 1994 and submitted with the licence application. This collection of documents shall be referred to as the “working plan”.
2. Any alterations of the working plan shall require the prior written agreement of the Waste Regulation Authority. No changes in the agreed method of operation shall be implemented until the proposals are agreed, in writing, by the Waste Regulation Authority.

A:10: Health and Safety Considerations

1. The licence holders and site management shall consult with the Health and Safety Executive on safety requirements and a copy of any advice, instruction or statutory notice issued by them shall be forwarded to the Waste Regulation Authority within 7 days of the receipt of such advice, instruction or statutory instrument.

New Conditions

A:9: Amendments to Working Plan and Supporting Information

1. The Licence Holder shall give the Agency not less than 7 days prior written notice of any change to the working plan and to any appendices, drawings and figures which are referenced from that section.
2. The notice shall be accompanied by a copy of the specified changes.
3. The Licence Holder shall provide up to 6 additional copies of the proposed change to the Agency, if required by the Agency in writing.
4. Such changes to the working plan shall be deemed to be incorporated in the working plan and implemented on the date specified to the Agency in the amendment notification.
5. The following information shall be notified in writing within 5 working days to the Agency:
 - i) where the Licence Holder consists of more than one named individual, the death of any of those individuals;
 - ii) any change in the Licence Holder's name(s) or address(es);

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- iii) any steps taken with a view to the Licence Holder, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case them being in a partnership, dissolving the partnership;
- iv) the operator at the time of issue of the licence and of any change in the operator or in the operator's trading name, address, registered name or registered office address (if different from the Licence Holder);

A:10 Health and Safety Considerations :

This condition is **deleted**

EXPLANATORY NOTES - including rights of appeal.

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 :-

For Wales, the address is – The Planning Inspectorate

Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

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.

YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL DETAILED IN THE NOTES AT THE END OF THIS NOTICE OF MODIFICATION