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ASiantaeth YR
AMGYLCHEDD CYMRU
ENVIRONMENT
AGENCY WALES

ENVIRONMENTAL PROTECTION ACT 1990 SECTION 37

WASTE MANAGEMENT LICENCE NOTICE OF MODIFICATION

<p>Agency Ref No: 37227 LICENCE REF No:</p> <p>LICENCE HOLDER:</p> <p>Conwy County Borough Council Civic Offices Abergele Road Colwyn Bay Conwy LL29 8AR</p>	<p>FACILITY TYPE: A09</p> <p>LICENSED FACILITY:</p> <p>Bron Y Nant Road Waste Transfer And Materials Reclamation Facility Bron Y Nant Road Mochdre Colwyn Bay Conwy</p>
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WHEREAS you are the licence holder of the said licensed facility

AND WHEREAS on the 1st April 1996 the powers and duties of all waste regulation authorities in England and Wales transferred to the Environment Agency ("the Agency") by virtue of section 2 of the Environment Act 1995

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

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 Emyr Jones
Dated 8/12/03

Name EMYR JONES
Job Title TL ENVIRONMENT MANAGEMENT

This modification shall take immediate effect.

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



SCHEDULE – CONDITIONS RELATING TO THIS MODIFICATION



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Modification of conditions under section 37(1)(a) of the Environmental Protection Act 1990 as follows:

Whereas the licence had a condition requiring financial provision to be made and/or maintained, this condition shall now be 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 :-

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 372 8812
Fax: 0117 372 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.



Our Ref: Financial Provision Project/37227
Your Ref:



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Conwy County Borough Council
Civic Offices
Abergele Road
Colwyn Bay
Conwy
LL29 8AR

Dear Sir or Madam

**Modification of Waste Management Licence number:
Return of Financial Provision**

Please find enclosed Notice of Modification with regard to the above waste management licence. This modification has been undertaken under the Agency's own initiative to remove the condition that required your financial provision agreement to be maintained.

The Agency has recently changed its policy with regard to financial provision for non-landfill waste management licensing. Applicants and licence holders can now satisfy the Agency on the financial provision test by demonstrating financial health. This can be done through credit checks or evidence of sufficient funds. The arrangements you previously made with the Agency are no longer necessary and financial provision will not be reassessed unless you apply to modify the licence and increase the licence obligations. Please read on to see how the financial provision agreements will be returned.

Bond: Bonds will be returned to the bondsmen (normally banks) before the end December 2003 thereby cancelling them. The legal agreement will be returned to the licence holder by April 2004.

Cash Deposit: The deed of trust and cash payment together with interest earned and tax certificates will be returned to the licence holder by April 2004.

Escrow: You will receive a letter of authority signed by our authorised signatory with a space for you to sign, confirming to the bank that the account should be closed and the money paid out to the licence holder.

Insurance: The policy will be returned to the insurer with a covering letter requesting that the policy be cancelled forthwith. The bond will be returned to the bondsman and the legal agreement will be returned to the licence holder.

Parent Company Guarantee: The guarantee will be returned to the guarantor.

Local Authority Agreements: The agreement will be returned to the Local Authority.





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The return of all the financial agreements and cash deposits to be handed to the central team. Bonds are to be returned to the bondsmen and banks by 1st January 2004, so please contact your bank if you need to find out more. All other agreements will be returned by 1st April 2004. If you have any enquiries please address them to:

Charlotte Danvers,
Financial Provision Project,
Environment Agency,
Richard Fairclough House,
Knutsford Road,
Warrington,
WA4 1HG.

Further information can be found on our website at www.environment-agency.gov.uk by searching under "Financial Provision Project".

The agreements are being cancelled in accordance with the provisions of Clause 4 of your agreement with the Agency. If you have any objections to this please contact Charlotte Danvers by return.

If by April 2004 you have not received the relevant documentation please contact the Financial Provision Project.

Yours faithfully

Signed on behalf of
C N Danvers
Financial Provision Project Manager