

COPY



ASiantaeth YR
AMGYLCHEDD
ENVIRONMENT
AGENCY

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

WASTE MANAGEMENT LICENCE
NOTICE OF MODIFICATION

PUBLIC REGISTER
YES/NO
FILE REF.
13/93. EAWML/47072

LICENCE REF No :- 13/93	FACILITY TYPE :- Metal Recycling Site (Vehicle Dismantler)
WML Number :- EAWML47072	LICENSED FACILITY :-
LICENCE HOLDER :- Susan Caroline Dyos and John Barry Dyos	Car Breakers Yard, Nr Catchems Inn, Guilsfield Road Welshpool, Montgomeryshire

WHEREAS on the 12 August 1993 the Montgomeryshire District Council issued a disposal licence in pursuance of their powers under Part I of the Control of Pollution Act 1974 for the above named facility

AND WHEREAS on the 15 November 1993 the licence was transferred under Part 1 of the Control of Pollution Act 1974

AND WHEREAS on the 31 March 1994 the licence was modified under Sections 7(a)(i) and 7 (a)(ii) of Part 1 of the Control of Pollution Act 1974

AND WHEREAS on the 1 April 1995 the licence fell to be treated as a waste management licence under Part II of The Environmental Protection Act 1990

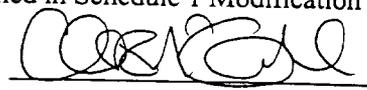
AND WHEREAS on the 1 April 1996 the powers and duties of all waste regulation authorities in England and Wales transferred to the Agency by virtue of section 2 of the Environment Act 1995

AND WHEREAS on the 14 April 1999 the licence was modified under Section 37(a)(i) of Part II of The Environmental Protection Act 1990

AND WHEREAS on the 30 March 2000 the licence was transferred under Part II of The Environmental Protection Act 1990

AND WHEREAS the Agency considers a modification of the said licence to be desirable and is unlikely to require an unreasonable expense on the part of the licence holder.

NOTICE IS HEREBY GIVEN that the Agency modifies the following conditions of the said licence as detailed in Schedule 1 Modification No 4

Signed 

Date: 30 March 2000

Name CLARE McCALLAN (Team Leader Waste Licensing – Upper Severn)

Such Modification to take effect on 31 March 2000 at 00:01 hours

YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL ATTACHED TO THIS NOTICE





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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,

- (a) an application for a modification of the conditions to the licence is rejected
- (b) the conditions to a licence are modified,

the applicant 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 10/13,
Tollgate House,
Bristol,
BS10 9DJ.
TEL 0117 987 8812
FAX 0117 987 8406

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

You should note that whilst an appeal is pending the decision detailed on the attached notice is ineffective, **except** where a statement is included saying that in the opinion of the Agency the details on the notice are necessary for the purposes of preventing, or where not practicable, minimising pollution of the environment, or harm to human health.





SCHEDULE 1 Modification No 4

Condition B.1, as previously modified on 31 March 1994, shall be amended

FROM:

B.1 Site name: Bob Lowe Car Breakers
Site Address: Car Breakers Yard, Nr Catchems Inn, Guilsfield Road,
Welshpool, Montgomeryshire.
Grid reference: SJ 217 092

TO:

**B.1 STAFFING AND UNDERSTANDING OF REQUIREMENTS OF LICENCE
CONDITIONS AND WORKING PLAN**

Minimum staffing and supervision

1. Whenever the site is open to receive or despatch waste, or is carrying out any of the specified waste management treatment or disposal operations, it shall be supervised by at least one member of staff who is suitably trained and fully conversant with the requirements of the licence and the working plan regarding:
 - a) Waste acceptance and control procedures;
 - b) Operational controls and environmental monitoring;
 - c) Maintenance;
 - d) Record-keeping;
 - e) Emergency actions plans;
 - f) Notifications to the Agency.

Understanding of licence and working plan

2. All site staff shall be, or shall work under the direct supervision of a member of staff who is, fully conversant with those aspects of the licence conditions and working plan which are relevant to their specific duties.





Condition B.2, as previously modified on 31 March 1994, shall be amended

FROM:

B.2 Licence Holder: Messrs R W and C E Lowe

TO:

B.2 CHANGES IN TECHNICALLY COMPETENT PERSONS

Any changes in the technically competent management of the site and the name of any incoming person [together with evidence that such person has the required technical competence] shall be submitted to the Agency in writing within 5 working days of the change in management. Technically competent management and technical competence shall be as defined under section 74 of the Environmental Protection Act 1990 and Regulations 4 and 5 of the 1994 Regulations.

Condition B.3, as previously modified on 31 March 1994, shall be amended

FROM:

B.3 Operators: Messrs R W & C E Lowe

TO:

B.3 RELEVANT CONVICTIONS

Notification of relevant convictions

1. In the event of the Licence Holder and/or any relevant person being convicted of any relevant offence and which is in addition to any already notified to the Agency, then full details shall be provided to the Agency within 14 days following sentencing, whether or not the conviction or sentence is subsequently appealed. Such details shall include, in respect of each relevant person (as defined in section 74(7) of the Environmental Protection Act 1990 or any subsequent amendments to that section), the nature of the offence, the place and date of conviction, and any fine or other penalty imposed.

Notifications of appeals against convictions

2. In the event that the Licence Holder and/or any relevant person lodges an appeal against any such conviction or sentence, the Licence Holder shall notify the Agency of this within 14 days of the lodging. The Licence Holder shall notify the Agency of the results of that appeal, within 14 days of the appeal being decided.

WML Number: EAWML47072

Licence Number: 13/93

Modification Number: 4

Date of Issue: 30 March 2000

Signed.....

Clare McCallan

Team Leader Waste Licensing





Condition B.4 shall be amended

FROM:

B.4 Address of licence holder -

Lowhaven, Guilsfield Road, Welshpool, Montgomeryshire,
SY21 9BN

TO:

B.4 NOTIFICATION OF CHANGE OF OPERATOR'S OR HOLDER'S DETAILS

The following information shall be notified in writing within 5 working days to the Agency:

1. where the Licence Holder is an individual or named individuals:
 - a) where the Licence Holder consists of more than one named individual, the death of any of those individuals;
 - b) any change in the Licence Holder's name(s) or address(es);
 - c) 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;
 - d) 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);
2. where the Licence Holder is a registered company:
 - a) any change in the Licence Holder's trading name, registered name or registered office address;
 - b) any steps taken with a view to the Licence Holder going into administration, entering into company voluntary arrangement or being wound up;
 - c) 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);
3. where the Licence Holder is a body corporate other than a registered company:
 - a) any change in the Licence Holder's name or address;
 - b) any steps taken with a view to the dissolution of the Licence Holder;
 - c) 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).

