

SITE LICENCE NUMBER - 2/C/98/0628

**SITE OPERATOR -
CHERRY HILL SKIP HIRE LTD**

**SITE ADDRESS -
NO. 2 HIGH CARR FARM
CHESTERTON
STAFFORDSHIRE**



INTERNAL-1



OTHER-2



ENVIRONMENT
AGENCY

ENVIRONMENTAL PROTECTION ACT 1990 WASTE MANAGEMENT LICENCE

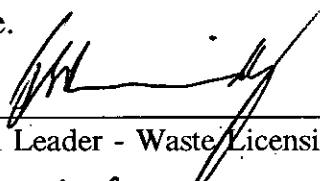
LICENCE REF No:- 2/C/98/0628 FACILITY TYPE:- TRANSFER

The Environment Agency, in pursuance of Part II of the Environmental Protection Act 1990, hereby grant a waste management licence authorising the treatment and keeping of controlled waste on the land specified in schedule 1 to this licence to Cherry Hill Skip Hire Ltd, Knutton House, Cherry Hill Lane, Knutton, Newcastle, Staffordshire that person being in occupation of the said land, the said licence being subject to the conditions specified in schedule 3 to this licence.

In this licence the words and expressions contained in schedule 2 shall have the meaning assigned to them therein.

SCHEDULE 1 - SPECIFIED LAND

The licence relates to the land at No. 2 High Carr Farm, Chesterton, Staffordshire (hereinafter called "the site") shown edged red on Drawing Reference Number 3770.06, Revision G dated December 1997, and attached to this licence.

Signed  Name I. Brindley
Team Leader - Waste Licensing - Upper Trent Area

Dated 26 FEBRUARY 1998

FOR ENVIRONMENT AGENCY OFFICIAL USE ONLY

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





SCHEDULE 2 - INTERPRETATION

These definitions apply only for the purposes of this licence in the interests of ensuring clarity.

LICENCE HOLDER

Shall mean the person, persons or company to whom the licence is issued, or any person, persons or company to whom the licence is transferred in accordance with legislative requirements.

WORKING PLAN

Shall mean the plans, drawings, reports and written statements submitted as part of the waste management licence application, together with any later plans, drawings, reports and written statements received by the Environment Agency in substitute for or augmentation of such plans, drawings, reports and statements and approved in writing by the Environment Agency.

TECHNICALLY COMPETENT MANAGEMENT

Shall mean those persons identified by the licence holder as being responsible for the management of the site and satisfying the requirements of section 74(3)(b) of the Environmental Protection Act 1990, Regulations 4 and 5 of the Waste Management Licensing Regulations 1994 and Chapter 3 of Waste Management Paper No. 4.

INERT WASTE

Shall mean wastes that will not physically or chemically react or undergo biodegradation within the landfill environment.

BIODEGRADABLE WASTE

Shall mean wastes which may be broken down by the action of micro-organisms.





SCHEDULE 3 - CONDITIONS RELATING TO THIS LICENCE

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A. GENERAL

A.1 Waste Types and Quantities

The types and quantities of waste received daily at the site shall not exceed:

Schedule A(1) Inert Waste	150 tonnes
Schedule A(2) Biodegradable Waste	50 tonnes
Schedule A(3) Non-Inert Inorganic Waste	50 tonnes

The quantity of waste received in any one day shall not exceed 250 tonnes.

The quantity of waste received in any one calendar month shall not exceed 5,500 tonnes.

The annual quantity of waste received shall not exceed 66,000 tonnes.

A.2 Operation of the Site

The site shall be operated in accordance with the following licence conditions and in accordance with the methods of operation described in the Working Plan.

A.3 Working Plan

The current Working Plan shall consist of the latest issue approved by the Environment Agency (the "Agency"). Any proposed revision, alteration or modification of the current Working Plan shall be submitted to the Agency and shall not be implemented until the written approval of the Agency is obtained.

A.4 Authorised Activities

The site shall be licensed only for the:

- (i) Treatment for the purpose of recycling
- (ii) Treatment for any purpose other than recycling
- (iii) Keeping for the purpose of recycling
- (iv) Keeping for any purpose other than recycling

By hand segregation and screening as described in the Working Plan of the waste materials defined in Condition A.1 [Waste Types and Quantities].





A.5 Hours of Operation

Subject to Condition D.3 [Provision of Artificial Lighting]:

- (i) The receipt, treatment and removal of waste shall be restricted to the following periods, namely:

Monday - Friday 07.00 hrs. to 19.00 hrs.
Saturday 07.00 hrs. to 13.00 hrs.
Sunday; no receipt or removal
Bank Holidays; no receipt or removal
Other Public Holidays; no receipt or removal

- (ii) Other operations on the site shall only take place during the hours as follows:

Monday - Friday 07.00 hrs. to 19.00 hrs.
Saturday 07.00 hrs. to 16.00 hrs.
Sunday; no operations
Bank Holidays; no operations
Other Public Holidays; no operations

- (iii) Operation of the site, except maintenance, environmental monitoring and environmental control, shall only take place outside the above specified times, other than in an emergency, with the prior approval of the Agency.

A.6 Commencement/Recommencement of Operations

Not less than 14 days written notice shall be given to the Agency of the date on which operations are to commence, or recommence in the event of a temporary cessation for a period in excess of 3 months.

A.7 Display of the Site Licence and Working Plan

The terms of this licence and its conditions shall be made known to any person who is given responsibility for the management or control of the site and a copy of this licence and its conditions and the current Working Plan shall be displayed at the site control office.

A.8 Contact Details

- (a) The licence holder shall detail in the Working Plan an emergency contact procedure which must include the names, addresses and telephone numbers of responsible persons for contact in the event of an emergency:

- (i) during normal operating hours; and
(ii) outside normal operating hours

- (b) The emergency contact procedure required by Condition A.8 [Contact Details (a)] above shall be provided prior to the deposit of any waste.





A.9 Financial Provision

The financial provision for meeting the obligations under this licence set out in the Agreement made between the holder and the Agency dated 26 February 1998 shall be maintained by the holder throughout the subsistence of this Licence and the holder shall produce evidence of such provision whenever required by the Agency.

A.10 Staffing and Management

The licence holder shall provide a minimum of 4 appropriately trained and experienced staff as specified in the Working Plan to ensure:

- (i) The operations and activities authorised by this licence shall be managed by a person who has appropriate experience of these operations and activities.
- (ii) The conditions of this licence are fulfilled.

A.11 Technical Competence

- (a) The licence holder shall submit to the Agency his management structure and a list of the technically competent management responsible for the day to day activities authorised by this licence and this shall form part of the Working Plan.
- (b) The management structure and list of technically competent management required by Condition A.11 [Technical Competence (a)] above shall be provided prior to the deposit of any waste.

A.12 Relevant Offences

The licence holder shall provide the Agency with details in writing of all relevant offences of which he or another relevant person has been convicted. Any change including addition to any detail given in accordance with this condition shall be notified immediately to the Agency in writing.





B. SITE PREPARATION AND INFRASTRUCTURE

B.1 Site Access

Any vehicular or pedestrian access to the site shall be secured by lockable gates to the same standard as the perimeter fencing. Gates shall be locked out of the hours specified in Condition A.5 [Hours of Operation] other than in an emergency, and in any case when the site is not manned. The gates shall be inspected each working day and any damage detected must be temporarily repaired immediately with permanent repair being effected within 7 days of being detected.

B.2 Site Security

The licence holder shall install and maintain to the boundary of the site, a minimum standard of 1.5 metre high timber and barbed wire stock security fencing, in accordance with the Working Plan. The fencing shall be inspected each working day, and any damage or holes detected must be temporarily repaired immediately, with permanent repair being effected within 7 days of being detected.

B.3 Site Identification Board

No waste shall be received at the site unless a site identification board of durable material and finish and a minimum size of 1.00m² is being prominently displayed at the site entrance.

- (i) The site identification board shall show the hours when the site is open, the licence reference number 0628, the name of the site, the name, address and telephone number of the operator and of the Agency Area Office responsible for issuing the site licence.
- (ii) In the event of loss or of damage to the board, then it must be repaired or replaced within 7 days of such loss or damage being detected.

B.4 Liquid Storage Tanks

Any liquids stored on the site other than in vehicles shall be contained in a tank of a type and construction suitable for the liquids to be contained and shall at all times bear a conspicuous label stating the contents of the tank.

B.5 Liquid Storage Tank Bunds

Any facilities provided for the storage of liquids shall be sited on impervious bases and surrounded by impervious bund walls. The size of the bunded area should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank plus 10%, or 25% of the total volume of the tanks (whichever is the greater). All filling points, vents and sight glasses must be located within the bund. There must be no drain through the bund floor or walls (BS 799 Part 5: 1987 refers). The effective capacity of the bunded area must be maintained at all times.





B.6 Weighbridge

Prior to the receipt of any waste, a weighbridge of the type specified shall be installed and maintained at the location specified in the Working Plan.

B.7 Hardstanding and Waiting Areas

- (a) Hardstanding, parking areas and waiting areas for loads as specified in the Working Plan shall be:
 - (i) Constructed prior to the receipt of any waste and engineered to direct surface run off toward the purpose designed drainage system as required by Condition B.11 [Site Drainage].
 - (ii) Inspected at the start of each working day. In the event of any cracks, potholes or defects being detected these shall be noted in the site diary on the day on which they are first observed. Repairs shall be effected and completed within 7 days of the damage being observed.
- (b) The hardstanding, parking areas and waiting areas required by Condition B.7 [Hardstanding and Waiting Areas (a)] above shall be provided prior to the deposit of any waste.

B.8 Waste Transfer Bays

- (a) Transfer bays as specified in the Working Plan shall be:
 - (i) Constructed prior to the receipt of any waste and engineered to direct surface run off toward the purpose designed drainage system, as required by Condition B.11 [Site Drainage].
 - (ii) Inspected at the start of each working day. In the event of any cracks or defects being detected, these shall be noted in the site diary on the day on which they are first observed. Repairs shall be effected and completed within 7 days of the damage being observed.
- (b) The waste transfer bays required by Condition B.8 [Waste Transfer Bays (a)] above shall be provided prior to the deposit of any waste.

B.9 Site Office

- (a) The licence holder shall provide a site control office as specified in the Working Plan. It shall be equipped, manned and maintained to allow the requirements of the conditions of this licence to be routinely carried out.
- (b) The site control office required by Condition B.9 [Site Office (a)] above shall be provided prior to the deposit of any waste.





B.10 Secure Storage of Unpermitted Waste

A secure storage compound or area shall be:

- (i) Constructed prior to the receipt of any waste at the site and engineered to prevent the accumulation of water.
- (ii) Inspected at the start of each working day. In the event of any cracks, potholes or defects being detected these shall be noted in the site diary on the day on which they are first observed. Repairs shall be effected and completed within 7 days of the damage being observed.

B.11 Site Drainage

Prior to the receipt of any waste, a drainage system as specified in the Working Plan shall be:

- (i) Constructed and engineered to prevent the accumulation of surface run off within the site and drain via interceptor to soakaway.
- (ii) Inspected at the start of each working day. In the event of any blockage, or defect being detected, these shall be noted in the site diary on the day on which they were first observed. Repairs and maintenance shall be effected and completed within 7 days of being observed.





C. WASTE RECEPTION

C.1 Inspection of Loads

All loads of waste received at the site shall be checked prior to deposit to ensure that the waste types conform to the requirements of Condition A.1 [Waste Types and Quantities] and are suitable for deposit at the site.

C.2 Checking in Loads

The licence holder shall arrange for vehicles delivering wastes to be received in an area separate from the waste transfer area. The load shall be inspected in accordance with Condition C.1 [Inspection of Loads] and the information required by Condition F.1 [Waste Received] shall be recorded prior to deposit.

C.3 Weighing Incoming Waste

All loads of waste received and removed shall be weighed using the on site weighbridge. An accurate record of the tonnage of waste that is currently being held in storage at the site must be maintained at all times.

C.4 Non-Conforming Waste

All waste not conforming to the requirements of Condition A.1 [Waste Types and Quantities] shall be turned away or removed from the site. All actions resulting from compliance with this condition shall be recorded in the site diary.

C.5 Removal of Non-Conforming Waste

Where non-conforming waste is detected after being deposited in the waste transfer bays it shall either:

- (i) be reloaded immediately onto the vehicle making the deposit
or,
- (ii) where due to circumstances outside the holders control it is impracticable to reload the waste onto the vehicle making the deposit it shall be stored in a secure area or container and then be removed to a suitably licensed site within 5 working days. The Agency shall be informed forthwith of all cases where such wastes have to be stored at the site.

C.6 Handling, Segregation and Storage

Handling and segregation of waste at the site shall be in accordance with the Working Plan. Waste shall only be stored within the confines of the waste transfer bays and storage areas so as not to exceed their capacities as stated in the Working Plan. The maximum amount of waste held in storage including recycled materials at the site at any one time shall not exceed 250 tonnes.





C.7 Netting and Sheeting of Loads

The licence holder shall take all reasonable steps in accordance with the Working Plan to ensure that all loads of waste and recycled materials in open containers being received or dispatched at or from the site are adequately netted or sheeted.





D. SITE OPERATIONS

D.1 Plant and Equipment

Plant and equipment shall be provided to ensure that all incoming, outgoing and recycled waste are dealt with in accordance with the conditions of this licence and the Working Plan. Suitable facilities as specified in the Working Plan shall be provided and maintained for the storage and/or maintenance of plant and equipment used on site. Operational instructions for such plant and equipment shall be kept in the site office.

D.2 Breakdown of Plant and Equipment

In the event of a breakdown of any plant and equipment which results in either all incoming, outgoing or recycled waste not being dealt with in accordance with the conditions of this licence and the Working Plan, the site shall be closed, unless otherwise authorised by the Agency, until such time as the defective items are repaired or replaced.

D.3 Provision of Artificial Lighting

Notwithstanding the hours of operation permitted by Condition A.5 [Hours of Operation], no waste shall be deposited during the hours of darkness as defined by official lighting up times (i.e. half an hour after sunset to half an hour before sunrise) unless adequate artificial lighting is provided, maintained and utilised. This lighting must be independent of vehicle lighting.

D.4 Malodorous Waste

Wastes that could give rise to an objectionable odour shall be handled and deposited in accordance with the Working Plan and in such a manner as to prevent nuisance arising.

D.5 Removal of Waste

Waste containing:

- (i) putrescible materials shall be removed from the site during the period of the working day on which such waste is received.
- (ii) non recyclable materials shall be removed from the site at frequencies as specified in the Working Plan.
- (iii) recycled materials which have been sorted from incoming waste shall be removed from the site at the frequencies as specified in the Working Plan.





D.6 Clearance of Waste Transfer Bays

Waste transfer bays shall be completely cleared of waste at regular intervals to prevent the unnecessary accumulation of waste and enable inspection by an officer of the Agency so that each waste transfer bay is cleared at least once in any one calendar month.





E. POLLUTION CONTROL

E.1 Dust Control

Whenever necessary the site surface, roads, and waste shall be sprayed with water to suppress the emission of dust as specified in the Working Plan.

E.2 Mud on Roads

If fouling, discolouration or deposition of mud and debris on the site entrance/exit road or highway should occur, then immediate steps shall be taken to cleanse affected areas in accordance with the Working Plan.

E.3 Odours

Precautions shall be taken so as to prevent the detection of odours at or beyond the site boundary.

E.4 Birds, Vermin and Insects

Precautions shall be taken as specified in the Working Plan so as to prevent the attraction of and minimise scavenging and infestation by birds, vermin and insects.

E.5 Litter

Precautions shall be taken as specified in the Working Plan to ensure that litter and loose waste are contained within the site. Litter and loose waste migrating beyond the site boundary, or so contained by precautions or lying within the site boundary shall be gathered and disposed of within the same working day so as to keep the site and surrounding area tidy.

E.6 Extreme Weather Conditions

In the event that weather conditions prevent the licence holder controlling the escape of windblown litter from the site, the site shall be closed for the reception of waste types likely to be windblown, until such time as the site and surrounding area have been cleared of such windblown litter.

E.7 Fires

No waste shall be burned within the boundaries of the site. Any fire within the site, other than industrial heating, shall be extinguished forthwith. All such outbreaks of fire within the confines of the site shall be regarded as an emergency and immediate action shall be taken to extinguish it. All such outbreaks of fire shall be notified forthwith to the Agency and recorded in the site diary.

E.8 Contaminated Water

There shall be no discharge of contaminated water to soakaway or any surface water drainage system, unless under consent from the relevant competent Authority.





F. RECORDS

F.1 Waste Received

The licence holder shall produce and retain in the site office daily records of all waste received to include the:

- (i) origin of the waste
- (ii) name and address of the person or company depositing the load
- (iii) weight or volume of waste
- (iv) type of waste referenced to the waste codes in Schedule A

A monthly summary in a form specified by the Agency shall be sent so as to be received by the Agency by no later than the 21st day of the following month to which the record relates.

F.2 Waste Removed

The licence holder shall produce and retain in the site office daily records of all waste removed to include waste transferred, rejected loads and recycled materials to include the:

- (i) type of waste referenced to the waste codes in Schedule A
- (ii) weight or volume of waste
- (iii) destination
- (iv) treatment method

A monthly summary in a form specified by the Agency shall be sent so as to be received by the Agency by no later than the 21st day of the following month to which the record relates.

F.3 Site Diary

The licence holder shall keep and maintain a site diary in the site office. The licence holder shall use the site diary to record significant events, with their dates. They will include commencement and completion of construction works; commencement and completion of waste management processes carried out on site; plant maintenance and breakdowns; emergencies; problems with waste received and actions taken; site inspections undertaken by the licence holder, their findings and the remedial responses; dispatch of records to the Agency; weather, including severe conditions and environmental problems and remedial actions. The diary shall be kept in a form which can be audited.

F.4 Visitors Book

The licence holder shall maintain on site a book to be signed by all official visitors.





SCHEDULE A
PERMITTED TYPES AND QUANTITIES
A(1) INERT WASTE

WASTE TYPES	CODE	MAXIMUM PERMITTED DAILY QUANTITY
Topsoil (uncontaminated)	J24	}
Subsoil (uncontaminated)	J25	}
Stone	-	}
Clay	-	}
Sand (excluding foundry sand)	-	}
Brickwork, breeze blocks and Mortar	S93	}
Fired pottery, china, tiles and ceramics (excluding moulds)	-	} 150 tonnes
Concrete (reacted) including steel reinforcement	S93	}
Weathered tar/bitumen aggregate	-	}
Gravel	-	}
Slate	-	}
Hardcore	-	}
Silica	-	}
Silt	-	}

EXCLUSIONS

- wastes exceeding the contamination levels in the inert category of the attached parameters of the ranges of permitted contamination
- sludges or liquids
- powders
- wastes which contain or consist of special waste as defined by Regulations in force under Section 62 of the Environmental Protection Act 1990





SCHEDULE A
PERMITTED TYPES AND QUANTITIES
A(2) BIODEGRADABLE WASTE

WASTE TYPES	CODE	MAXIMUM PERMITTED DAILY QUANTITY
Wood (including sawdust, sander dust, hardboard, chipboard, other wood products and untreated timber)	S30, S31	} 50 tonnes
Paper (including oiled and tarred paper)	S60	
Cardboard and fibreboard	S61	
Textiles (including wool, cotton, linen, hemp, sisal, hessian, string, rope, foam and other natural or man-made fibres)	S40	
Plasterboard	J90	
Plastics as finished products or manufacturing scrap only	L20	
Decontaminated empty containers less than 50 litres capacity	Q20	
Trees, bushes, grass, weeds and hedge cuttings (Brash)	S32	
Waste Food or materials that include any food or vegetable matter	S94	

EXCLUSIONS

- sludges or liquids
- wastes which contain or consist of special waste as defined by Regulations in force under Section 62 of the Environmental Protection Act 1990





SCHEDULE A
PERMITTED TYPES AND QUANTITIES
A(3) NON-INERT INORGANIC WASTE

WASTE TYPES	CODE	MAXIMUM PERMITTED DAILY QUANTITY
Scrap metal (including iron, steel, aluminium, brass, copper, tin and zinc)	J60, J61	}
	J62	}
Foundry sand and moulding sand	J22	}
Calcium sulphate moulds from the pottery industry		}
		} 50 tonnes
Cement	J28	}
Metal cans	J60	}
Unsorted demolition waste	S93	}

EXCLUSIONS

- wastes exceeding the contaminated levels in the slight contamination category of the attached parameters of the ranges of permitted contamination
- sludges or liquids
- wastes which contain or consist of special waste as defined by Regulations in force under Section 62 of the Environmental Protection Act 1990.





SCHEDULE A
RANGES OF PERMITTED CONTAMINATION (mg/kg on air dried soils except for pH)

Parameter/Contaminant		'Inert'		Slight Contamination	
	pH (acid)	6	7	5	6
	pH (alkali)	7	8	8	9
Sb	Antimony	0	30	30	50
As	Arsenic	0	30	30	50
Cd	Cadmium	0	1	1	3
Cr	Chromium	0	100	100	200
Cu	Copper (available)	0	100	100	200
Pb	Lead (total)	0	500	500	1,000
Pb	Lead (available)	0	200	200	500
Hg	Mercury	0	1	1	3
Ni	Nickel (available)	0	20	20	50
Zn	Zinc (available)	0	250	250	500
Zn	Zinc equivalent	0	250	250	500
B	Boron (available)	0	2	2	5
Se	Selenium	0	1	1	3
Ba	Barium	0	500	500	1,000
Be	Beryllium	0	5	5	10
Mn	Manganese	0	500	500	1,000
V	Vanadium	0	100	100	200
Mg	Magnesium	0	500	500	1,000
SO ₄	Sulphate	0	2,000	2,000	5,000
S	Sulphur (free)	0	100	100	500
S	Sulphide	0	10	10	20
CN	Cyanide (free)	0	1	1	5
	Cyanide (total)	0	5	5	25
	Ferricyanide	0	100	100	500
	Thiocyanate	0	10	10	50
	Coal Tar	0	500	500	1,000
	Phenols	0	1	1	5
	Toluene extract	0	5,000	5,000	10,000
	Cyclohexane extract	0	2,000	2,000	5,000
	PCB	0	1	1	3
	Polyaromatic hydrocarbons	0	50	50	500
	Chlorinated solvents	0	1	1	3





EXPLANATORY NOTES

These notes are for general guidance only and do not constitute an authoritative statement of the law.

Appeals

If a licence holder is aggrieved by the decision of the Authority to grant a waste management licence subject to conditions he may appeal to the Secretary of State in accordance with Section 43 of the Environmental Protection Act 1990.

Notice of an Appeal must be given within 6 months of the date of issue of this licence. The Secretary of State has power to allow a longer period for the giving of notice of an appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of an appeal.

A copy of the form on which notice of an Appeal may be given is available from:-

The Planning Inspectorate
Room 10/13
Tollgate House
Houlton Street
Bristol
BS10 9DJ

Waste Management Licensing

This licence relates only to the requirements of the Environmental Protection Act 1990 in respect of the deposit, treatment, keeping and disposal of waste. This licence does not constitute a consent required by any other legislation.

Your attention is drawn to the provisions of Sections 33, 34, 37, 38, 39, 40, 41, 42, 43, 59, 64, 65, and 66 of the Environmental Protection Act 1990.

Section 33

Prohibits under penalty the deposit, treatment, keeping or disposal of controlled waste in or on any land otherwise than in accordance with the terms of a Waste Management Licence.

Non compliance with any licence condition may lead to prosecution under this Section. A person who contravenes Section 33 subsection (1) shall, subject to subsection (7), be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding 6 months or a fine not exceeding £20,000 (at the date of issue of this licence) or both, or on conviction on indictment to imprisonment for a term not exceeding 2 years or a fine or both, or in relation to special waste for a term not exceeding 5 years or a fine or both.



Section 34

Places a duty on any person who imports, produces, carries, keeps, treats or disposes of controlled waste to take all such measures applicable to him as are reasonable in the circumstances to prevent any other person contravening Section 33, and to prevent the escape of waste from his control or that of any other person and, on the transfer of the waste, to ensure that it is only to an authorised person, or to a person for authorised transport purposes, and that a written description is transferred with it.

A person who contravenes Section 34 subsection (1) shall be guilty of an offence and liable on summary conviction to a fine not exceeding £5,000 (at the date of issue of this licence) or on conviction on indictment to a fine.

Section 35

A site licence may be granted by a Waste Regulation Authority authorising the treatment, keeping, or disposal of specified wastes on specified land, to the occupier of that land. The licence may be granted subject to such conditions that the Authority considers appropriate, in accordance with directions and guidance issued by the Secretary of State.

Section 37

A Waste Regulation Authority may modify the conditions of a licence on its own initiative, on the application of the licence holder (accompanied by the appropriate fee), and on the direction of the Secretary of State. The licence holder may appeal to the Secretary of State if he is aggrieved by the decision of the Authority in modifying the conditions of a licence.

Section 38

Provides for the Waste Regulation Authority to revoke or suspend all or part of a licence if the licence holder has ceased to be a 'fit and proper person' or activities authorised by the licence have caused or are about to cause pollution of the environment or harm to human health or become seriously detrimental to the amenities of the locality, and the pollution, harm or detriment cannot be avoided by modifying the conditions.

A person who contravenes Section 38 subsection (9) without reasonable excuse shall be guilty of an offence and liable on summary conviction to a fine not exceeding £5,000 (at the date of issue of this licence), or on conviction on indictment to imprisonment for a term not exceeding 2 years or a fine or both, or in relation to special waste to, respectively imprisonment for a term not exceeding 6 months or a fine of an amount not exceeding £5,000 (at the date of issue of this licence), or imprisonment for a term not exceeding 5 years or a fine or both.



Section 39

If the licence holder wishes to surrender this licence, he must apply to the Waste Regulation Authority (enclosing the prescribed fee) which will only accept the surrender if it is satisfied that the condition of the land is such that it is unlikely to cause pollution of the environment or harm to human health as a result of the use of the land for the treatment, keeping or disposal of waste.

Section 40

If the licence holder wishes to transfer the licence to another person ("the transferee") the licence holder and the transferee shall jointly make an application to the Waste Regulation Authority (enclosing the prescribed fee) which will not effect the transfer unless it is satisfied that the transferee is a Fit and Proper Person.

Section 41

Provides for a scheme of charges which are payable in respect of the subsistence of the licence and, on application, for modification, transfer or surrender of the licence. Non payment of the subsistence charge may lead to partial revocation of the licence.

Section 42

Places a duty on the Waste Regulation Authority to ensure that activities authorised by the licence do not cause pollution, harm to health, or serious detriment to the amenities of the locality, and that the conditions of the licence are complied with. If it appears to the Waste Regulation Authority that a condition of a licence is not being complied with, the authority may serve notice on the licence holder to comply with the condition, and if he fails to do so revoke or suspend all or part of the licence.

Section 43

Provides for the applicant for a licence or modification to appeal against all or any of the conditions in a licence or modification to the Secretary of State, or in certain circumstances, for a licence holder to appeal against any revocation or suspension of all or any part of a licence or modification to the Secretary of State.

Section 59

The licensing authority is empowered to require the removal of any controlled waste deposited in breach of section 33(1), or to require the undertaking of such works as are required to reduce or eliminate the consequences of such deposits.

Section 64

The licensing authority is required to maintain a register of currently or recently current waste management licences granted by the authority, associated working plans, and matters relating to the transfer, modification, revocation, suspension and supervision of licences. Members of the public have free access to this register and may obtain copies of entries in the register.



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Section 65

The Secretary of State may direct the licensing authority to exclude certain information from the public register in the interests of national security.

Section 66

Provides for a licence holder to identify information submitted to the licensing authority as being commercially confidential and to apply for that information to be excluded from the public register. The authority will determine whether the information is commercially confidential and notify the licence holder accordingly. The licence holder has a right of appeal to the Secretary of State if the authority refuses to exclude the information from the public register.