

THE ENVIRONMENT AGENCY  
NORTH EAST REGION, DALES AREA

**WASTE DISPOSAL LICENCE EAWML 66,006**

Towthorpe Household Waste Site, Moor Lane, Towthorpe, North Yorkshire

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**LICENCE ISSUE**

Waste Disposal Licence Reference Number- EAWML 66,0006 was issued on 23 June 1998.

**LICENCE TRANSFER INFORMATION**

The licence was transferred to Yorwaste Ltd, Registered office at Mount View, Standard Way, Northallerton, North Yorkshire DL6 2YD with effect from 18 December 2000.

**LICENCE MODIFICATIONS**

There have been no licence modifications since the date of issue of the Waste Disposal Licence.

**CHANGES TO WORKING PLAN**

There have been no changes to the working plan since the date of issue of the Waste Disposal Licence.

**ORIGINAL LICENCE HOLDER DETAILS**

The original licence holder was Mr Keith Vincent Robinson, Manor House Farm, Full Sutton, York YO4 1HW.



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**CHANGE OF LICENCE HOLDER DETAILS**

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With effect from 18<sup>th</sup> December 2000, the licence holder details shall read as follows:

LICENCE HOLDER NAME:	Yorwaste Ltd
COMPANY ADDRESS:	Mount View Standard Way Northallerton North Yorkshire DL6 2YD
COMPANY NUMBER:	2666908





**ENVIRONMENT  
AGENCY**

**ENVIRONMENTAL PROTECTION ACT 1990  
Section 40**

**TRANSFER OF A WASTE MANAGEMENT LICENCE**

This notice formally endorses under Section 40(5) of the above Act;

**Waste Management Licence Reference Number: EAWML 66,006 with the following particulars:**

**TRANSFEROR:**

Mr Keith Vincent Robinson  
Woodleigh  
2 Westside Close  
Castle Howard Road  
Malton  
North Yorkshire  
YO17 0AY

**TRANSFeree:**

Yorwaste Ltd  
Mount View  
Standard Way  
Northallerton  
North Yorkshire  
DL6 2YD

Pursuant to the above joint application which was accepted by the Environment Agency on 24 June 1999

The Environment Agency (the powers and duties of all waste regulation authorities in England and Wales being transferred to the Environment Agency on 1<sup>st</sup> April 1996 by virtue of section 2 of Environment Act 1995) hereby agrees to transfer the Waste Management Licence in respect of the:

Keeping and Treating of Waste at a Household Waste Site

**SITUATED AT** Towthorpe Household Waste Site  
Moor Lane  
Towthorpe  
Nr Strensall

Ordnance Survey Grid Reference: SE 648 584

**TO** Yorwaste Ltd, Mount View, Standard Way, Northallerton, North Yorkshire, DL6 2YD

The **OPERATIVE DATE** being: 18 December 2000

The operation of the above facility is subject to the attached Schedule of Conditions

DATED 13<sup>th</sup> December 2000

Signed.....

M.R. Kears – Team Leader Waste Licensing- Dales

**NOTE:** The new licence holder should familiarise themselves with the conditions of this licence.





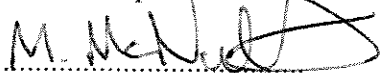
# WASTE DISPOSAL LICENCE

The Environment Agency (hereinafter referred to as "the Agency") in pursuance of the powers and duties conferred on it by and under the Control of Pollution Act 1974 HEREBY GRANT a Waste Disposal Licence in respect of the following:-

Full Name and Address of Licence Holder	Mr Keith Vincent Robinson Manor House Farm Full Sutton York YO4 1HW
Full Name and Address of Local Agent (if any) of Licence Holder	City of York Council Environment and Development Services 5-6 King's Court The Shambles York YO1 2DD
Location of Site	Towthorpe Household Waste Site Moor Lane Towthorpe Nr Strensall
National Grid Reference	SE 648 684
Permitted Activities	Keeping and Treating of Waste
Maximum quantities and types of waste to be disposed of	See licence conditions 1-40 herein & Appendices A & B herewith

WASTE MANAGEMENT LICENCE  
 Under Section 77 of the Environmental Protection Act 1990, as of 08.30am on 24 June 1998 this licence is a Waste Management Licence.

Subject to the Conditions specified overleaf

SIGNED..... 

Environment Protection Manager - Dales

DATED .....23 June 1998

## **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 plans, drawings, reports and written statement submitted as part of the waste management licence application, together with any later plans, drawings, reports and written statements received by the Agency in substitute for, or augmentation of, such plans, drawings reports and statements approved in writing with the 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 Environment Protection Act 1990, regulation 4 and 5 of the Waste Management Licensing Regulations 1994 and Chapter 3 of the Waste Management Paper No.4



## SCHEDULE 3- CONDITIONS RELATING TO THIS LICENCE

LICENCE NO:EAWML 66, 006

### TOWTHORPE HOUSEHOLD WASTE SITE

(REF NYCC/CA03)

#### PART ONE: SITE DELINEATION AND WORKING PLAN

##### Condition 1

###### **Site Area**

In this licence "the site" shall mean that area delineated red on Drawing Number WDA/301/32, entitled "TOWTHORPE CIVIC AMENITY SITE, WASTE DISPOSAL LICENCE APPLICATION", dated February 1993, submitted in support of the application dated 8 February 1993, an extract of which is attached herewith.

This licence permits the keeping of waste and the treatment of waste for the purpose of recycling within "the site".

The treatment of waste for the purpose of recycling shall be restricted to the manual sorting of waste.

##### Condition 2

###### **Licence Conditions**

The conduct of operations at the site shall be in accordance with the conditions of this licence and the application and working plan.

In the event that any proposal contained in the application and working plan is at variance to the conditions of this licence, then the licence conditions shall prevail.

##### Condition 3

###### **The Working Plan**

Unless otherwise agreed in writing with the Environment Agency Dales Area Waste Regulation Department (the Agency) the following documents and drawings shall constitute the application and working plan referred to in condition 2 above;

- (i) The Licence Application dated 8 February 1993.
- (ii) The document entitled "TOWTHORPE HOUSEHOLD WASTE RECYCLING CENTRE-APPLICATION FOR SITE LICENCE", hereinafter referred to as "Statement of Intent".

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- (iii) Drawing Number WDA/301/32, entitled "TOWTHORPE CIVIC AMENITY SITE WASTE DISPOSAL LICENCE APPLICATION", dated February 1993, hereinafter referred to as "Drawing Number WDA/301/32".
- (iv) The letter from Shaun Donnelly, dated 21 May 1998, entitled, "Waste Disposal Licence Application - Beckfield Lane and Towthorpe Household Waste Sites", and the associated "Service Profiles" and "Declaration of Site Operator".

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**TOWTHORPE HOUSEHOLD WASTE SITE**

**PART TWO:PERMITTED WASTE CATEGORIES, WASTE RECEPTION AND RECORD KEEPING**

Condition 4

**Permitted Waste Types and Quantities**

No waste shall be deposited, kept and/or treated at the site except as specified in the Schedules of the Appendices A and B attached herewith.

Appendix A summarises (by source or type) those wastes which may be deposited, kept and/or treated at the site; whilst Appendix B lists those groups or types of waste which regardless of source, quantity, or concentration, shall not be deposited, kept and /or treated at the site.

Condition 5

**Sampling and Analysis of Waste if Directed by the Agency**

If the Agency so directs, the licence holder shall submit such waste materials as are proposed to be deposited, kept and/or treated at the site to a scale of chemical analysis and/or physical examination and to supply such other information as in the opinion of the Agency is necessary to enable the Agency to determine if the waste is suitable for deposit, keeping and/or treating at the site.

Furthermore, if the Agency so directs, the licence holder shall take samples of waste materials and of any other thing specified by the Agency and retain such samples for such periods as the Agency may specify for examination by any person authorised by the Agency on their behalf.

Condition 6

**Record Keeping**

- (a) A record shall be kept of all wastes and recovered materials, removed from the site. The records shall include the following for each vehicle load of waste/materials:
  - (i) the quantities of waste/materials (in tonnes) removed and waste type as specified by the Agency.
  - (ii) the date and time removed
  - (iii) the destination of waste/materials removed, by local authority district.
  
- (b) A summary of the information specified in condition 6 (a) above shall be submitted to the Agency, in a format and at a frequency as required by the Agency. This summary shall be submitted within 14 days of the end of the accounting period specified by the Agency.

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**TOWTHORPE HOUSEHOLD WASTE SITE**

Condition 7

**Site Diary**

Information which is required to be kept by virtue of the following conditions shall be recorded in a site diary:

- (i) Licence condition 20(d) - Inspections of interceptors, sumps and drainage systems.
- (ii) Licence condition 28(b) - Rejected waste.
- (iii) Licence condition 36 - Details of any spillage of battery acid and/or oil which require remedial actions to be taken.
- (iv) Licence condition 39 - Checks on the tidiness of the site.

The site diary shall be made available to any authorised officer of the Agency throughout the permitted hours of operation of the site as stated in licence condition 26.

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**TOWTHORPE HOUSEHOLD WASTE SITE**

**PART THREE: CERTIFICATION, TECHNICAL COMPETENCE AND GENERAL MANAGEMENT**

Condition 8

**Right to Occupy the Site**

Commencing with the date of issue of this licence, at a frequency to be agreed with the Agency (which shall not be less than annually), the licence holder shall confirm to the Agency, in writing, that the licence holder has a right to occupy the site.

Condition 9

**Staff Qualifications**

Within 30 days of the date of issue of this licence, the licence holder shall submit to the Agency the names, qualifications, relevant experience, designations and area of responsibility of all persons engaged for the time being in the discharge of the requirements and limitations of the conditions. No waste shall be received at the site unless the Agency has indicated to the licence holder that it is satisfied that the persons are competent and capable of securing compliance with the conditions.

In the event of staff changes no deposit of waste shall take place at the site until the Agency has been notified in writing of the names, qualifications relevant experience designations and areas of responsibility of new members of staff.

Condition 10

**Site Staffing**

Whenever the site is open for the receipt of waste for deposit, keeping and/or treating the site supervisor or nominated deputy shall be present.

Condition 11

**Additional and Alternative Uses**

The site shall not be put to any additional or alternative uses other than those stipulated in the working plan and permitted by this licence without the prior written agreement of the Agency.

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Condition 12

**The Licence Document**

The licence holder shall ensure that this licence document: -

- (a) is kept intact,
- (b) is produced to any authorised officer of the Agency upon demand at any time during the normal hours of operation of the site as described in licence condition 26,

Condition 13

**Knowledge of the Licence**

The terms of the site licence shall be made known to any person who is given responsibility for the management or control of the site, and a copy of the site licence shall be displayed at the site cabin in a prominent position.

Condition 14

**Public Access**

The licence holder shall ensure that members of the public are excluded from areas of the site where mobile plant or heavy vehicles are in use, in accordance with the working plan.

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**PART FOUR: INFRASTRUCTURE**

Condition 15

**Site Surfacing**

- (a) Within 90 days of the date of issue of this licence, the area(s) upon which any waste is stored (either in containers or on the ground), and the area(s) where any waste is unloaded, shall be surfaced with low permeability material to a specification agreed in writing with the Agency. The surface of these areas shall be kerbed and/or laid to a fall, so as to ensure that all drainage is directed to the drainage system to be installed in accordance with condition 16.
- (b) The site surface shall be maintained to such a standard that water does not accumulate on it and vehicles which leave the site do not foul the highway and /or roads between the site and the highway with mud or waste material.
- (c) Wheel cleaning material equipment shall be provided if this is necessary to prevent mud or waste material from being carried off the site.
- (d) "As built" drawing(s) showing the site surfacing work shall be furnished to the Agency by the licence holder on completion of the surfacing work required by virtue condition 15(a).

Condition 16

**Site Drainage**

- (a) The area(s) upon which any waste is stored (either in containers or on the ground), and the area(s) where waste is unloaded, shall be drained to either;
  - (i) the public foul sewerage system via an approved oil/grit interceptor, with the permission of the relevant Water Undertaker, or,
  - (ii) to a sealed sump, or,
  - (iii) by an alternative scheme proposed by the licence holder and which has approved in writing by the Agency.
- (b) Within 90 days of the date of issue of this licence the licence holder shall, unless otherwise agreed in writing with the Agency, submit for written approval, proposals for provision and installation of a drainage system which meets the requirements of condition 16 (a). The proposals shall include the location and specification of any installations and a programme for the staged construction of the drainage scheme.

Unless otherwise agreed in writing with the Agency the scheme shall be implemented within 24 months of the date of issue of this licence.

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Condition 17

**Site Cabin**

A site cabin shall be provided at the site in accordance with drawing number WDA/301/32. The Agency shall be informed in writing of any change in the location of the site cabin prior to such a change taking place. Access to the public telephone system shall be available at all times.

Condition 18

**Site Identification Board**

Within four weeks of the date of issue of this licence a site identification board, of durable material and finish, shall be prominently displayed at the site entrance. The identification board shall show the following information;

- (i) The name and telephone number of the licence holder (and the local agent if any) together with an out of hours emergency telephone number.
- (ii) The permitted hours of operation of the site.
- (iii) The name of the site.
- (iv) The name, address and telephone number of the Agency Office responsible for the issuing of the site licence and the reference number of the site licence.
- (v) The name, address and telephone number of the Waste Disposal Authority responsible for the maintenance of the site.

The site identification board shall be maintained in good condition.

Condition 19

**Security Gates and Fencing**

Before any waste is accepted at the site for deposit, keeping and/or treating the site shall be enclosed at its perimeter by security gates and fencing, in accordance with drawing number WDA/301/32

The gates shall be kept closed and locked outside the permitted hours of operation of the site as stated in licence condition 26 and at any time when the site cabin is unstaffed.

The gates and fencing shall be maintained to the reasonable satisfaction of the Agency and such precautions taken as may be necessary, to the reasonable satisfaction of the Agency, to deter and prevent unauthorised vehicular and pedestrian access to the site.



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**PART FIVE: SURFACE WATER MANAGEMENT**

**Condition 20**

**Maintenance of Drainage System**

- (a) The licence holder shall ensure that any interceptor tank installed in accordance with condition 16 is maintained in serviceable condition, and emptied as required so as to avoid any overflow of its contents.
- (b) All sumps/manholes or other equipment designed to contain spillage shall be inspected on a regular basis, and not less than once every month, and serviced as required, to ensure that it is maintained in good condition.
- (c) In the event of a spillage the licence holder shall inform the Agency forthwith and the liquid retained in the drainage system shall be removed from the site.
- (d) A record of the following information shall be kept in the site diary;
  - (i) the dates when the interceptor tank is emptied,
  - (ii) the quantity of waste removed from the interceptor tank on each occasion,
  - (iii) the address of the facility where the waste from the interceptor tank is disposed of,
  - (iv) the dates of inspection and servicing of the sump manhole and/ or any other equipment designed to contain spillage.
  - (v) any incidents which require the closure of the sump manhole and/ or any other equipment designed to contain spillage.
  - (vi) the quantity of liquid removed from the sump manhole and/or any other equipment designed to contain spillage on each occasion,
  - (vii) the address of the facility where the waste from the sump manhole and/or any other equipment designed to contain spillage is disposed of.

**Condition 21**

**Disposal of Washwaters**

Within 90 days of the date of issue of this licence the licence holder shall submit proposals to the reasonable satisfaction of the Agency for the collection and management of washwaters resulting from the cleaning of any vehicles/plant at the site. The proposals shall be implemented within 12 months of the date of issue of this licence.

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Condition 22

**Discharge Consents**

A copy of any formal consent or written agreement which has been obtained from the sewerage undertaker in relation to any discharge of water from the site shall be furnished to the Agency upon request.

Condition 23

**Pollution of Controlled Waters**

The licence holder shall take all reasonable precautions to prevent the pollution of controlled waters (as defined in the Water Resources Act 1991). In the event of pollution occurring steps shall be taken to alleviate the effects of the pollution and to prevent further pollution. The Agency shall be notified as soon as possible and in any case no later than 10.00am on the first working day following any incident, and any remedial work shall be undertaken as agreed in writing with the Agency.

Condition 24

**Contaminated Drainage**

In the event of any contaminated liquid/drainage leaving the site, steps shall be taken to alleviate the effects of any resultant pollution and to prevent further escape from the site of the contaminated liquid/drainage. The Agency shall be notified as soon as possible and in any case no later than 10.00am on the first working day following any incident, and any remedial work shall be undertaken as agreed in writing with the Agency.

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**PART SIX: OPERATIONS**

**Condition 25**

**Temporary and Permanent Cessation of Operations**

- (a) The Agency shall be informed in writing of any temporary cessation of waste management operations at the site prior to the cessation.

Not less than 24 hours notice shall be given to the Agency in writing of the date on which waste management operations are due to recommence in the event of a temporary cessation.

- (b) The Agency shall be informed in writing of the date of permanent cessation of waste management operations at the site within one month of permanent cessation taking effect.

**Condition 26**

**Site Opening Hours**

Except with the prior written approval of the Agency, receipt or handling of waste shall only take place at the site between the following times:

Daily (including Bank Holidays, but excluding 1st January or 25th and 26th December)

1st November to 28/29th February                      0830 hours to 1600 hours

1st March to 31st March                                      0830 hours to 1700 hours

1st April to 30th September                                0830 hours to 1900 hours

1st October to 31st October                                0830 hours to 1700 hours

Notwithstanding the above the site shall be closed on 1st January and 25th/26th December.

Any operations outside these hours shall be in the case of emergencies only, and the licence holder shall notify the Agency by telephone as soon as possible and in any case no later than 10.00 am on the first working day following any incident, of the circumstances of the emergency.

**Condition 27**

**Adequate Lighting**

Notwithstanding the requirements of licence condition 26 above, no receipt or handling of waste shall take place during the hours of darkness unless adequate lighting is provided at the site to the satisfaction of the Agency.

For the purposes of this condition, the hours of darkness shall be those covered by the statutory lighting up times published by the Science & Engineering Research Council.

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**PART SEVEN: INSPECTION, HANDLING AND KEEPING OF WASTES**

**Condition 28**

**Inspection of Waste**

- (a) The waste deposited in skips and/or containers shall be periodically inspected throughout each working day. Where waste is found that is not permitted by licence condition 4 it shall be dealt with in accordance with the Statement of Intent.

Additionally, any unauthorised waste deposited at the site which could cause pollution of the environment or harm to human health shall be kept in a suitable lockable chemical store pending removal from the site. A suitable chemical store of a specification to be agreed in writing with the Agency, shall be provided at the site within 30 days of the date of issue of this licence, unless otherwise agreed in writing with the Agency.

- (b) The Agency shall be notified before the end of the working day on which waste is rejected in accordance with 28 (a) above. A written record shall be kept, in the site diary, of every such incident. The record shall contain the information required to be kept in accordance with licence condition 6 together with the time and date when such waste is removed and the address of the site to which it has been removed.

**Condition 29**

**Keeping of Waste**

- (a) Waste (other than waste which is segregated for recovery, reuse and/or resale), shall only be kept in secure skips and/or containers as described in the working plan. Such skips and/or containers shall be maintained in good condition.
- (b) Unless otherwise agreed in writing with the Agency any skips and/or containers containing non inert waste (other than waste which is segregated for recovery, reuse and/or resale) shall be covered with fitted covers, lids or suitable waterproof covers outside the permitted opening hours of the site and whenever the site is not open for the receipt of waste.
- (c) No container shall be filled beyond its design capacity or allowed to overflow.

**Condition 30**

**Sorting, Reclaiming, or Removal of Waste From the Site**

With the exception of the Licence Holder, Transport Contractor, or an authorised representative of the Licence Holder, no person shall remove waste deposited and/or kept at the site from any container or skip .

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Condition 31

**Removal of Waste**

Unless otherwise agreed in writing with the Agency all waste stored at the site, other than segregated inert waste and waste segregated for the purpose of reuse, resale and/or recovery, shall be removed from the site within 48 hours of its deposit at the site.

On Christmas Day, Boxing Day and New Year Bank Holidays where waste cannot be removed before the start of the holiday, the waste shall be removed on the first working day after the holiday.

Condition 32

**Keeping of Waste Segregated for the Purpose of Reuse, Resale and/or Recovery**

The keeping of any waste at the site for the purpose of reuse, resale and/or recovery shall be in a specifically designated area clearly separate from non-recyclable waste, and agreed in writing with the Agency.

The Agency shall be informed in writing of any change in the location of the designated storage area, prior to such a change taking place.

Unless otherwise agreed in writing with the Agency, waste kept at the site for the purpose of reuse and/or recovery shall be kept in suitable skips and/or containers. A separate skip or container shall be used for each waste type.

No waste kept for the purpose of reuse and/or recovery shall be stored at the site for a period in excess of 3 months.

No container shall be filled beyond its design capacity or allowed to overflow.

Condition 33

**Keeping of Waste Engine Oil**

- (a) Waste engine oil shall be either;
- (i) kept in a double skinned tank of a design and specification agreed with the Agency, or
  - (ii) kept in a tank which is kept in a suitably bunded area.

In the event of damage to the outer skin of a double skinned tank, the tank shall be emptied forthwith and shall not be used for the storage of oils until the outer skin has been repaired to the reasonable satisfaction of the Agency, or replaced.

Any bunded area shall have a capacity of not less than 110% of the storage tank(s) capacity. The floor and walls of such bunds shall be structurally sound and impervious to the contents of the tank(s). The ancillary inlet/outlet pipes and gauges shall be so designed and constructed to be within the bunded area.

Not more than 10% of the bunded area shall be allowed to fill with liquid. A line shall be marked around the inside of the bund wall to indicate this level. Contaminated liquid in the bunded area shall be disposed of in a manner agreed in writing with the Agency.

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- (b) The tank(s) shall be located not less than 10 metres from any watercourse.
- (c) A receptacle shall be provided for the deposit of empty oil cans. The site operative shall ensure that all empty oil cans are placed in this receptacle. The receptacle shall not be allowed to overflow, and shall be emptied at least on a weekly basis.
- (d) The site operative shall ensure that oil tank(s) are emptied as necessary so that the facility is available for the deposit of waste oil by members of the public at all times throughout the permitted opening hours of the site.

Condition 34

**Keeping of Waste Batteries**

Waste lead acid batteries shall be kept covered and upright in a container of a type to be agreed in writing with the Agency. The container shall be resistant to battery acid leakage and the cover shall be watertight.

Condition 35

**Keeping of Pressurised Gas Cylinders**

Only notionally empty pressurised gas cylinders shall be kept at the site. They shall be kept upright in a secure well ventilated container of a type to be agreed in writing with the Agency. .

Condition 36

**Precautions in Case of Spillage**

Any spillage of oil/battery acid shall be treated as an emergency.

Quantities of oil absorbing and neutralising materials shall be kept available at the site in case of spillage of oil and/or battery acids.

In the event of any spillage of oil and/or battery acid these materials shall be used and appropriate action shall be taken to prevent battery acid reaching the surface water drainage system.

Details of any spillage of battery acid and/or oil which require remedial actions to be taken shall be recorded in the site diary.

Condition 37

**Burning of Waste**

No waste shall be burned at the site. Any outbreak of fire at the site shall be treated as an emergency and immediate action taken to extinguish it. The licence holder shall notify the Agency by telephone as soon as possible and in any case no later than 10.00 am on the first working day following any outbreak of fire, as to the circumstances of the emergency.

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Condition 38

**Control of Litter**

No waste shall be allowed to escape beyond the site boundary.

Condition 39

**Site Maintained in a Tidy Condition**

Any loose waste within the boundary of the site shall be collected throughout the day.

The site surface shall be swept at least daily, and more often when necessary to maintain the site in a clean condition.

The date and time of sweeping shall be recorded in the site diary.

Condition 40

**Preventative Measures**

Within six weeks of the date of issue of this licence a detailed programme of control and preventative measures shall be submitted to and agreed with the Agency in respect to the following;

Vermin  
Insects  
Dust  
Malodours  
Spillage of liquid waste  
Noise

The programme shall be implemented forthwith.

# APPENDIX A

## SCHEDULE OF PERMITTED WASTE

WASTE TYPE	MAXIMUM DAILY QUANTITY (TONNES)	MAXIMUM ANNUAL QUANTITY (TONNES)
Uncontaminated earth and excavation wastes		
Inert Wastes (See note 1)	} 110	} 24,999
Waste From Works of Construction/Demolition Waste (see note 2)		
Household Waste (See note 3)		
<b>TOTALS</b>	110	24,999

See also notes overleaf.



## APPENDIX A

### SCHEDULE OF PERMITTED WASTE

#### CONTINUED

#### Notes

1. Inert Waste shall mean which, when disposed of in or on land, does not undergo any significant physical, chemical or biological transformation.
2. Waste from construction and demolition (as defined in the Controlled Waste Regulations 1992) shall be waste containing mainly inert materials as described in note 1, but also non-inert materials which arise necessarily from construction or demolition of any structure.
3. Household Waste as defined by Section 75(5) of the Environmental Protection Act 1990 and the Controlled Waste Regulations 1992, excluding clinical waste (as defined by the Controlled Waste Regulations 1992).
4. Only waste material specified above shall be deposited and / or kept at the site.
5. This schedule should read in conjunction with Appendix B, Schedule of Non-Permitted Wastes.

## APPENDIX B

### SCHEDULE OF NON-PERMITTED WASTES

No commercial waste as defined by Section 75(7) of the Environmental Protection Act 1990 and the Controlled Waste Regulations 1992, shall be deposited, kept and/or treated at the site.

No industrial waste as defined by Section 75(6) of the Environmental Protection Act 1990 and the Controlled Waste Regulations 1992, shall be deposited, kept and/or treated at the site.

No agricultural waste shall be deposited, kept and/or treated at the site. Agricultural Waste shall be defined as waste coming from premises use for agriculture, as defined by the Agricultural Act 1947.

No incineration residues shall be deposited, kept and/or treated at the site.

No scrap cars, vehicles or trailers, shall be deposited, kept and/or treated at the site.

No sewage sludge, septic tank contents or pail closet emptying shall be kept and /or deposited at the site.

No waste which is subject to the Special Waste Regulations 1996 shall be deposited, kept and/or treated at the site.

No clinical waste as defined in the Controlled Waste Regulations 1992, shall be deposited, kept and/or treated at the site.



## 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.



ENVIRONMENT  
AGENCY

**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**

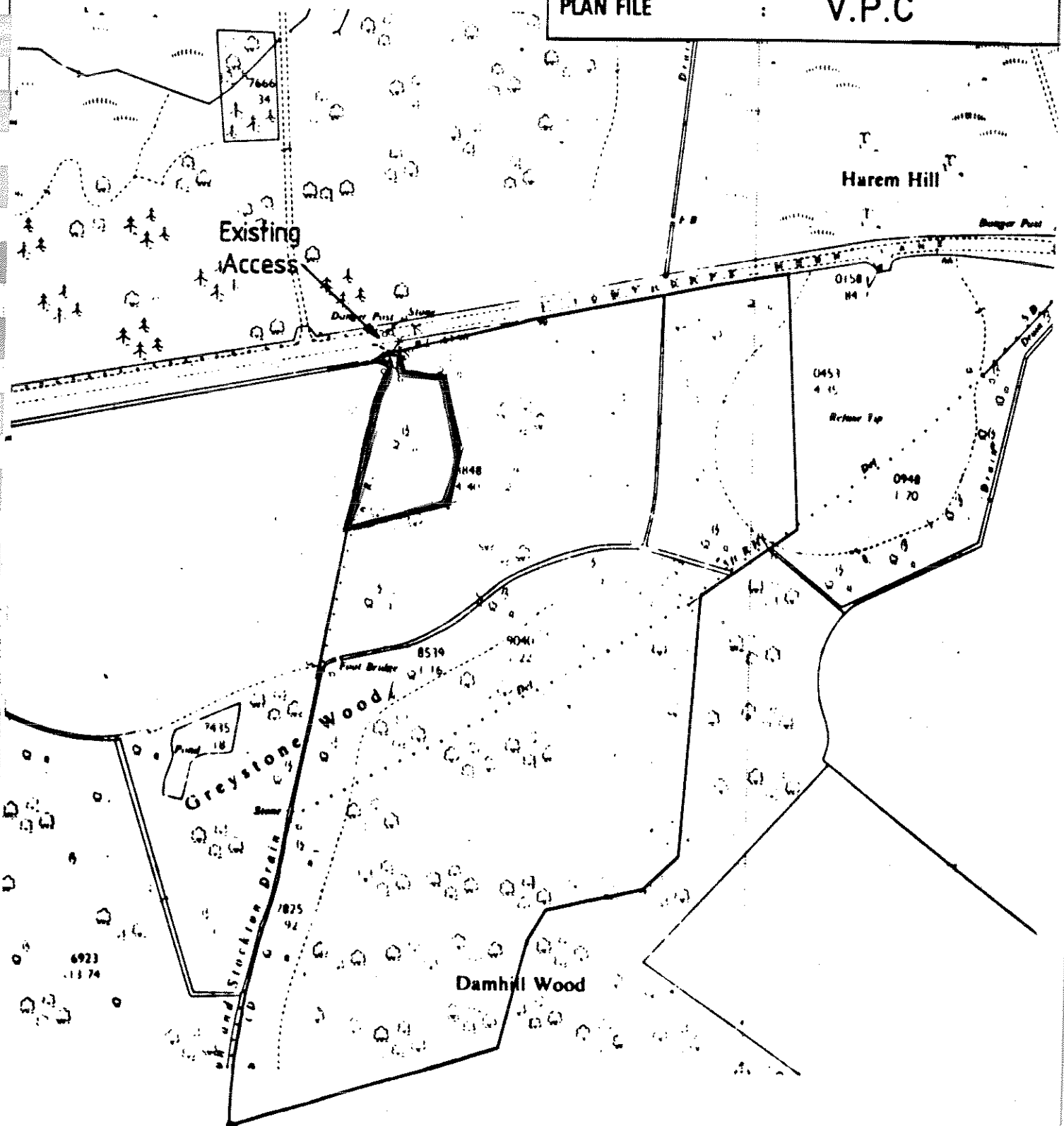
Provides for a licence holder to identify information submitted to the licensing authority as being commercially confidential and to apply for that information to be excluded from the public register. The authority will determine whether the information is commercially confidential and notify the licence 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

PROJECT : TOWTHORPE CIVIC AMENITY SITE.

DRG. TITLE : WASTE DISPOSAL LICENCE APPLICATION

DRAWING NUMBER : WDA/301/32

PLAN FILE : V.P.C



Location plan

Scale 1:2500

PREPARED BY : RM/SH

CHECKED BY :

DATE : FEB '93





**You are advised to take a few moments to read the following notes.**

### **NEED FOR SAFE KEEPING**

- A waste management licence is an important document. The permission to treat, keep or dispose of controlled waste will be valuable to your business.
- Keep the original licence documents safe.
- You may wish to take a photocopy of the licence documents to use as a 'working copy' for daily use.
- It may be a licence condition that a copy of the licence is available when the site is operational.
- Under the Duty of Care producers or carriers of waste are likely to want to see your licence so they can ensure you are authorised to accept their waste.
- If you lose your original copy of the licence the Environment Agency may make a charge for providing you with a replacement copy.

### **SUPERVISION**

- The Environment Agency has a duty to inspect your site under section 42 of the Environmental Protection Act.
- Inspections are made in order to prevent pollution of the environment, harm to human health or serious detriment to the amenities of the locality and to ensure that licence conditions are complied with.
- The Environment Agency performs this duty primarily by means of unannounced visits by its officers.
- Officers of the Environment Agency visiting your site may take notes, measurements, photographs and samples and are authorised to exercise certain other powers when necessary.
- If licence conditions are not being complied with, the Environment Agency can serve a formal notice requiring you to comply with licence conditions.
- Failure to comply with a licence condition is a criminal offence.
- Make sure that you and your employees are familiar with the requirements of the licence.
- If you do not understand any part of the licence or are unclear you should contact the Environment Agency.

### **FEES AND CHARGES**

- A scheme of fees and charges exists for various matters associated with waste management licences.
- The scheme is intended to allow the Environment Agency to fully recover its costs associated with administering waste management licensing.
- The scheme includes an annual subsistence charge for holding a licence as well as for other matters described below.
- The level of the fees and charges is set nationally and is subject to annual review.

### **TRANSFER**

- At some time in the future you may wish to transfer this licence to another person.
- A licence may be formally transferred in accordance with section 40 of the Environmental Protection Act. The Environment Agency must be satisfied as to the suitability of the proposed holder and may not transfer the licence unless the intended holder is a fit and proper person.
- An existing licence holder wishing to transfer a licence must make a joint application together with the proposed holder to the Environment Agency.
- An application to transfer a licence must be accompanied by the appropriate fee. You should contact your local Environment Agency office to find out the current fee.
- In the event of a transfer application being refused, the fee is not refundable.

### **PUBLIC REGISTER**

- This licence is a public document and a copy of the licence will be placed on the register of licences maintained by the Environment Agency.
- Other documents relating to the licence including site reports, correspondence and monitoring data will also be placed on the public register.
- If you consider any information held by the Environment Agency regarding your site should be kept off the register for reasons of commercial confidentiality you should contact the Environment Agency.

## **VARIATION OF LICENCES**

- It is likely that over time you may wish to vary the terms and conditions of your licence in order to reflect changes in your business or operational practice.
- Once issued a waste management licence can be varied in accordance with section 37 of the Environmental Protection Act but you are advised to consult with the Environment Agency before any significant change in operational procedure is made.
- Minor changes to the working plan (that is to say the details you have submitted to describe how the site will operate) can usually be dealt with by notifying the Environment Agency in writing. This does not involve any fee or charge.
- Major changes such as new types or quantities of waste are likely to require a formal modification of the licence.
- An application to modify a licence must be accompanied by the appropriate fee. You should contact your local Environment Agency office to find out the current fee.
- In the event of a modification application being refused, the fee is not refundable.
- The Environment Agency may of its own initiative modify the licence if necessary to prevent pollution of the environment.
- If your licence is modified you should make sure you and your employees operate in accordance with the revised licence and that your customers are aware of the changes.

## **REVOCAION AND SUSPENSION**

- Where it considers it necessary the Environment Agency may suspend the activities permitted by the licence or revoke the licence (either partially or completely) under section 38 of the Environmental Protection Act.
- The Environment Agency is likely to exercise these powers where the holder of a licence has ceased to be a fit and proper person, the continuation of activities would cause pollution of the environment or where a licence subsistence charge has not been paid.

## **SURRENDER**

- This licence will continue to be in effect until it is formally surrendered, unless it has been completely revoked.
- To surrender a licence a formal application under section 39 of the Environmental Protection Act must be made to the Environment Agency.
- A surrender application must be accompanied by the appropriate fee. You should contact your local Environment Agency office to find out the current fee.
- For a surrender application to be accepted the licence holder must demonstrate to the Agency that the site is unlikely to cause pollution of the environment or harm to human health.
- In the event of the surrender application being refused, the fee is not refundable.

## **RIGHT OF APPEAL**

- If you are unhappy with the terms of this licence or the decision of the Environment Agency to reject your application to transfer, modify or surrender your licence, or where the Environment Agency has suspended or revoked the licence, you can appeal to the Secretary of State.
- Before making any formal appeal you may first wish to discuss the matter with the Environment Agency.
- Further details of the appeals procedure are given in the Waste Management Licensing Regulations 1994.

## **OTHER LEGISLATION**

- The existence of this licence does not alter any obligation upon you to comply with any other appropriate legislation relating to planning, health and safety etc.

## **AND FINALLY...**

- These notes are only a brief summary of the legislation relating to waste management licences. Furthermore changes may occur in the law which could affect your licence and your business.
- To keep in touch with changes in legislation you should consider joining one of the trade associations for the waste management and recycling industries.