

ROYAL COUNTY OF BERKSHIRE
ENVIRONMENTAL PROTECTION ACT 1990

SECTION 37

Notice of Modification of Waste Management Licence Conditions

To: J Mould Tipper Haulier & Plant Hire Ltd
Pingewood Road North
Hyde Crete Pit
Burghfield
READING
RG3 3XN



Berkshire County Council (hereinafter called "the Authority") having on 8 October 1993 granted to you a Waste Disposal Licence No: 54/12/4/333 relating to Knights Farm, Burghfield, Reading.

Being of the opinion that it is necessary for the purposes of ensuring compliance with provisions made under Section 35(6) of the Environmental Protection Act 1990 namely Waste Management Regulations 1994, Regulation 19 Schedule 4.

HEREBY GIVES YOU NOTICE modifying the said conditions as shown on the schedule attached.

The modification shall take effect immediately.

Dated 13th day of June 1995.

Signed: *D. K. Barber*

Designated: *County Solicitor*



OUTGOING - 1

Address of Authority:

County Solicitor
Berkshire County Council
Shire Hall
Shinfield Park
READING
Berks
RG2 9XD



PERMIT

A statement of the Licence Holder's Right of Appeal under Section 43 or 66(5) of the Environmental Protection Act 1990 is set out overleaf.

**NOTIFICATION TO BE SENT TO APPLICANT / LICENCE HOLDER*
CONCERNING RIGHTS OF APPEAL UNDER SECTION 43 OR 66(5) OF THE
ENVIRONMENTAL PROTECTION ACT 1990**

(TO BE INCLUDED IN NOTICES OF DECISIONS)

If an applicant/licence holder/proposed transferee is aggrieved by the decision of the Waste Regulation Authority

- * (a) in refusing to grant a licence
- * (b) in refusing to modify a licence
- * (c) in granting a licence subject to conditions
- * (d) in modifying conditions specified in a licence
- * (e) in suspending a licence
- * (f) in revoking a licence under Section 38 or 42 of the Act
- * (g) in refusing the surrender of a licence
- * (h) in refusing the transfer of a licence

he may appeal to the Secretary of State in accordance with Section 43 or 66(5) of the Environmental Protection Act 1990. Appeals under Section 43 of the 1990 Act must be notified within 6 months of the date of the Notice or deemed rejections under Sections 36(9), 37(6), 39(10) or 40(6) of the 1990 Act. Appeals under Section 66(5) of the 1990 Act must be made within 21 days of the notification of the determination to the person concerned, to the Secretary, Department of the Environment, Waste Management Division, Room A222, Romney House, 43 Marsham Street, London SW1P 3PY (for sites in England) or to the Secretary, Welsh Office, Water and Environmental Protection Division, Cathays Park, Cardiff, CF1 3NQ (for sites in Wales). The Secretary of State has power to allow a longer period for the giving of notice of an appeal under Section 43 of the 1990 Act.

FOR DECISIONS UNDER (d), (e) OR (f) ONLY

Where a notice giving this Authority's decision to modify or revoke a licence includes a statement for that purpose of preventing pollution or, where that is not practicable, minimising pollution of the environment or harm to human health Section 43(4) of the Environmental Protection Act 1990 should not apply to the decision, the notification of an appeal against the decision will not of itself render the decision ineffective pending determination of the appeal. This decision does/does not* contain such a statement.

If you consider that such a statement has been unreasonably included in the Notice of decision, or is a decision to suspend a licence you may apply, under Section 43(7) of the Environmental Protection Act 1990, to the Secretary of State to determine whether the authority's action was unreasonable or not, (the address to write to is given above). If the Secretary of State determines that the authority acted unreasonably in including such a statement, or in suspending the licence, the authority's decision will become ineffective while an appeal is pending and you will be entitled to recover compensation from the authority in respect of any loss you have suffered in consequence of the statement or the suspension of the licence. Any dispute as to your entitlement to compensation or its amount shall be determined by arbitration.

* Delete words that do not apply.

54/12/4/333

SCHEDULE

ADD NEW CONDITION 1.4

The maximum quantity of controlled waste deposited at the site in any financial year shall not exceed 175,000 tonnes.

"Financial Year" has the meaning as defined in the Waste Management Licensing (Fees and Charges) Scheme 1994.