ENVIRONMENTAL PROTECTION ACT 1990
Section 37

NOTICE OF MODIFICATION OF WASTE MANAGEMENT LICENCE

PERMIT

To Clevestone Transport Limited
Moreland Street
HARTLEPOOL
Cleveland

WHEREAS on 28th September 1987 the Cleveland County Council granted to you a Waste Disposal Licence now to be treated as a Waste Management Licence Reference CLE 175 relating to Clevestone Transport Limited, Moreland Street, Hartlepool, Cleveland subject to the conditions set out therein

NOTICE is HEREBY GIVEN that the Environment Agency ("the Agency") modifies the said conditions as follows:-

The following Conditions attached to Waste Management Licence Reference Number CLE 175, Modification 1, shall be deleted,

Conditions 4, 6, 14 and 17

and the attached Conditions, Waste Management Licence Reference Number CLE 175, Modification 2, shall be substituted

30 A record shall be kept of all wastes received and of all materials (wastes and recovered materials) removed from the site. The records shall include the following for each vehicle load of waste/material:

a) origin of waste, by local authority district
b) time and date received
c) quantities in tonnes received and waste type - as specified by the Agency
d) time and date removed
e) quantities in tonnes removed and waste type - as specified by the Agency
f) destination of materials removed, by local authority district

31 A summary of the information, including nil returns, specified in condition 30 above shall be submitted to the Agency, in a format and frequency as required by the Agency. The summary shall be submitted within 14 days of the end of the accounting period specified by the Agency.

Such modification shall take effect on 31 March 1998 at 24.00 hours.

DATED 15. September 1998 (Signed) [redacted]

OUTGOING — 1

(Designation) Area Waste Licensing Team Leader

Environment Agency
Swan House
Merchants Wharf
Westpoint Road
Thornaby
Cleveland
TS17 6BP

N.B. - The person served with this notice may appeal against the Agency's decision to the Secretary of State within six months or such longer period as the Secretary of State may allow. (See notes overleaf.)

S37 NOTES

Appeals

If a licence holder is aggrieved by the decision of the Agency in modifying conditions specified in a Waste Management Licence he may appeal to the Secretary of State in accordance with Section 43 of the Environmental Protection Act 1990. Appeals must be notified within 6 months of the date of this notice to The Planning Inspectorate, Room 1413, Tolgate House, Houlton Street, Bristol, BS2 9DJ.

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 which excuse the delay in giving notice of an appeal.

Where a notice giving the Agency's decision to modify a Waste Management Licence includes a statement that for the purpose of preventing 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.

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