



Merseyside Waste Disposal Authority

Established Under the Local Government Act 1985



PERMIT



OUTGOING

LICENCE NUMBER 459/04

ORIGINAL DATE OF ISSUE 21/08/95

ENVIRONMENTAL PROTECTION ACT 1990 WASTE MANAGEMENT LICENCE

Name and Address of Licensee

Address or Location of Facility

Mersey Waste Limited
2nd Floor
Port of Liverpool Building
Pier Head
Liverpool
L3 1BY

Newton-le-Willows
Waste Reception Centre
Junction Lane
Newton-le-Willows
St Helens
Merseyside

Name and Address of Agent (if any)

Not applicable

GRID REFERENCE **SJ575948**

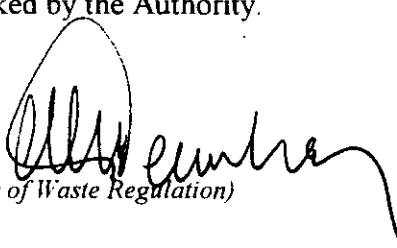
Nature of Activity **THE KEEPING OF CONTROLLED WASTE IN OR ON LAND**

In accordance with the provisions of the Environmental Protection Act 1990, the Merseyside Waste Disposal Authority HEREBY LICENCE

MERSEY WASTE LIMITED

to operate the above facility, subject to the conditions set out in the *attached schedule*.

The licence is effective from the date hereon and will remain in force until the licence is surrendered in accordance with the provisions of Section 39 of the Act unless the licence is modified, suspended or revoked by the Authority.

Signed 
(Director of Waste Regulation)

Date 15 September 1995

This Licence does not authorise a contravention of any other enactment or any order made, granted or issued under any enactment; nor does it authorise a contravention of any rule of law or a breach of any agreement. In particular, the provisions of the Health and Safety at Work etc, Act 1974 will need to be observed.

ENVIRONMENTAL PROTECTION ACT 1990

Section 39 Surrender of Licences

- (1) A licence may be surrendered by its holder to the authority which granted it but, in the case of a site licence, only if the authority accepts the surrender.
 - (2) The following provisions apply to the surrender and acceptance of the surrender of a site licence
 - (3) The holder of a site licence who desires to surrender it shall make an application for that purpose to the authority in such form, giving such information and accompanied by such evidence as the Secretary of State prescribes by regulations and accompanied by the prescribed fee payable under section 41
 - (4) An authority which receives an application for the surrender of a site licence-
 - (a) shall inspect the land to which the licence relates, and
 - (b) may require the holder of the licence to furnish to it further information or further evidence.
 - (5) The authority shall determine whether it is likely or unlikely that the condition of the land, so far as that condition is the result of the use of the land for the treatment, keeping or disposal of waste (whether or not in pursuance of the licence), will cause pollution of the environment or harm to human health.
 - (6) If the Authority is satisfied that the condition of the land is unlikely to cause the pollution or harm mentioned in subsection (5) above, the authority shall, subject to subsection (7) below, accept the surrender of the licence; but otherwise the authority shall refuse to accept it.
 - (7) Where the authority proposes to accept the surrender of a site licence, the authority must, before it does so,-
 - (a) refer the proposal to the National Rivers Authority; and
 - (b) consider any representations about the proposal which the Authority makes to it during the allowed period;
- and if the Authority requests that the surrender of the licence be not accepted either of them may refer the matter to the Secretary of State and the surrender shall not be accepted except in accordance with his decision
- (9) Where the surrender of a licence is accepted under this section the authority shall issue to the applicant, with the notice of its determination, a certificate (a "certificate of completion") stating that it is satisfied as mentioned in subsection (6) above and, on the issue of that certificate, the licence shall cease to have effect.
 - (10) If within the period of three months beginning with the date on which an authority receives an application to surrender a licence, or within such longer period as the authority and the applicant may at any time agree in writing, the authority has neither issued a certificate of completion nor given notice to the applicant that the authority has rejected the application, the authority shall be deemed to have rejected the application.
 - (11) Section 36(10) applies for the interpretation of the "allowed period" in subsections (7) above.

Section 40 Transfer of Licences

- (1) A licence may be transferred to another person in accordance with subsections (2) to (6) below and may be so transferred whether or not the licence is partly revoked or suspended under any provision of this Part
- (2) Where the holder of a licence desires that the licence be transferred to another person ("the proposed transferee") the licence holder and the proposed transferee shall jointly make an application to the waste regulation authority which granted the licence for a transfer of it.
- (3) An application under subsection (2) above for the transfer of a licence shall be made in such form and shall include such information as the Secretary of State prescribes by regulations and shall be accompanied by the prescribed fee payable under section 41 and the licence
- (4) If, on such an application, the authority is satisfied that the proposed transferee is a fit and proper person the authority shall effect a transfer of the licence to the proposed transferee.
- (5) The authority shall effect a transfer of a licence under the foregoing provisions of this section by causing the licence to be endorsed with the name and other particulars of the proposed transferee as the holder of the licence from such date specified in the endorsement as may be agreed with the applicants.
- (6) If within the period of two months beginning with the date on which the authority receives an application for the transfer of a licence, or within such longer period as the authority and the applicants may at any time agree in writing, the authority has neither effected a transfer of the licence nor given notice to the applicants that the authority has rejected the application, the authority shall be deemed to have rejected the application.

Section 43 Appeals Relating to Licences

- (1) Where, except in pursuance of a direction given by the Secretary of State,-
 - (a) an application for a licence or a modification of the conditions of a licence is rejected;
 - (b) a licence is granted subject to conditions;
 - (c) the conditions of a licence are modified;
 - (d) a licence is suspended;
 - (e) a licence is revoked under section 38 or 42;
 - (f) an application to surrender a licence is rejected; or
 - (g) an application for the transfer of a licence is rejected;then, except in the case of an application for a transfer, the applicant for the licence or, as the case may be, the holder or former holder of it may appeal from the decision to the Secretary of State and, in the case of an application for a transfer, the proposed transferee may do so.
 - (2) Where an appeal is made to the Secretary of State -
 - (a) the Secretary of State may refer any matter involved in the appeal to a person appointed by him for the purpose;
 - (b) the Secretary of State may, instead of determining the appeal himself, direct that the appeal or any matter involved in it shall be determined by a person appointed by him for the purpose (who shall have the same powers as the Secretary of State);
 - (c) if a party to the appeal so requests, or the Secretary of State so decides, the appeal shall be or continue in the form of a hearing (which may, if the person hearing the appeal so decides, be held or held to any extent in private).
 - (3) Where, on such an appeal, the Secretary of State or other person determining the appeal determines that the decision of the authority shall be altered it shall be the duty of the authority to give effect to the determination.
 - (4) While an appeal is pending in a case falling within subsection (1)(c) or (e) above, the decision in question shall, subject to subsection (6) below, be ineffective; and if the appeal is dismissed or withdrawn the decision shall become effective from the end of the day on which the appeal is dismissed or withdrawn.
 - (5) Where an appeal is made in a case falling within subsection (1)(a) above, the bringing of the appeal shall have no effect on the decision in question.
 - (6) Subsection (4) above shall not apply to a decision modifying the conditions of a licence under section 37 or revoking a licence under section 38 or 42 in the case of which the notice effecting the modification or revocation includes a statement that in the opinion of the authority it is necessary for the purpose of preventing or, where that is not practicable, minimising pollution of the environment or harm to human health that that subsection should not apply.
 - (7) Where the decision under appeal is one falling within subsection (6) above or is a decision to suspend a licence, if, on the application of the holder or former holder of the licence, the Secretary of State or other person determining the appeal determines that the authority acted unreasonably in excluding the application of subsection (4) above or, as the case may be, in suspending the licence, then-
 - (a) if the appeal is still pending at the end of the day on which the determination is made, subsection (4) above shall apply to the decision from the end of that day; and
 - (b) the holder or former holder of the licence shall be entitled to recover compensation from the authority in respect of any loss suffered by him in consequence of the exclusion of the application of that subsection or the suspension of the licence;
- and any dispute as to a person's entitlement to such compensation or as to the amount of it shall be determined by arbitration or in Scotland by a single arbiter appointed, in default of agreement between the parties concerned, by the Secretary of State on the application of any of the parties.
- (8) Provision may be made by the Secretary of State by regulations with respect to appeals under this section and in particular -
 - (a) as to the period within which and the manner in which appeals are to be brought; and
 - (b) as to the manner in which appeals are to be considered.

Schedule of Conditions

General

1. This licence shall apply to the waste reception centre situated in Junction Lane, Newton-le-Willows as outlined on the attached drawings JL/1 and JL/2.

For charging purposes only this licence shall allow the keeping of any controlled waste, which consists or includes special waste, for any purpose other than recycling, up to a maximum annual tonnage of 25,000 tonnes.

2. The site shall be licensed only while there is an appropriate valid planning consent.
3.
 - a) All operations at the site shall comply with the conditions of this licence and the working plan.
 - b) Any proposed change in the working plan shall be notified to and agreed with the Waste Disposal Authority in writing before any such changes are implemented.
 - c) In the event of any proposals or details in the working plan being in conflict with the conditions of this licence, the licence conditions shall prevail.
4.
 - a) All temporary cessation of operations which require the transfer or diversion of waste to a site elsewhere shall be notified forthwith to the Waste Disposal Authority.
 - b) Notice shall be given to the Waste Disposal Authority of the date on which operations on the site are to recommence.
5. A site control office shall be maintained at the site.
6. The conditions of this licence together with a copy of the working plan, shall be displayed in the site office and made known to any person to whom responsibility is given for the conduct of the site.
7. A site identification board of durable construction and finish shall be erected at the site entrance showing the names, addresses and telephones numbers of the site operator and the Waste Disposal Authority, together with the words no unauthorised tipping.

Wastes

8. The types of wastes permitted to be deposited at the site shall be as follows:
 - a) Household Wastes (including small quantities of Special Wastes as defined in the working plan).
 - b) Materials for recycling including glass, textiles, paper, metals, oil and CFC's.

9. The following wastes shall not be deposited:-
 - a) Liquids and sludges (except for waste oil from householders).
 - b) Malodorous Wastes.
 - c) Construction industry waste containing more than 10% by volume of hard bonded asbestos.
 - d) Clinical and veterinary wastes.
 - e) Special Wastes as defined in the Control of Pollution (Special Waste) Regulations 1980 (other than those delivered by householders).
 - f) Waste arising by way of business or delivered by contractors.

10. A sufficient number of suitable skips shall be installed in order to provide an adequate storage capacity for the volume of waste delivered to the site and to limit the queuing of vehicles to the confines of the site.

11. The input of wastes to the site shall not exceed the available storage capacity of the skips provided.

Operational Conditions

12. The site shall be operated in such a manner as to prevent the pollution of water, a danger to public health or serious detriment to the amenities of the locality and comply with the Environmental Protection (Duty of Care) Regulations 1991.

13.
 - a) The site shall be adequately manned and equipped.
 - b) The site shall be supervised at all operating times by a person who is adequately trained and has been made aware of his duties and responsibilities which shall include:-
 - i) checking the nature of waste received at the site;
 - ii) ensuring as far as is possible that the wastes received are permissible within the terms of this licence;



- iii) directing and assisting members of the public using the site.
 - iv) ensuring that the site is operated in a safe manner and in accordance with the conditions of this licence.
 - v) ensuring that accurate and upto date records are maintained and that such monitoring as is necessary is carried out.
14. a) A record shall be kept of the quantities of waste removed from the site. This record shall be available for inspection by authorised officers of the Waste Disposal Authority at reasonable times.
- b) A copy of these records shall be sent to the Waste Disposal Authority on a monthly basis to arrive not later than the 15th day of the following month.
15. The site shall be open 7 days per week except for Christmas Day, Boxing Day and New Years Day.
- Opening hours shall be:-
- 1st April - 30th September
Weekdays 08.00 - 20.00 hours
Saturdays 08.00 - 20.00 hours
Sundays 08.00 - 20.00 hours
- 1st October - 31st March
Weekdays 08.00 - 17.00 hours
Saturdays 08.00 - 17.00 hours
Sundays 08.00 - 17.00 hours
16. Adequate lighting shall be provided for safe working during the hours of darkness.
17. The surface of the site shall be constructed of a suitable impervious and durable material and maintained in a good state of repair.
18. a) The site shall be kept in a clean and tidy condition.
- b) Litter and other loose waste shall not be allowed to accumulate on the site and any litter blown from the site shall be collected and returned to the site without delay.
19. Within two and a half years from the date of issue of this licence all drainage from any area where wastes are stored or handled shall be directed to foul sewer with the written approval of North West Water plc, or an alternative suitable collection system.
20. Steps shall be taken to keep the boundary walls or fencing and gates in a good state of repair and the gates shall be locked when the site is unmanned.



21. Primary fire fighting equipment shall be provided on the site.
22. No waste materials shall be burned on the site. A fire on the site shall be regarded as an emergency and steps taken to extinguish it including calling the Fire Brigade where appropriate.
23. Adequate steps shall be taken to control vermin and insects on the site including baiting and spraying as required.
24. Filled skips shall be netted before they are removed from the site.
25. Oil shall only be stored in a purpose built bunded oil tank and any accidental spillages shall be dealt with immediately.
26. Special Wastes, delivered by householders, shall only be stored in a secure covered area of the site, located on an impervious base and bunded to contain any spillages.
27. The Special Waste facility shall be lockable to prevent unauthorised access and appropriate hazard warning signs shall be displayed on the doors.
28. Records shall be maintained of the contents of the store and these shall be made available for inspection by officers of the Waste Disposal Authority or the emergency services should they have cause to attend an incident at the site.
29. Chemically incompatible substances shall be segregated to prevent interaction in the event of breakages.
30. A stock of absorbent granules shall be kept in the store and any spillages shall be cleaned up without delay.
31. All movement of Special Wastes from the site shall be subject to the Section 17 consignment note procedures as required by the Control of Pollution (Special Waste) Regulations 1980.
32. All plant and equipment shall be fitted with an effective silencer and be maintained in a safe working condition.

