



40/358
LEA



ENVIRONMENT
AGENCY

**ENVIRONMENTAL PROTECTION ACT 1990
SECTION 37(1)(a)**

**WASTE MANAGEMENT LICENCE
NOTICE OF MODIFICATION**



LICENCE REF No :- 80/358	FACILITY TYPE :- Civic Amenity/Transfer Station
LICENCE HOLDER :- Cheltenham Borough Council, Municipal Offices, The Promenade, CHELTENHAM, Gloucestershire.	LICENSED FACILITY :- Central Depot, Swindon Road, CHELTENHAM, Gloucestershire.

WHEREAS on the 20th January 1993 the Gloucestershire County Council issued a disposal licence in pursuance of its powers under Part 1 of the Control of Pollution Act 1974 for the above named facility

AND WHEREAS on the 1st May 1994 the said licence fell to be treated as a waste management licence

AND WHEREAS on the 1st April 1996 the powers and duties of all waste regulation authorities in England and Wales transferred to the Environment Agency ("the Agency") by virtue of section 2 of the Environment Act 1995

AND WHEREAS on 16th February 1998 the said licence was modified

AND WHEREAS the Agency considers a modification of the said licence to be desirable and is unlikely to require unreasonable expense on the part of the Licence Holder

NOTICE IS HEREBY GIVEN that the Agency modifies the conditions of the said licence as detailed in Schedule 1 attached to this notice.

Signed  Name M. Stringer
(Team Leader - Waste Licensing, Lower Severn)

Date 31 March 1999

Such Modification to take effect on 7 April 1999 at 0900

YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL ATTACHED TO THIS NOTICE
Environment Agency, Lower Severn Area, Rivermead House, Newtown Industrial Estate, Northway Lane, Tewkesbury, Glouce GL20 8JG Tel 01684 850951 Fax 01684 293599



RIGHTS OF APPEAL.

Section 43(1) of the Environmental Protection Act 1990 provides that:

Where, except in pursuance of a direction given by the Secretary of State,

- (a) an application for a modification of the conditions to the licence is rejected
- (b) the conditions to a licence are modified

the Licence Holder may appeal against the decision to the Secretary of State

Therefore if you feel aggrieved by the decision detailed on the attached notice you may obtain the appropriate form on which to give written notice of an appeal from:-

The Planning Inspectorate
Room 10/13
Tollgate House
Bristol
BS10 9DJ
TEL : 0117 987 8812
FAX: 0117 987 8406

This notice of appeal should be accompanied by the following information: a copy of the licence; a copy of any correspondence relevant to the appeal; a copy of any other document relevant to the appeal including, in particular, any relevant consent, determination, notice, planning permission, established use certificate or certificate of lawful use or development; and a statement indicating whether you wish the appeal to be in the form of a hearing or on the basis of written representations. You are also required to serve a copy of your notice of appeal, together with copies of any the above documents that have accompanied your notice of appeal, on the Environment Agency (at the address overleaf). You should appeal within 6 months of the date that this notice takes effect but the Secretary of State may allow notice of appeal to be given after the expiry of this time period.

You should note that whilst an appeal is pending the decision detailed on the attached notice is ineffective, **except** where a statement is included saying that in the opinion of the Agency the details on the notice are necessary for the purposes of preventing, or where not practicable, minimising pollution of the environment, or harm to human health.

SCHEDULE 1

Condition 20 shall be deleted.

The following conditions shall be added to the licence :-

58. CHANGES IN TECHNICALLY COMPETENT PERSONS

Any changes in the technically competent management of the site and the name of any incoming person together with evidence that such person has the required technical competence shall be submitted to the Agency within 5 working days of the change in management.

59. (a) NOTIFICATION OF RELEVANT CONVICTIONS

In the event of the Licence Holder and/or any relevant person being convicted of any relevant offence (as defined in Regulation 3 of the Waste Management Licensing Regulations 1994 or any amendment to the aforementioned Regulation) then full details shall be provided to the Agency within 14 days of conviction, whether or not the conviction is subsequently appealed. Such details shall include, in respect of each relevant person (as defined in section 74(7) of the Environmental Protection Act 1990 or any subsequent amendments to that section), the nature of the offence, the place and date of conviction, any sentence, and any fine or other penalty imposed.

(b) NOTIFICATION OF APPEALS AGAINST CONVICTIONS

In the event that the Licence Holder lodges an appeal against any such conviction, the Licence Holder shall notify the Agency within 14 days of the lodging. The Licence Holder shall notify the Agency of the results of that appeal, within 14 days of the appeal being decided.

60. REMOVAL OF RESIDUAL WASTES FROM SITE

In the event that the permitted waste management operations on the site cease and the Agency has reasonable grounds to believe that they will not be resumed, all wastes remaining on the site shall be removed by the date specified in writing by the Agency.

61. RECORDING OF WASTES ACCEPTED AND REMOVED

A record shall be kept of each load of waste accepted and each load of waste removed from the site. This record shall include the following details and any such information as may be required by the Agency :

- 1) Loads in:- Nature (solid, liquid or sludge), waste type as required by the Agency, quantity (tonnes), date received, date accepted.
- 2) Loads out:- Nature (solid, liquid or sludge), waste type as required by the Agency, quantity of waste removed (tonnes), date removed.

62. SUMMARY RECORD OF WASTES ACCEPTED AND REMOVED

A summary record of the waste types accepted and removed from the site shall be made for each quarter of the financial year, and shall be submitted to the Agency within 1 month following the end of the quarter. The summary record shall be in a format agreed by the Agency in writing, and shall include the following details and any such information as may be required by the Agency:

- 1) Loads in:- Nature (solid, liquid or sludge), waste type as required by the Agency, quantity (tonnes).
- 2) Loads out:- Nature (solid, liquid or sludge), waste type as required by the Agency, quantity of waste removed (tonnes).