

ENVIRONMENTAL PROTECTION ACT 1990

Section 37

Notice of Modification of Waste Management Licence Condition(s)

Mr M W Groves
8 Lindby Close
Southdene
Kirkby
L32 6SH



WHEREAS on 30 April 1991 you were granted a Waste Management Licence by the Merseyside Waste Disposal Authority relating to the waste management facility at Unit 10 Orchard Works, K.I.P. North, Kirkby. (Licence Number 324/01)

subject to the conditions set out therein

NOTICE is HEREBY GIVEN that the Merseyside Waste Disposal Authority (hereafter called "The Authority") modifies the said conditions as follows:-

Condition 2 [which relates to planning consent] shall be deleted from the licence.

Such modification shall take effect on 25 March 1996 at 08:00 hours.

DATED 18 March 1996

F D Newberry
Director of Waste Regulation

Merseyside Waste Disposal Authority
4th Floor, Steers House, Canning Place, Liverpool, L1 8JW.

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

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NOTES

Appeals

If a licence holder is aggrieved by the decision of the Waste Disposal Authority ("the Authority") 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 or within such time as allowed by the Secretary of State for the Environment. A copy of a form on which notice of appeal may be given is available from The Planning Inspectorate, Room 10/13, Tollgate House, Houlton Street, Bristol, BS10 9DJ. The notice must be accompanied by a statement of the grounds on which the appeal is made, a copy of the waste management licence, a copy of any correspondence or other documents relevant to the appeal and a statement indicating whether the appellant wishes the appeal to be in the form of a hearing or to be determined on the basis of written representations. The appellant shall send to the Authority a copy of the notice of appeal, including the statement of grounds and a copy of any other document submitted by him with the notice of appeal.

Where a notice giving the Authority's decision to modify conditions specified in a waste management licence includes a statement that for the purpose of preventing or 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 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 Authority's action was unreasonable, (the address to write to is as given above). If the Secretary of State determines that the Authority acted unreasonably in including such a statement, 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. Any dispute as to your entitlement to compensation or its amount shall be determined by arbitration.