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**DEPARTMENT OF
COMMUNITY SERVICES**
ACTING CHIEF COMMUNITY SERVICES OFFICER
Hazel Cybyk

12th August 2005

Dear Keith,

**Re: Wyndeham Heron Ltd, Bentalls Complex, Heybridge, Maldon, Essex
A2 Application**

I write to thank you for the draft permit conditions for the A2 application for Wyndeham Heron.

We have now had an opportunity to have a look at the conditions and I have enclosed with this letter, our initial comments about these. I would be grateful if you could have a look at these comments and let us know if you disagree with any of these or if they are not permitted in law or would not be enforceable.

We have also had a chance to take some noise measurements which I have also submitted. The readings are one set for daytime, mid evening and late evening. It is envisaged that we will continue to gather data over the next few weeks so we get a decent gauge for when they submit their noise management plan.

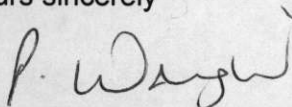
I have included my calculations for the readings so please check that I have done this correctly, any comments gratefully received before we do any more.

The current application does not take into account the new print press for which the new extraction units are being installed. Should we be expecting a variation application from Heron? I don't believe that they have submitted one to date.

They are proposing to extend the existing building and move much of the operation completely under the cover of this acoustically controlled building, would this constitute a substantial change from the point of view of PPC regulations or as it deals mainly with traffic movements and paper storage, would it be deemed to not be substantial?

Hope all is well with you and I look forward to hearing from in the near future,

Yours sincerely



Mrs Pauline Wright
Environmental Protection Team Leader
Environment Services



**Proposed amendments to the draft permit
Wyndeham Heron, Bentalls Complex, Heybridge, Maldon**

Princes Road
Maldon
Essex CM9 5DL

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2.1.3. to include if this data needs to be submitted to local authority and what the frequency of the monitoring should be

2.2.1 and 2.3.1 Are these strictly enforceable and what form of measure can we put in for this?

2.4.2. Who monitors and enforces this condition? Would it be Anglian water or Maldon District Council?

2.5.2 What would be considered to be direct emissions?

2.6.1/2.7.1 re BAT, do you know if there is any guidance in existence which would help officers know whether or not BAT was achieved?

2.9.1 This is the same as 2.2.1

3.1.3. To be submitted to Maldon District Council every.....(state required period)

3.1.9. is appropriately trained defined anywhere? Can delivery times be specified?

3.1.10/ 3.1.13 are there any specifications for these types of containers?

3.1.12 should there be any special requirements for the cleaning of the storage tanks? Residents report odour when these are cleaned. I'm not sure where the tanks are located of what they are for but I assume for the storage of solvents.

3.2.3. where will we find guidance on what temperatures we should be agreeing or with this be provided by the equipment manufacturers?

3.2.5.b) can we have a condition which specifies that they keep the doors closed during operation ?

3.2.9. we would like this to be in bold text as it is particularly pertinent to Heron given their track record.

3.2.10 Are there any prescribed time limits which define permitted start-up and shut-down periods?

3.2.12 we would like to have included here that Heron provide a copy of their routine maintenance programme which includes methods

3.2.13 How do we check that this is the case?



3.3.1. can this be linked to Heron keeping the ditch clear and free flowing (which it seldom is at the moment although they have joint riparian rights with the residents on the other side of the ditch) which will allow reasonable escape ?

3.4.7. How often should this be checked ?

3.4.8. Is there a particular frequency for these checks to be undertaken?

3.4.9. point 3: How will heron demonstrate this, are there pressure monitors?
Point 5: can this be submitted to MDC for inspection?

3.4.11. Do we need to be more specific about how this should be contained?

3.6.2 Should a written log be kept of the maintenance

3.6.3. What could we reasonably expect to be short notice?

3.6.5 Is there any definition as to what a competent person is?

3.6.6. We feel this is too general and could be incorporated into other conditions eg cleaning schedule.

4.3.1 Can these be made available or submitted to MDC

4.4.1. Who are relevant staff? Do we require Heron to identify these posts and outline why they are relevant?

For the points which follow, we were concerned that the use of the 'awareness' may be too easy for them to mis-use and would prefer that they should have a working knowledge of the legislation and consequences of failing to comply.

4.4.2. Need to make this more measurable and enforceable, for instance, can we have a phrase which makes them document how they identify training needs e.g. a list of their key workers, what training that post is expected to receive and when and a record of what training they actually get.

4.4.3. We would like to include in this that they keep a documented risk assessment as well as what monitoring they do of contractors.

4.8.1; 4.9.1 ;4.11

Can the information referred to in table 7 and 8 actually be listed as a table of information or an appendix in the conditions document rather than as a reference to another document?

4.9..3. point number 3 , we feel that this aspect also needs to be monitored

4.11.4 Think there is word /phrase missing from this condition as it doesn't read right

4.11.5 Would it be appropriate to include in the energy efficiency section something about the idling of lorry engines being kept to no longer than 5 minutes?

4.14. We assume that the reference to accidents means some form of discharge to the environment?

4.14.1 we would expect this to be in place almost immediately after the issue of the permit and would want a tight timescale for this.

4.14.2. again we think it needs to be worded in such a way as it removes any confusion with other types of accidents which would be dealt with under health and safety legislation.

4.14.4/5/6 we feel the use of the wording 'suitable', 'adequate', 'appropriate' are too non specific and are open to abuse by Heron and will not be enforceable. Is there any way that these can be made more specific?

4.14.7 Can we make Heron detail how they intend to clear up spillages?

4.14.10 What is LEL?

4.14.11 Does the auto ignition temperature have an actual figure or is it dependent on the chemical being used and how does Heron check for this?

4.14.14. Again, need wording to indicate that the reference to accidents is not those pertaining to health and safety but environmental.

4.15.1. We would like to see sight of a noise management plan as soon as possible after the issue of the permit even if this means it needs to be amended once we have had time to consider it. Can we have a tight timescale on this one please?

Our preliminary noise survey results are enclosed with this document and it is envisaged that we will continue to undertake surveys in order to give us a well documented range of readings taken over a range of times of day/eves/night/weekday and weekends.

Is it possible to have a condition requiring a temporary measure of applying a Tarmac surface to the roadway which would be quieter than the uneven concrete which is currently down?

4.15.6 We feel that this condition is not enforceable because of the phrase 'effective noise controls'. Can we have something along the lines of where necessary controls shall be put in place to reduce noise levels to those agreed with MDC??

4.15.9 we would like an addition point to refer to lorry movements – to restrict lorry movements and prevent manoeuvring of vehicles further up the site near

the Rootings and to ensure that there is proper management of the one-way system.

4.16.9 Point 4 . How do we measure when there is immediate danger to human health? Are there any guidelines re exposure available for the chemicals which they use?

4.19.1 How often does this need to be done and is there a prescribe method which we can ensure Heron follows?

4.20.6 Can we specify what times of day, how often per day and at which locations around the site, we also considered that a shop floor operative may be de-sensitised to the odours and that this test should be undertaken by someone else.

6.1 point 4, can we have that the notes should be contemporaneous ? Point 6 is incomplete

8.1 Is there any guidance available about what would be considered to be significant?