

# MEMO

<b>TO:</b>	Board of Directors	<b>FROM:</b>	Tadhg O'Mahony
<b>CC:</b>		<b>DATE:</b>	23/04/02
<b>SUBJECT</b>	Clare Co. Council. Scarriff Civic Amenity Centre Technical Committee Report		

## Application details

Application Details	
Applicant:	Clare Co. Council
Location of Activity:	Scarriff Civic Amenity Centre, Fossa Beg, Feakle Road, Scarriff, Co. Clare.
Reg. No.:	150-1
Licensed Activities under Waste Management Act 1996:	Third Schedule: Classes 12,13 Fourth Schedule Classes 2,3,4,13
Proposed Decision issued on:	21/12/01
Objections received:	1 – received on 16/01/02
Submission on Objection received	1 – received on 18/02/02
Inspector that drafted PD:	Regina Campbell

## Objections received

A Technical Committee was established to consider the objections.

### **The Technical Committee included;**

Tadhg O'Mahony, Chairperson

Brendan Foley, Inspector

Maeve McHugh, Inspector

This is the Technical Committee's report on the objection.

### **1. Objection from Mr. Patrick Forde**

#### **Objection: Use of the facility by the Objector**

The Objector states that Condition 5.1.1 allows only private vehicles to use the facility and the facility shall not be used as a transfer station for the disposal of waste by commercial waste disposal contractors or local authority waste collection vehicles. The Objector states that he finds himself in the position of being classed as a commercial waste disposal contractor and has been advised by Clare Co. Council that he should no longer use the Civic Amenity Centre. He states that that he sees no reason why he should be denied access to the Scarriff facility.

The objector outlines the refuse collection services he provides to people in his area and provides some information on his recycling business. He states that the local authority or private operators never provided a refuse service as the area he services is very remote and the geography of the area would not make such a service viable. As a consequence of this the objector and his neighbours have always had to make their own arrangements for disposing of their waste.

### **Submission on Objection**

The applicant states that they served notice on the objector in January 2002 to cease using *Scarriff Transfer Station and Recycling Centre* for depositing waste from the 25 January 2002. They state that Condition 5.1.1 of their licence allows only private vehicles to use the facility. They go on to say that the objector was advised to make alternative arrangements for the deposition of waste at Doora Transfer Station and Recycling Centre, Ennis, Co. Clare. They state that the Objector has applied for a waste collection permit to Limerick Co. Council thereby classifying himself as a commercial operator.

The applicant states that the Objector is located c. 29 km from Doora and some 50 km from the Scarriff Civic Amenity Centre and that this is an unnecessarily long distance for the haulage of waste in an open top trailer. The applicant outlines the charging structure and operational procedures at the facility and state that it was never envisaged that vehicles of the capacity of the objectors would be permitted to use the facility.

The applicant states that the Scarriff Civic Amenity Centre was put in place for waste arising in the immediate area and not for waste arising elsewhere. They finally state that the objector should use the larger transfer station at Doora where more operators are employed and can handle the volume of refuse delivered.

### **Technical Committee's Evaluation**

Condition 5.1.1 of the licence states that the facility shall only be used by private vehicles. The objector has applied for a waste collection permit and would therefore be classed as a commercial operator. Condition 5.1.1 of the PD prohibits the use of the facility as a transfer station for disposal of waste by both commercial waste disposal contractors or local authority waste collection vehicles.

The applicant has made valid arguments in relation to refusing the objector use of their facility and has suggested that a more appropriate alternative for the objector to use would be the licensed Transfer Station at Doora, Ennis, Co. Clare. The Scarriff Civic Amenity Centre is a small-scale facility licensed to accept a maximum of 900 tonnes/annum of municipal waste with a further 100 tonnes of recyclable materials. The facility was put in place by the applicant for the acceptance of waste and recyclable goods from householders of the East Clare area and not elsewhere as stated in the applicant's submission on the objection. The applicant clearly states in the submission on the objection that they never envisaged that Scarriff facility would be used by the size of vehicles which the objector operates.

It should be noted that local authority waste collection vehicles are also excluded from using this facility. It is a matter for the licensee to control the acceptance of waste at the Scarriff Civic Amenity facility in accordance with the conditions of the licence.

For clarity, the Technical Committee recommend that the word **disposal** in Condition 5.1.1 be changed to **acceptance**.

***Recommendation***

Amend Condition 5.1.1 to read as follows:

The facility shall only be used by private vehicles. The facility shall not be used as a transfer station for **acceptance** of waste from commercial waste disposal contractors or local authority waste collection vehicles.

Signed

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Mr. Tadhg O'Mahony, Chairperson TC