

Reference: LDC/CONWAY/P2

Environmental Permitting (England and Wales) Regulations 2016, Regulation 61(1)

Notice Requiring Information

Notice specifying information required to enable Lewes District Council to discharge its Statutory functions under the Environmental Permitting Regulations 2016 (as amended).

To: FM Conway Limited

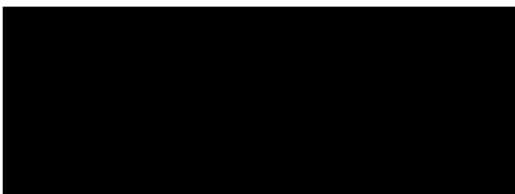
Registered Office: Conway House, Vestry Road, Sevenoaks, Kent TN14 5EL

Installation Address: Newhaven Asphalt Plant, Plots 6 & 7, North Quay, Newhaven, BN9 0AB

Lewes District Council ("the Council"), in the exercise of the powers conferred upon it by regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016, hereby requires you:

(a) to furnish the Council at the email address set out below the information specified in the Annex attached to this Notice in writing ("the Annex");

(b) to furnish that information by **24th January 2023**.

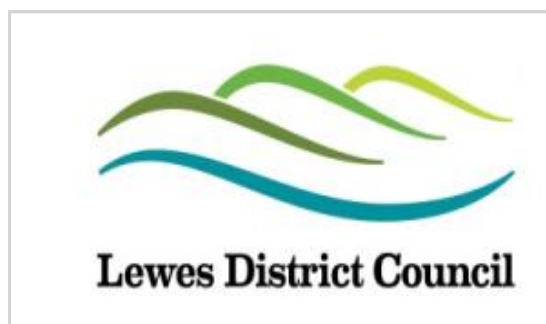


Signed:

Dated:

10th January 2023

Rachel Sadler
Specialist Advisor – Air Quality



Guidance for Operators receiving an Information Notice

(This guidance does not form part of the Information Notice, but it is for the guidance of those served with the notice.)

1. Responding to an Information Notice requirement

For the purposes of discharging its functions under the Environmental Permitting (England and Wales) Regulations 2016, Lewes District Council may (under Regulation 61(1)), require any person to provide information, within the period it specifies in this notice.

Failure to comply with this notice without reasonable excuse is an offence under Regulation 38(4)(a) and may lead to legal action being taken against you.

Making any statement in response to this notice that you know to be false or misleading in a material particular, or recklessly making any statement which is false or misleading in a material particular is an offence under Regulation 38(4)(b) and may lead to legal action being taken against you.

There is no right to appeal against this notice.

You may wish to seek independent legal advice.

2. Confidentiality

Information may be excluded from the public register on the grounds of national security. If it is considered that the inclusion of information on a public register is contrary to the interests of national security, the operator may apply to the Secretary of State/Welsh Ministers, specifying the information and indicating the apparent nature of risk to national security. The operator must inform the local authority of such an application, who will not include the information on the public register until the Secretary of State/Welsh Ministers has decided the matter.

3. Offences

A person guilty of an offence under this regulation could be liable (i) on summary conviction, to a fine¹; or (ii) on conviction to a fine or imprisonment for a term not exceeding two years or both.

¹ The statutory cap on the maximum fine that can be imposed on summary conviction (previously £5,000) has been removed for most statutory criminal offences. The change applies to offences committed on or after 12 March 2015 (but is not retrospective); See The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Fines on Summary Conviction) Regulations 2015 (SI 2015/664).



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ANNEX

To: FM Conway Limited

Registered Office: Conway House, Vestry Road, Sevenoaks, Kent TN14 5EL

Installation Address: Newhaven Asphalt Plant, Plots 6 & 7, North Quay, Newhaven, BN9 0AB

The information required is as follows:

Item	Details	Format Required
1	Provide evidence of suitable proposed dust and odour control measures	In writing by email to: Rachel.Sadler@lewes-eastbourne.gov.uk
2	Provide details of all operations relating to Coal Tar RAP including copies of records pertaining to movement and management	In writing by email to: Rachel.Sadler@lewes-eastbourne.gov.uk
3	Provide evidence of annual throughput of total roadstone product produced	In writing by email to: Rachel.Sadler@lewes-eastbourne.gov.uk
4	Confirm measured height of roadstone coating plant exhaust stack	In writing by email to: Rachel.Sadler@lewes-eastbourne.gov.uk

Lewes District Council
Southover House
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Lewes
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BN7 1BW