

ENFORCEMENT NOTICE

To ⁽¹⁾ The Company Secretary, Sundown Products Ltd
Station Road, Tilbrook,
Huntingdon PE28 0JY

PPC 05/07

The Huntingdonshire District Council ("the Council")
in the exercise of the powers conferred upon it by regulation 24 of the Pollution Prevention and Control (England and Wales) Regulations 2000 ("the 2000 Regulations") hereby gives you notice as follows:

The Council is of the opinion that you [~~have contravened~~] [are contravening] [~~are likely to contravene~~] [a] condition[s] of your permit (reference 3/94) granted under regulation 9(1) of the 2000 Regulations in respect of the operation of the [installation] [~~mobile plant~~] at Sundown Products Ltd, Station Road, Tilbrook, Huntingdon PE28 0JY

The matters constituting such contravention or making it likely that a contravention may arise are ⁽²⁾ emissions of dust from the process are so extensive that they are a nuisance to the inhabitants of the neighbourhood and in breach of Condition 7 of the Permit.

The steps you are required to take to remedy the contravention or the matter likely to cause the contravention are ⁽²⁾ apply the best available technique to reduce the dust emissions to an acceptable level.

Such steps must be taken with a period of three weeks from the date of service of this notice on you.

Failure to comply with the terms of this notice will render you liable on summary conviction (*ie* in a Magistrates' Court) to a maximum fine of £20,000 and/or six months imprisonment, or on conviction on indictment (*ie* in the Crown Court) to an unlimited fine and/or two years imprisonment.

[You have a right of appeal against this notice. Please see notes overleaf.] ⁽³⁾

Dated 19 September 2007

Signed on behalf
of the Council

 OA

Please address any communications to:

Huntingdonshire District Council
Environmental Health, Pathfinder House
St Mary's Street, Huntingdon, Cambs.
PE29 3TN

⁽⁴⁾ Head Environmental & Community Health

an authorised officer of the Council

(1) Name and address of operator as shown
on the application
(2) Insert details

(3) Delete if the notice is the result of a direction
issued by the Secretary of State
(4) Position

APPEALS

If you wish to appeal against this notice you must do so within two months of the service of the notice on you.

You are legally required to provide:

- written notice of the appeal
- a statement of the grounds of appeal
- a statement indicating whether you wish the appeal to be dealt with by written representations procedure or a hearing - a hearing must be held if either you or the Council requests this, or if the Planning Inspector or Secretary of State decides to hold one
- a copy of the above three items to the Council when the appeal is made
- a copy of any relevant application
- a copy of any relevant permit
- a copy of any relevant correspondence between you and the Council and
- a copy of any decision or notice which is the subject matter of the appeal

You should state whether any of the information enclosed with the appeal notice has been the subject of a successful application for commercial confidentiality under regulation 31 of the 2000 Regulations, and provide relevant details. Unless such information is provided all documents submitted will be open to inspection.

Appeals should be despatched on the day they are dated and addressed to:

The Planning Inspectorate
Environment Appeals Administration
Room 4/19 - Eagle Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL BS1 6PN

An appeal will not suspend the terms of this notice.