

████████████████████  
Whiteshore Cockles Ltd  
Whiteshore  
Kyles  
Paible  
Isle of North Uist  
HS6 5DY

Our Ref: EE02600668  
Your Ref:

If emailing, mark FAO:  
████████████████████

Dear ██████████

**ENVIRONMENTAL PROTECTION ACT 1990 (AS AMENDED) (“the Act”)  
THE WASTE MANAGEMENT (SCOTLAND) REGULATIONS 2011 (AS AMENDED) (“the  
Regulations”)  
BURNING OF WASTE AT: WHITESHORE COCKLES, KYLES, PAIBLE, NORTH UIST**

It has been brought to the attention of SEPA that controlled waste has been burnt at an area of land at Whiteshore Cockles, Kyles, Paible. “Controlled waste” means household, industrial and commercial waste or any such waste.

I must advise you that it is an offence to keep, treat or dispose controlled waste, or knowingly cause or knowingly permit controlled waste to be treated, kept or disposed of in or on any land. This includes the disposal of waste by open burning under Section 33 of the Environmental Protection Act 1990, (except in accordance with Regulations 17 and 18 and Schedule 3 Paragraph 29 or 30 of the Regulations), irrespective of whether dark or black smoke is generated.

There is also potential for legal action by local authorities under The Clean Air Act 1993 if dark or black smoke is produced, and under Part III of the Environmental Protection Act 1990 if there is statutory nuisance.

Therefore, I would request that you take steps to ensure that all unauthorised burning of waste on site ceases immediately. If you believe your burning activity is covered by an exemption from waste management licensing please ensure that you meet all the relevant objectives (as detailed on SEPA’s website at <https://www.sepa.org.uk/regulations/waste/activities-exempt-from-waste-management-licensing/> )



**Chairman**  
Bob Downes

**CEO**  
OFFICIAL Nicole Paterson

**Angus Smith Building**  
6 Parklands Avenue  
Eurocentral  
Holytown  
North Lanarkshire  
ML1 4WQ

Tel: 03000 99 66 99  
[www.sepa.org.uk](http://www.sepa.org.uk)

Please note that should SEPA substantiate that you knowingly permit or knowingly cause any unauthorised burning of controlled waste at this location in future then we will take enforcement action in line with our enforcement policy which can be found at:

<https://www.sepa.org.uk/regulations/enforcement/> .

If you wish to discuss the content of this letter you can contact me at ahsh@sepa.org.uk, marking any email for my attention.

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]

Argyll, Hebrides and South Highland Environmental Performance Team

From: SEPA

Sent: Mon, 29 May 2023 15:18:12

To: SEPA

Cc: SEPA

Subject: Customer Call Enquiry: White Shore Cockles, North Uist

Importance: Normal

Sensitivity: None

OFFICIAL - CONFIDENTIAL

Customer Call Enquiry: Subject here

<b>CUSTOMER DETAILS</b>	
NAME	
BUSINESS NAME (if applicable):	Police Scotland
ADDRESS	
TOWN	
POSTCODE	
Tel	
Email	

**Details of the enquiry:**

is looking to speak to someone in the Stornoway office in relation to reports of burning they have taken.

A company "White shore Cockles" have been reported as burning miscellaneous items including gas canisters, metals and other items which is giving off huge billowing black smoke clouds.

They want to talk to officers as the police believe SEPA have a history with this company.

**NOTE:** If you require any checks on information (invalid telephone number/ or clarify information) –which will require a call to be listened to:

Please reply to @sepa.org.uk as this is monitored by SCC Senior operators who can carry out a check.

Regards

Scottish Environment Protection Agency (SEPA)

Angus Smith Building | 6 Maxim Park | Holytown | ML1 4WQ



The information contained in this email and any attachments may be confidential and is intended solely for the use of the intended recipients. Access, copying or re-use of the information in it by any other is not authorised. If you are not the intended recipient please notify us immediately by return email to [postmaster@sepa.org.uk](mailto:postmaster@sepa.org.uk)

Registered office: SEPA, Angus Smith Building, 6 Parklands Avenue, Eurocentral, Holytown, North Lanarkshire, ML1 4WQ. Under the Regulation of Investigatory Powers Act 2000, the email system at SEPA may be subject to monitoring from time to time.

Dh'fhaodadh gum bi am fiosrachadh sa phost-d seo agus ceanglachan sam bith a tha na chois diomhair, agus cha bu choir am fiosrachadh a bhith air a chleachdadh le neach sam bith ach an luchd-faighinn a bha còir am fiosrachadh fhaighinn. Chan fhaod neach sam bith eile cothrom fhaighinn air an fhiosrachadh a tha sa phost-d no a tha an cois a' phuist-d, ch

an fhaod iad lethbhreac a dhèanamh dheth no a chleachdadh a-rithist. Mura h-ann dhuibhse a tha am post-d seo, feuch gun inns sibh dhuinn sa bhad le bhith cur post-d gu [postmaster@sepa.org.uk](mailto:postmaster@sepa.org.uk)

Ofis chlàraichte: Togalach Aonghais Mhic a' Ghobhainn, 6 Craobhraid Parklands, Eurocentral, Baile a' Chuilinn, Siorrachd Lanraig a Tuath, ML1 4WQ Fo Achd Riaghladh nan Cumhachdan Rannsachaidh 2000, dh'fhaodadh gun tèid an siostam puist-d aig SEPA a sgrùdadh bho àm gu àm

**OFFICIAL - CONFIDENTIAL**

From: SEPA

Sent: 31 May 2023 15:26:14

To:

Subject: RE: Whiteshore Fish site

Importance: Normal

Sensitivity: None

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Hi

Thank you for the information and note what you say and what was able to tell me on our call. There is a contradiction between your version of events and what SEPA has been informed by Police Scotland, mainly over whether the burning of inappropriate materials was accidental or not. On this occasion SEPA will issue an advisory letter to Whiteshore Cockles Ltd to put on record that no burning of plastic wastes should take place. I note the steps you put in place at the time of the fire to put it out and those you intend to put in place to prevent a reoccurrence. I would like to take this opportunity to remind you of the need for waste transfer notes to be kept for a minimum of 2 years and provide an audit trail demonstrating waste has been dealt with appropriately and taken to a licensed site for disposal.

While burning is generally not an appropriate method of disposal of waste on occasion it can be permitted as part of an activity exempt from the need for a waste management licence. There is a waste exemption which permits the burning of plant material in the open:

30. —(1) Burning waste on land in the open if—

(a) the waste consists of plant tissue;

(b) it is agricultural waste or it is produced on land which is operational land of a railway, light railway, tramway, British Waterways, or which is a forest, woodland, park, garden, verge, landscaped area, sports ground, recreation ground, bank of an inland waterway, churchyard or cemetery, or it is produced on other land as a result of demolition work;

(c) it is burned on the land where it is produced; and

(d) the total quantity burned in any period of 24 hours does not exceed 10 tonnes.

(2) Sub paragraph (1) only applies to the burning of waste by an establishment or undertaking where the waste burned is the establishment or undertaking's own waste.

(3) The burning of waste consisting of plant tissue waste, in pursuance of a notice given under article 32 of the Plant Health (Scotland) Order 2005.

(4) The total quantity of waste burned under sub-paragraph (3) in any period of 24 hours shall not exceed 10 tonnes.

(5) The storage pending its burning, on the land where it is to be burned, of waste which is to be burned in reliance upon the exemption conferred by sub paragraph (1) or (3).

(6) The treatment of land for the benefit of agriculture or ecological improvement by incorporation into soil of ash from waste which is burned on that land in reliance upon the exemption conferred by sub paragraph (1) or (3).

This is a free exemption, but it does need to be registered with SEPA. Burning can only take place where the above conditions are complied with and the relevant objectives, below, are met:

- endanger human health;
- present a risk to water, air, soil, plants or animals;
- cause nuisance through noise or odours;
- adversely affect the countryside or places of special interest.

Further information is available at [Activities exempt from waste management licensing | Scottish Environment Protection Agency \(SEPA\)](#) and The exemption can be registered online [Waste Management Exemptions | Scottish Environment](#)

