

Compliance Assessment Report CAR_NRW0039949

Permit being assessed: CB3197HF.

For: Davies Motors, held by Mr Gareth Lloyd Davies and Mr Arwyn Lloyd Davies

At: Mill Garages, Betws Gwerfil Gich, Corwen, LL21 9PU.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 24/05/2022 between 14:05 and 15:00.

Parts of permit assessed: Site security, containment of stored materials, staff competency, materials acceptance, reporting and notification

NRW Lead Officer: Kathryn Bradshaw, accompanied by Bogusława Pierzchała.

Report sent to: Gareth Davies & Arwyn Davies, Site Owners on 26/05/2022.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	Action only (X)	
D1 - Incident Management - Site security	Action only (X)	
C1 - General Management - Staff competency/training	Action only (X)	
B4 - Infrastructure - Containment of stored materials	Action only (X)	
D1 - Incident Management - Site security	Action only (X)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
0	0

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
C2	Remove 6 waste vehicles to allow an access way through the whole site	01/08/2022
D1	Install permanent fencing	01/08/2022
C1	Employ a qualified TCM by the end of July before any de-pollution operations start	01/08/2022
B4	Store all compressed gas canisters in a suitable cage preferably outside on an impermeable surface	13/06/2022
D1	Install more CCTV cameras to fully cover the site	13/06/2022

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

This was a pre-arranged inspection to ensure Gareth and Arwyn Lloyd-Davies, the owners, were on site as due to the site being non-operational they are not always present on site.

The amount of vehicles being stored on site has increased. Some of these were working vehicles and a small number were waste vehicles.

Vehicles stored in front of the security gates



None of the work that is required to bring the site up to standard to comply with the requirements of the permit has been completed. These actions were detailed in the first inspection on 05/11/2021 (CAR-NRW0038918).

One of these actions was to remove some of the waste vehicles on site to a permitted site. No waste vehicles have been removed. Gareth Lloyd-Davies stated during the inspection

that there were approximately 40 waste vehicles being stored within the rear of the permitted site behind the security gates and some have been there for about 10 years. He stated that the vehicles had no engines or other hazardous parts in them.

Removal of these vehicles is a priority as they are all waste. Currently the site is so full it would be difficult to access all parts of the permitted area. This is a serious issue if there was a fire as emergency vehicles would not be able to access the majority of the permitted area.

Discussions were held on site and it was agreed that 6 waste vehicles would be removed by the end of July 2022 to create access to the rear of the site and allow the site to be organised and any infrastructure works to start.

No new waste vehicles can be stored on site until some of the waste has been removed. We will be formalising the removal of these vehicles if progress is not made by the end of July.

The current fencing is unsuitable and does not make the site secure or prevent waste escaping.

The installation of permanent fencing is due start in June and be completed by the end of July.

The intention is to get temporary TCM cover from the end of July so the site can begin operations.

One of the other actions identified on 05/11/2022 was to clear out the proposed de-pollution building. However the building is still full and there are currently 3 coaches being stored inside the building. There were also numerous compressed gas canisters, batteries and containers of oils within the building.

Compressed gas and fuel inside de-pollution building



Following discussions on site, it was agreed to store all the compressed gas canisters inside a suitable cage outside as soon as possible.

Prior to starting operations the de-pollution building will need to be cleared of any hazardous liquids and either stored or disposed of. Self bunded tanks for the storage of oils and fuels have already been purchased but the company has yet to purchase any draining equipment to start de-pollution.

The site currently has CCTV cameras that monitor the site entrance and de-pollution building. It was advised that the rest of the site needs to be monitored for fire risk and security. CCTV is planned to be installed in the next few weeks in several locations across the site and will be remotely monitored 24 hours.

It is advised that your local authority is consulted before any major infrastructure works and the start of site operations.

Thank you for your time during the inspection.

Kind Regards,

Kathryn Bradshaw

Swyddog Rheoleiddio Gwastraff Peryglus (GD)/ Hazardous Waste Regulation Officer (NE)

Cyfoeth Naturiol Cymru/ Natural Resources Wales

Ffôn/ Phone: 03000 65 5191

Ffordd Caer, Bwcle. Sir Fflint. CH7 3AJ / Chester Road, Buckley. Flintshire. CH7 3AJ

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by

Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.