

Compliance Assessment Report CAR_NRW0040423

Permit being assessed: YP3632EM.

For: Sandycroft Poultry Processing, held by 2 Sisters Food Group Limited

At: VION Sandycroft Glendale Avenue , Sandycroft, DEESIDE, Clwyd, CH5 2QP.

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

On 12/09/2022 between 13:15 and 13:55.

Parts of permit assessed: various

NRW Lead Officer: Rebecca Harwood, accompanied by Julia Frost, Stuart Ross.

Report sent to: Steven Van Der Keift, HS&E Manager on 28/09/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	C2 Significant	Condition 2.1.1
C2 - General Management - Management system and operating procedures	C3 Minor	Condition 1.3.1
B4 - Infrastructure - Containment of stored materials	Action only (X)	
F1 - Amenity - Odour	Assessed (A)	

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

Total number of non-compliances recorded	Total non-compliance score
2	35

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
A1	see text below	30/09/2022
C2	see text below	30/09/2022
B4	see text below	30/09/2022

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.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

This Compliance Assessment Report follows a site inspection on 12/09/2022 following the expiry of a Regulation 36 Statutory Notice requesting the site to comply with their operating techniques for the management of carcasses.

Although there was not a trailer in place for carcasses during the visit it was clear that a trailer had been in position as carcasses were evident on the ground. A subsequent drive by of the site on 13/09/22 and visit on 14/09/22 by NRW officers confirmed the use of the bulk trailer. The site continues to operate in breach of its operating techniques. **This has been scored a category 2 breach of 2.1.1 - operating techniques.**

The Regulation 36 Notice has not been complied with and we are considering our enforcement action.

On 02/09/22, 2 Sisters submitted to NRW a proposal to install an inflatable building which would cover the unauthorised activity. It was discussed on site during the visit on 12/09/22 that this building can no longer be located where the existing trailer is and is to be located elsewhere. An updated location plan was emailed to NRW on 13/09/2022 but details regarding timescales and a date for implementation were not provided at the time.

During the visit on 14/09/2022 NRW requested a date for the implementation of the proposed structure. The Operator stated verbally that the building would be delivered to site on 26/09/2022 and would take a couple of days to erect. This was confirmed in an email received later the same day.

NRW have responded separately to this proposal by letter.

A number of gulls were evident during the visit on 12/09/22 and NRW officers observed a gull scavenging a carcass. The last trailer left Sandycroft at 11:25 meaning that the carcasses seen on site had been on the ground for at least 2 hours. Previously it has been stated that any carcasses would be cleared immediately, this is not happening resulting in birds continuing to be attracted to the site. **This has been scored a category 3 breach of 1.3.1 - management.**

Action: Cleaning regimes to be reviewed and training improved to avoid these issues.

There was an additional employee seen on site picking up carcasses that had fallen from the dolav as it was tipped on 14/09/22. The area was cleaner during this visit and the number of birds on site had reduced.

During the visit on the 12/09/22 chicken feet were also noted on the ground adjacent to the ABP trailers at the rear of the site where a dolav was being tipped into the CAT2 trailer. Liquid was seen running out of this trailer adjacent to the offal gantry. Feet were also seen in a drain by the lairage. **This has been scored a category 3 breach of 1.3.1 - management (consolidated), see action above.**

A strong odour was detected on site when the refrigerated CAT3 container was opened - this was transient whilst the operative was loading a dolav into the container. This odour was not picked up off site following the visit.

An unbunded IBC was seen adjacent to Bay 1 of the Despatch Bay. It was stated that this was linked to the recent works that been undertaken on the doors.

Recommendation: The Operator should ensure that this IBC is removed or is banded if the works have not been completed.

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.