

Compliance Assessment Report CAR_NRW0040633

Permit being assessed: AB3693CX.

For: Cerrigcroes Poultry Unit, held by A J, J M, R J & R E Abberley

At: Cerrighos, Llanyre, Llandrindod Wells, Powys, LD1 6EU.

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

On 19/10/2022 between 11:00 and 13:00.

Parts of permit assessed: All

NRW Lead Officer: Ffion Jones.

Report sent to: Mr Ross Abberley , Farm Manager/ Owner on 01/11/2022.

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	C4 No impact	1.1 General Management
D2 - Incident Management - Accidents, emergency and incident planning	C4 No impact	1.1 General Management
H2 - Resource Efficiency - Energy efficiency	C4 No impact	1.2 Energy Efficiency
H1 - Resource Efficiency - Efficient use of raw materials	C4 No impact	1.3 Water Usage
E5 - Emissions - Waste	C4 No impact	1.4 Avoidance, recovery and disposal of wastes produced by the activities
C2 - General Management - Management system and operating procedures	C4 No impact	2.3 Operating Techniques
C2 - General Management - Management system and operating procedures	C3 Minor	2.3 Operating Techniques
C4 - General Management - Storage, handling labelling and Segregation	C4 No impact	3.2 Emissions of substances not controlled by emission limits

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

Total number of non-compliances recorded	Total non-compliance score
8	4.7

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	Ensure regular maintenance checks, failures and actions taken are recorded	02/11/2022
D2	Ensure Raw Materials List and Drainage Plan is attached to the Accident Management Plan. Please ensure a complete copy of the Accident Management Plan is located in the gatehouse	25/11/2022
H2	Energy usage review document required.	25/11/2022
H1	Water Usage document required.	25/11/2022
E5	Please dispose of all wastes in the correct manner	25/11/2022
C2	Please amend Nutrient/Manure Management Plan to add any recent land purchase. Please ensure soil samples show nitrogen analysis.	16/12/2022
C2	Please carry out up to date manure analysis.	16/12/2022
C4	Please ensure secondary containment bund is provided for the generator fuel store.	16/12/2022

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

Natural Resources Wales officer Ffion Jones met with poultry operator Mr Ross Abberley to carry out the routine poultry inspection on the 19th October 2022 at 11am. Thank you for your time during the site visit.

Non-Compliances (recorded in summary) Actions to be addressed –

Inspection and Maintenance

Please implement this action immediately. Please record and log any maintenance checks, damages, failures and what action was taken to remediate the work. Please include details such as damage/failure, date, time, action taken to repair, date/time of action.

Action Management Plan

Please ensure a drainage plan and a raw materials list is attached to the Accident Management Plan. Please provide a complete copy of the Action Management Plan in an accessible location e.g. gatehouse by 25/11/2022

The Drainage Plan must include site layout drawn to scale, direction of flow, dirty water tanks/channels, clean water tanks/channels, diverter valves, surface and foul drains, identify sensitive receptors and any environmental hazards.

The Raw Materials List should include any raw materials that are used within the permitted area, maximum amount that is likely to be stored at any one time, annual throughput and description of use. For example (add and amend the table as appropriate for site specific raw materials) -

Raw Materials	Maximum amount stored at any one time	Annual throughput	Description of use
Water			
Gas			
Diesel			
Oil			
Chemicals (specify which ones)			
Scrubber inputs e.g. acid			
Biosecurity/Disinfectants (specify which ones)			
Manganese			
Medicines (specify which ones)			
Wood shaving			
Bedding			
etc.			

Energy Efficiency (page 15-1.3 within document "How to comply") - Please provide a statement of your energy source and how attempts are made to reduce usage, this review must be carried out every 4 years – e.g., type of woodchip you use, heat exchangers, solar panels, LED lighting etc. *Please produce an Energy efficiency review plan to NRW by 25/11/2022.*

Water Usage (page 18 1.4 within document "How to comply") - Please provide information to show an audit is carried out to try and reduce water consumption, a review of water usage must be carried out within 4 years of the permit issued - e.g., water consumption is monitored and recorded daily, equipment check to ensure no leaks, up to date feeders used etc. *Please produce a Water Usage review plan and send to NRW by 25/11/2022*

Disposal of Waste (page 20 1.5 within document "How to comply") – A review of waste must be carried out within 4 years of issue of permit and opportunities identified to avoid/ reduce waste being produced. e.g. consider if you can avoid producing the waste and any way you plan to use less waste etc. Please produce a Waste review plan and send to NRW by 25/11/2022.

Waste that is removed from site must be taken to a suitably permitted facility by a registered waste carrier. Please ensure that the movement of all waste is accompanied by a correctly completed Waste Transfer Note. Please see the link below for further information.

<https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice>

Manure management – on site spreading in accordance with manure management plan – The plan should detail which land is suitable for spreading and when spreading can be carried out and take account for any manures brought onto the installation, including sewage sludge and other organic wastes. The weight and nutrient content applied to each field should be recorded.

Please update the Manure/Nutrient Management Plan to include any additional land purchased that can be used for spreading. Please also ensure that soil samples include soil nitrogen supply so that spreading practices can be amended based on results. *Please provide the required information to NRW by the 16/12/2022.*

Spreading on own land – manure and slurry nutrient analysis – Where manure and slurry is spread on own land, they must be analysed to provide information for nutrient management planning. Records should show that analysis is carried out twice yearly, or once per production cycle where that cycle exceeds six months. The analysis should include available nitrogen, total nitrogen, available phosphorus, and total phosphorus. *Please provide the report to NRW by the 16/12/2022.*

The Water Resources (Control of Pollution) (Oil Storage) (Wales) Regulations 2016

Please provide evidence to NRW that adequate secondary containment is provided for the fuel stored within the generator on site by the 16/12/2022.

Please see link below for more information:

[The Water Resources \(Control of Pollution\) \(Oil Storage\) \(Wales\) Regulations 2016 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2016/1044/contents/make)

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.