

Compliance Assessment Report CAR_NRW0040700

Permit being assessed: BB3992CF.

For: Your Car Spares, held by Your Car Spares Limited

At: Unit 31 Fern Close, Pen y Fan Ind Est, Crumlin, Newport, NP11 3EH.

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

On 10/11/2022 between 09:00 and 10:00.

Parts of permit assessed: Various

NRW Lead Officer: Greg Gardner, accompanied by Mark Powell.

Report sent to: Mr. Dean Staples, Operator on 21/11/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C1 - General Management - Staff competency/training	C3 Minor	1.1.4
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.2.2
A1 - Specified by permit	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
D1 - Incident Management - Site security	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F5 - Amenity - Deposits on road	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	4.1

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
C1	Please provide an up to date WAMITAB certificate as current records show it is out of compliance or enrol on an approved competence scheme to comply as per permit conditions	03/03/2023

Criteria	Action needed	Complete by
	1.1.4. If certification is not effective, please complete continuing competency to validate the qualification.	
G4	Please send all annual waste return data to NRW since the permit was issued (2020). Waste returns must be submitted even if a null return	31/01/2023

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.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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 report details the site visit made on the 10 November 2022 to Your Car Spares Ltd, Permit number EPR-BB3992CF.

NRW Officer Greg GARDNER along with PC Mark POWELL attended the Your Car Spares Ltd Site at Unit 31 Fern Close, Pen Y Fan Industrial Estate, Crumlin, Newport, NP11 3EH, for a routine site inspection at 09:00am where we met with Mr. Dean STAPLES (Director / Owner) and Mr. Tim HODGES (Site Employee) for this site. The weather was intermittent rain and mild all through the site visit.

To remind the company following each visit Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the inspection. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions which can affect your site banding and annual subsistence fees; this is scored on a Category 1 - 4 basis:

- 1 - Major, serious persistent and/or extensive impact on the environment/people/property
- 2 – Significant impact or effect on the environment/people/property
- 3 – Minor impact or effect on the environment/people/property
- 4 – A non-compliance which has no potential environmental effect

PERMIT BREACHES

Below are permit breaches that were identified during the site inspection.

CATEGORY 3 BREACH – PERMIT CONDITION 1.1.4**(C1) - STAFF COMPETENCY / TRAINING**

"The operator shall comply with the requirements of an approved competence scheme."

- Operator has failed to submit WAMITAB certificate and is anticipated to be expired
- Action raised on previous site inspection (CAR_NRW0039459)

Please see report content for further justification

CATEGORY 4 BREACH – PERMIT CONDITION 4.2.2**(G4) – REPORTING AND NOTIFICATION TO NATURAL RESOURCES WALES**

"Within one month of the end of each year, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous year."

- Failure to submit annual waste returns to NRW since permit issued on 02/12/20

Please see report content for further justification

GENERAL OBSERVATIONS

Your Car Spares Ltd operate under a standard rules SR2011No3 – vehicle storage, depollution & dismantling (authorised treatment) facility environmental permit. This permit was granted to this site on 02/12/20. These rules apply to the recovery (including storage) of all waste motor vehicles. The total quantity of waste that can be accepted at a site under these rules must be less than 5,000 tonnes a year. These rules will not permit the burning of any wastes, either in the open, inside buildings or in any form of incinerator.

SITE INSPECTION

The purpose of this site visit was for Officer GARDNER to undertake a routine site inspection of the permitted waste operation with the operator, Mr. Dean STAPLES. Upon arrival Mr. STAPLES was not present and Officer GARDNER and PC POWELL spoke with Mr. Tim HODGES. Mr. HODGES indicated that Mr. STAPLES was unavailable to escort us around site. PC POWELL reiterated to Mr. HODGES that as the operator / permit holder, Mr. STAPLES was required. Upon entering the site Mr. STAPLES became present where he became extremely hostile towards PC POWELL who indicated that continued hostility of this nature would result in Mr. STAPLES being placed in handcuffs. Mr. STAPLES continued this hostility and was escorted from site, placed in handcuffs and sat in PC POWELL vehicle where police back-up was required.

Approximately 5 minutes later, PC Megan from Gwent Police arrived. PC POWELL briefed PC Megan who then escorted Officer GARDNER on to site to conduct a site inspection with Mr. HODGES accompanying. During this site inspection, Mr. STAPLES remained in PC

POWELL vehicle who was in constant discussion with him.

Whilst on site, the general housekeeping was in good condition with very little amounts of loose debris located on the floor (as seen in photo 1 & 2). It was also noted that the concrete impermeable flooring was generally in good condition. ELV (End-of-Life Vehicle) parts were stored within sealed containers with no evidence of visible leaks occurring. Waste fluids were stored within IBC (Intermediate Bulk Container) with secondary containment measures. According to Mr. HODGES approximately 2-3 cars are depolluted every week.

Following the site inspection, Mr. STAPLES was un-cuffed by PC POWELL. Mr. STAPLES indicated that the environmental permit is to be transferred to Mr. HODGES. Officer GARDNER indicated to Mr. STAPLES that until that documentation is submitted by the operator to NRW, the permit is the sole responsibility of Mr. STAPLES. During this discussion Mr. STAPLES continued to walk away from Officer GARDNER and PC POWELL.

This unacceptable behaviour will not be tolerated by NRW when attending a permitted facility. This hostile encounter was also experienced on previous visits to this site, notably on 11/02/22 (CAR Form Reference: CAR_NRW0039459) and on 02/11/22 where NRW Officers, following risk assessing the situation with Mr. STAPLES extreme hostile nature, decided not to conduct the site visit for personal safety.

REVOKING ENVIRONMENTAL PERMITS

Please note that NRW reserve the rights to revoke the environmental permit when warranted officers are subjected to unacceptable behaviour from the operator. A **letter of concern** has been sent to Mr. STAPLES making it clear that this continued hostile behaviour is unacceptable and further routine site inspections at this site which result in a hostile nature will result NRW revoking the permit. If this occurs, all waste activities at the site would need to cease and, if not adhered to, you would be liable for criminal prosecution under the Environmental Permitting Regulations (England and Wales) 2016.



Photo 1 - Good housekeeping standards on site



Photo 2 - Good housekeeping standards on site

WAMITAB CERTIFICATE

There is no record of Mr. STAPLES WAMITAB certificate on NRW records and no indication from Mr. STAPLES that a course has been undertaken or planned to be undertaken. Under your EPR-BB3992CF permit condition 1.1.4 it states:

"The operator shall comply with the requirements of an approved competence scheme"

This was raised on the previous site inspection CAR Form (CAR_NRW0039459). As the operator has not updated NRW with regards to WAMITAB certification this breach has been escalated.

ACTION: Please provide an up to date WAMITAB certificate as current records show it is out of compliance or enrol on an approved competence scheme to comply as per permit conditions 1.1.4. If certification is not effective, please complete continuing competency to validate the qualification

WASTE RETURN SUBMISSIONS

According to NRW records, Your Car Spares Ltd have failed to submit any waste return data since the granting of their permit on 02/12/20. Failure to supply the waste return data will escalate the permit breach.

Permit condition 4.2.2. states that *'Within one month of the end of each year, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous year'*

As a reminder to the operator, please see below the waste return submission deadlines:

Waste Return Submission Deadline

Annual Return Period	Deadline
January 1 to December	January 31 of the following

31

year

A blank waste return spreadsheet has been sent to the operator via email to ensure that they have the correct template to submit any outstanding waste returns to NRW. Site management need to put in place measures to ensure that the Return data is submitted diligently annually. This can be done by setting calendar reminders or having a consultant to submit the business' data. We can escalate breaches if this is a continuing non-compliance.

ACTION: Please send all annual waste return data to NRW since the permit was issued (2020). Waste returns must be submitted even if a null return.

LICENCE TRANSFER

During the site inspection, it was indicated by Mr. STAPLES that he plans to transfer the name of the permit holder from himself to Mr. HODGES. NRW Waste Permitting Team have indicated that the EPR-BB3992CF permit holder is currently 'Your Car Spares Limited' and not an individual. Therefore, Mr. STAPLES is not the holder of the permit as an individual. If you want to transfer the permit from 'Your Car Spares Limited' to an individual e.g., Mr. HODGES, then that would indeed need to be completed under a permit transfer application. The information for completing a transfer application is on the NRW website, see below link.

[Natural Resources Wales / Apply to transfer a waste permit](#)

NRW Officer Greg GARDNER and PC Mark POWELL left site at 10.00am the same day.

If you have any issues with this report, please contact Greg Gardner on greg.gardner@naturalresourceswales.gov.uk

Thank you.

In this document 'Natural Resources Wales' means the Natural Resource 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.