

Compliance Assessment Report CAR_NRW0040736

Permit being assessed: SP3438WH.

For: Bryn Golau Poultry Farm EPR/SP3938WH, held by Hook 2 Sisters Ltd.

At: Bryn Golau, Saron, Denbigh, Flintshire, LL16 4TH.

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

On 03/10/2022 between 10:40 and 11:30.

Parts of permit assessed: all

NRW Lead Officer: Libby Hughes.

Report sent to: Andrew Irving, Environment Manager on 25/11/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
H1 - Resource Efficiency - Efficient use of raw materials	Assessed (A)	
H2 - Resource Efficiency - Energy efficiency	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3 Minor	Permit Condition 4.3.1
D2 - Incident Management - Accidents, emergency and incident planning	C3 Minor	Permit Condition 1.1
D1 - Incident Management - Site security	C4 No impact	Permit Condition 1.1
D2 - Incident Management - Accidents, emergency and incident planning	C4 No impact	Permit Condition 1.1

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

Total number of non-compliances recorded	Total non-compliance score
4	8.2

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
G4	Please notify NRW in future if any incidents or accidents occur which could affect the environment.	Already completed
D2	Amend the site map to show the missing building. Dead bird platform / bins & skips have moved position because of the building removal. This also needs amending on the site map.	16/01/2023
D1	Amend the Entrance Notice so that it shows the correct phone number for NRW's Incident Response: 0300 065 3000	19/12/2022

Criteria	Action needed	Complete by
D2	Update the list of phone numbers in the Accident Management Plan so that the correct phone number is listed for NRW - 0300 065 3000	19/12/2022

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.

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

Thank you for making me welcome and showing me around Bryn Golau Poultry Unit on October 3rd.

I can confirm that the Improvement Programme report showing your compliance to the Best Available Techniques under the BREF Report 2017 (link below), as specified in your permit, was received by NRW in 2021 as required and is acceptable. Just a reminder that when reporting to NRW in January 2023 you will be required to include phosphate and nitrogen emissions in your Emissions Returns as well as ammonia. How to calculate these can be found in section 5.4.9.1 of the above report.

Non-Compliances

[Best Available Techniques \(BAT\) Reference Document for the Intensive Rearing of Poultry or Pigs - Industrial Emissions Directive 2010/75/EU \(Integrated Pollution Prevention and Control\) \(europa.eu\)](#)

I can also confirm that the 4-year review for efficient use of energy and raw materials (which includes water use & waste) was received in April 2022 and is compliant.

Non-Compliances

- Shed 4 blew down during Storm Arwen in November 2021. Section 4.3 of your permit states:

4.3 Notifications

4.3.1 (a) In the event that the operation of the activities gives rise to an incident or accident which significantly affects or may significantly affect the environment, the operator must immediately:

(i) inform Natural Resources Wales

NRW was not informed at the time, which constitutes a breach of your permit. Please ensure that NRW is informed as soon as possible in future if anything occurs on site which has the potential to affect the environment. This can be done either through the 0300 065 3000 Incident Management phone number, or by e-mailing neagriculture@cyfoethnaturiolcymru.gov.uk

- Update your Site Plan to reflect that shed 4 is not there. As a number of things have been moved to different locations around the site following the damage and subsequent removal of the shed these should also be reflected in the site plan. please amend this and send it to your Environment Officer Libby Hughes libby.hughes@cyfoethnaturiolcymru.gov.uk by the middle of January at the latest.
- Amend the notice board at the entrance to the site so that it shows only NRW's 0300 065 3000 incident response phone number and not the old 0800 number. Please update this as soon as possible (by the middle of December at the latest) and send me a photo to show that it has been done.
- Update the list of emergency phone numbers in your Accident Management Plan so that the correct phone Incident Response phone number is listed for Natural Resources Wales

I should like to remind you that when you decide to replace shed 4, you will need to apply for a variation to your permit unless the shed is rebuilt to the exact specifications as the original.

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.