

Compliance Assessment Report CAR_NRW0040728

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: Audit, Reason: Routine.

On 23/11/2022.

Parts of permit assessed: FPMP

NRW Lead Officer: Kathryn Bradshaw.

Report sent to: Gareth Davies & Arwyn Lloyd-Davies, Site Owners on 30/11/2022.

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	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	Update FPMP with actions detailed in the report	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

Fire Prevention & Mitigation Plan (FPMP) Review

The following Fire Prevention and Mitigation Plan (FPMP) version has been reviewed for the audit; Fire Prevention & Mitigation Plan (Doc. Ref 2468-001-8, Version 1.2), Oaktree

Environmental Ltd, 11th November 2022. The document was assessed against the FPMP guidance document, Fire Prevention & Mitigation Plan Guidance – Waste Management (Version 2.0), August 2017. The main objective of the review was to assess if the site FPMP meets minimum guidance standards and has been updated following the site inspection on 29/09/2022 (CAR – NRW0040478).

The FPMP guidance document describes what must and what should be included within an operator's FPMP. "Must" conditions are considered mandatory unless it can be justified what alternative measures are in place that meet or exceed the guidance standard. "Should" measures are to be followed, unless alternatives are proposed or explain why they don't apply.

Site Plan

The following site plans were reviewed for the audit, Site Layout and Fire Plan MIL-2468-03 and Receptor Plan MIL-2468-04. Both plans appear well-drawn, labelled appropriately and easy to read. During an incident, the Fire & Rescue Service will need to readily locate the off-site emergency information pack to reduce the impact and spread of a fire. There is no emergency services box located on the plan. It is advised that site plans are printed in A3 format, so that it is visibly clear in an emergency.

Action 1. Update your site plan to show the information below:

- Areas where hazardous materials are stored, specifically the location of gas cylinders. During recent inspections we have been informed that gas cylinders were to be stored outside.
- Drainage systems, foul and surface water drains, and their direction of flow and outfall points. This was discussed during the most recent inspection.
- Location of sensitive receptors within 1km of your site – the closest residential receptors located immediately opposite and adjacent to the site have not been identified on the plan, or contact numbers for these provided.
- Location of the emergency services box.
- Mains water, reference is made in 9.1.1 and 10.2.1 to the availability of hoses to assist in extinguishing a fire. Section 10.3.2 states the operator has the ability to connect to the water mains on the road. These are not shown on your site plan.
- Location of drain covers and poly boom.
- Assembly Point for staff and visitors.
- Tyre storage - on the plan this is shown inside the building but tyres are being stored outside and it was recommended by NWFRS that these were stored away from the building.

Section 2 Managing common causes of fire

Section 2.6.1 Refers to a 24 hour remotely accessible CCTV and an out of hours contact will be alerted by phone if there were any issues. During the site inspection on 29/09/2022 the owners confirmed this was not in place. 2.6.4 states that other security measures are clearly shown on Drawing No MIL-2468-03 to prevent unauthorised access. The drawing does not show any security measures.

Action 2. Site security

- Confirm how the site will be made secure from a fire prevention perspective and show on the site plan
- Confirm if the 24hr remotely accessible CCTV will provide an alert system.

Section 2.3.1 states that no hot works will take place at the site, however during the most recent inspection the use of different cutting equipment was discussed.

Action 3. Site Operations

- Confirm what equipment will be used to dismantle ELV's and review the FPMP if hot works will be occurring on site.

Section 8.5 Access for emergency services

Section 8.5.1 states that the nearest fire station is 4.3 miles away, however this is a retained/part-time fire station, which was highlighted during the inspection, and response times may be longer than stated. The two closest full time fire stations to the site are at Wrexham and Rhyl. It is advised that this section is updated to reflect this.

Thank you for submitting your FPMP for review. In addressing the points raised above, it should not be relied upon to mean that the measures are considered to represent appropriate measures covering every eventuality through operation of the permit. Your FPMP should be kept under constant review to ensure measures remain effective. **You must also ensure that the plan is fully implemented on site at all times.** The plan should be revised where necessary in accordance with Section 24 - Reviewing and Monitoring your Fire Prevention & Mitigation Plan of the guidance.

Action 4. Review

Review your FPMP document in-line with the current guidance and follow the action items detailed in this report. Your FPMP document should be updated accordingly by **16th December 2022**. Your FPMP will be assessed for compliance against the findings of this report during the next site 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

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.