

Compliance Assessment Report CAR_NRW0040356

Permit being assessed: NP3533VH.

For: Tir Barwn, held by Barwn Ltd

At: Tir Barwn , Betws Gwerfil Goch, CORWEN, Clwyd, LL21 9PF.

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

On 25/08/2022 between 09:15 and 11:45.

Parts of permit assessed: All

NRW Lead Officer: Libby Hughes, accompanied by Anthony Randles.

Report sent to: Carys Evans, Operator on 15/12/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	C4 No impact	Permit Condition 2.2.1
C1 - General Management - Staff competency/training	C4 No impact	Permit Condition 1.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3 Minor	permit conditions 1.2.1(b) - energy; 1.3.1(c) - raw materials and water; and 1.4.2 - waste
B5 - Infrastructure - Plant and equipment	C3 Minor	permit condition 2.1

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
A1	Amend the site plan so that all activities occur within the land shown edged in green on the site map.	31/03/2023
C1	Contact your training provider and carry out all necessary training to ensure that you are up to date.	31/03/2023
G4	Complete 4-year review of efficient use of energy, water, raw materials and waste and send it to your environment officer for approval.	30/01/2023
B5	Submit a permit variation to include heat exchangers and the ground source heat pump	30/03/2023

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

Thank you for showing myself (Libby Hughes) and my colleague Anthony Randles around your installation on August 25th. In general, we were very impressed by the on-site operations, however there are a number of issues regarding the paperwork which were brought to your attention at the time of the visit, and which have not so far been rectified.

Site map

The version of your site map which we currently hold on file is very out of date and needs amending to ensure that all activities associated with the poultry unit are correctly included on the site map, including the carcase store which is currently located outside the site boundary. You are proposing to move the wastewater tank, so it would be sensible to wait until this is completed, but please ensure that all amendments included and that the site map is correct. Please send a copy of your current site map to your environment officer libby.hughes@cyfoethnaturiolcymru.org.uk as soon as you have updated the map.

Staff Training

A number of training modules have expired and are out of date for all three staff members. I understand that training has been more difficult to access following the Covid pandemic, but you should contact your training provider and arrange to complete the out-of-date training as soon as possible to ensure that all staff members' training is brought fully up to date by the end of March 2023.

Four Year review

As we discussed during my visit you are required to report every four years on energy efficiency and the efficient use of raw material. You were sent a form via email on 30th August 2022 to complete and return, to report on your use of energy, water, raw materials and waste. Could you please fill this in and return it to Libby Hughes by the end of January 2023 at the latest.

Outstanding Actions

The previous CAR form CAR_NRW0033318 dated 9th May 2018 advised that you needed

to vary the permit to include the heat exchangers in your permit. This was not done. Since then you have also installed a ground source heat pump, and solar panels, although the solar panels do not need to be included in your permit. As a matter of urgency, you must apply for a permit variation. Below is the link to submit a variation.

[Natural Resources Wales / Apply to vary \(change\) a permit for installations](#)

Please ensure that the variation is submitted by the end of March 2023.

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.