

Compliance Assessment Report CAR_NRW0040972

Permit being assessed: AB3093ZW.

For: Upper heath Poultry Farm, held by Phillip Rogers

At: Presteigne, Powys, LD8 2HG.

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

On 11/01/2023 between 11:00 and 13:00.

Parts of permit assessed: All

NRW Lead Officer: Ffion Jones.

Report sent to: Mr Nick Rogers, Owner/Operator on 20/01/2023.

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	2. Operations
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
C2 - General Management - Management system and operating procedures	C4 No impact	2.3 Operating Techniques

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

Total number of non-compliances recorded	Total non-compliance score
6	0.6

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	Please ensure Site Entrance Identification Notice is located on boundary of permitted area.	17/02/2023
C2	Ensure regular maintenance checks are conducted and recorded. Any damages and failures should be recorded with action taken.	21/01/2023
D2	Please complete Accident Management Plan by including the drainage/site plan and raw materials list. Please place a complete copy by site entrance.	17/02/2023
H2	Energy usage review document required.	17/02/2023

Criteria	Action needed	Complete by
H1	Water usage review document required.	17/02/2023
C2	Please provide sight of Manure/Nutrient Management Plan.	17/02/2023

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.

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 Nick Rogers to carry out the routine poultry inspection on the 11th January 2023 at 11am. Thank you for your time during the site visit.

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

Site Entrance Identification notice –

Please ensure that a Site Identification Notice is located on the boundary of the permitted site. The site entrance identification notice should be easily readable from outside the site.

Please confirm this action has been carried, sending a photograph as evidence will be sufficient by the 17/02/2023.

The notice must include -

- emergency contact name and telephone number of the permit holder and/or operator
- statement that the site is permitted by Natural Resources Wales
- permit number - EPR
- Natural Resources Wales general enquiries number and incident line - 0300 065 3000.

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 17/02/2023*

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. The Raw Materials list seen during inspection is sufficient but please add any materials that are used e.g. water, feed 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 17/02/2023.*

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 17/02/2023.*

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 provide sight of Manure Management Plan to NRW by the 17/02/2023.*

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.