

Compliance Assessment Report CAR_NRW0041697

Permit being assessed: EB3893HR.

For: Cox Skip And Waste Mangement, held by Paul Andrew Gareth Cox
At: Village Farm Road, Village Farm Industrial, Pyle, Bridgend, CF33 6BP.

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

On 30/03/2023 between 12:05 and 12:50.

Parts of permit assessed: All

NRW Lead Officer: Amy Bailey, accompanied by Jodie Baskerville.

Report sent to: Paul Cox, Site Operator on 24/04/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3 Minor	2.3.1
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.2.2

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

Total number of non-compliances recorded	Total non-compliance score
3	8.1

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
B3	Please provide NRW with a detailed plan of the drainage work to be undertaken and a timescale for its completion.	01/05/2023
C2	Please ensure that your EMS is up to date and please provide the most up to date copy to NRW.	01/05/2023
G4	No further action required as since the inspection, waste returns have been received and are now up to date. Thank you for sending these as requested. Please ensure all future waste returns are submitted in accordance with the permit conditions.	Already completed

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

Introduction

Waste Regulation Officers Amy Bailey and Jodie Baskerville met with Paul Denyer, Technically Competent Manager (TCM) and Andrew Cox, son of Site Operator Paul Cox.

The visit was an unannounced inspection of Standard Rules permit, ref EB3893HR.

Throughout the duration of the inspection the weather was dry and cloudy.

Site Activities

Cox Skips and Waste Management is a skip hire and rubbish removal service.

The site benefits from 24-hour CCTV and lockable gates.

Drainage

The site has an interceptor, this was not inspected as part of the visit. Officers were informed that the interceptor is emptied by "Redwood", an invoice couldn't be located at the time of inspection

Action- *please send a copy of the invoice detailing the last time the interceptor was emptied by 1.5.23*

Table 2.3 of Condition 2.3.1 outlines the operating techniques, in respect of drainage:

Table 2.3 Operating techniques

1. Unless stored or treated outside as specified waste²:
 - a) all bulking, transfer or treatment of waste shall be carried out inside a building;
 - b) all waste shall be stored in a building or within a secure container.
 - c) all waste shall be stored and treated on an impermeable surface with sealed drainage system.
2. Specified waste shall be stored and treated on hard standing or on an impermeable surface with sealed drainage system.

Following a reconfiguration of the site layout, these drainage requirements are not fully being met. This poses a risk of run off from the site entering the surface water drains.

This above breach of Condition 2.3.1 has been scored a Category 3 breach under B3 Site drainage engineering (Clean and foul).

Action Please provide NRW with a detailed plan of the drainage work to be undertaken and a timescale for its completion by 1.5.23

Environmental Management System (EMS)

Permit condition 1.1.1 states:

1.1.1 The operator shall manage and operate the activities:

- (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and
- (b) using sufficient competent persons and resources.

The failure to maintain a suitable drainage system in accordance with table 2.3, is also a breach of condition 1.1.1 as the written management system has failed to identify and minimise a breach of the permit. **As such a Category 3 breach will be recorded under C2, Management system and operating procedures.**

Action- Please ensure that your EMS is up to date and please provide the most up to date copy to NRW by 1.5.23

TCM

Permit condition 1.1.4 states 'The operator shall comply with the requirements of an approved compliance scheme'

Records show that the Technically Competent Manager is Paul Denyer, and that the certificate of Continuing Competence Programme expired on the 5th October 2022.

Action- Please forward a copy of your most recent Technically Competent Manager certificate to Natural Resources Wales via email by 1.5.23

Waste Returns

At the time of the inspection no waste returns had been submitted since 2019. Permit condition 4.2.2 requires the submission of quarterly waste returns, indicating the quantity and type of waste accepted and removed from the site during the previous quarter. **As such, this has been scored a Category 4 breach under G4, Reporting and notification to Natural Resources Wales.**

Action- No further action required as since the inspection, waste returns have been received and are now up to date. Thank you for sending these as requested. Please ensure all future waste returns are submitted in accordance with the permit conditions.

Fire Prevention Mitigation Plan (FPMP)

Permit condition 3.4 states the following:

3.4 Fire

- 3.4.1 The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance.
- 3.4.2 The operator shall:
- (a) if notified by Natural Resources Wales that the activities could cause a fire risk, submit to Natural Resources Wales a fire prevention plan which identifies and minimises the risks of fire;
 - (b) operate the activity in accordance with the fire prevention plan, from the date of submission, unless otherwise agreed in writing by Natural Resources Wales.

Action- *As significant changes have been made to the site layout, please review and update the FPMP and once complete please send a copy to NRW by 5.6.23.*

Summary

It was evident that improvements have been made since the previous inspection which was pleasing to see.

Thank you for your time during the inspection.

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.