

## Compliance Assessment Report CAR\_NRW0041635

**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:** Site Inspection, Reason: Routine.

On 31/03/2023 between 10:00 and 11:15.

Parts of permit assessed: Specified by permit

**NRW Lead Officer:** Kathryn Bradshaw, accompanied by Ian Thomas2.

**Report sent to:** Gareth Davies & Arwyn Davies, Site Owners on 16/06/2023.

### 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	C3 Minor	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

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

Total number of non-compliances recorded	Total non-compliance score
1	4

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	Site activities must not cause pollution. Ensure you have all the spill containment measures in place and clear up any spills as soon as possible to prevent ground contamination	17/04/2023

Criteria	Action needed	Complete by
	and pollution.	

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.**

**We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.**

### 4. Details of our assessment

This was a pre-arranged inspection to coincide with the site TCM, Marco Muia being on site at the time of the inspection, to complete a full inventory of any historic vehicles that were still on site and to check compliance with the Regulation 36 notice that had been issued on 20/03/2023.

On arrival we met the site owners Gareth and Arwyn Lloyd-Davies as well as Marco Muia from Oaktree Environmental.

There were 12 un-depolluted vehicles stored in different locations on the site and the site owners explained that these were working vehicles waiting for re-sale and not waste. The details of these vehicles are below:

DK07 EZG  
 Y704 HWT  
 T102 JBA  
 YM03 EOU  
 YJ09 MHV  
 YJ10 DVF  
 YTH 756  
 VT03 VLT  
 Enviro 200 (2009) - No registration plate  
 LG02 KHF  
 K200 KOR

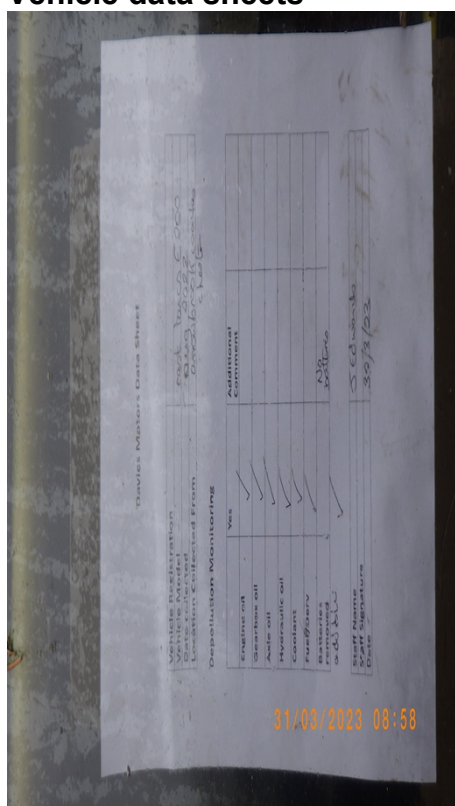
**A recommendation would be for re-sale vehicles to be stored in a designated area separate from the waste vehicles.**

The rest of the vehicles being stored at the rear of the site, beyond the security gates, were de-polluted vehicles which had data sheets on display, detailing when they had been de-polluted and check boxes to confirm all oils, coolant, fuel and batteries had been removed.

**Rear of permitted site**



**Vehicle data sheets**



There were 2 vehicles inside the garage building waiting to be fully de-polluted and 1 vehicle on a low loader waiting de-pollution. The low loader had broken down and was waiting for a part to enable them to move the vehicle inside the building.  
**Ensure this is moved inside the de-pollution area as soon as the low loader is fixed.**

**Vehicle on low loader and vehicle for re-sale**



**Vehicle being de-polluted**



There were visible oil patches on the unmade ground to the rear of the site. We believe this is from the same issue raised on the previous inspection as a result of clearing the area of vehicles and has been scored a Cat 3 non-compliance during this inspection.

Your site EMS section 4.1.3 states 'Any spillages of fuel/oil will be cleared immediately by depositing sand or absorbents on the affected area'. Section 5.3.1 also states 'In the event of a spillage a spill containment kit (absorbent pads, booms or granules) will be used to prevent further spillage and the contaminated absorbents placed in a skip for disposal to a suitably permitted facility'.

It appeared that no efforts had been made to clear this fuel/oil and no spill kits or absorbent materials were visible on site.

**Action: Ensure you have all the spill containment measures in place and clear up any spills as soon as possible to prevent ground contamination and pollution.**

**Oil on unmade ground**



The site owners are intending to concrete the area here to dismantle the vehicles once they have been de-polluted. They also intend to install an interceptor to collect any run off from this area. It was indicated that this would be done this year.

Vehicles that were being stored outside the permit boundary have now been moved inside the permitted area. There were also 2 scrap cars being stored in the permitted area and the site owners stated that they did not belong to them but would contact the owner to get them removed.

There was a scrap metal skip on site and tyres were stacked away from the de-pollution building.

The site owners confirmed the site was now operational. As discussed on site the control measures for fire water run off must be in place as soon as possible to contain any fire water run off. The drain mats are available but the site is still waiting for the boom, as referenced in Section 11.3 of the site FPMP.

Compliance with the Regulation 36 notice will be dealt with separately from this CAR form.

Thank you for your time during the 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](mailto: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](mailto: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.