

## Compliance Assessment Report CAR\_NRW0042212

**Permit being assessed:** BB3992CF.

For: Your Car Spares, held by Your Car Spares Limited

At: Unit 31 Fern Close, Pen y Fan Ind Est, Crumlin, Newport, NP11 3EH.

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

On 25/07/2023 between 10:00 and 10:15.

Parts of permit assessed: Various

**NRW Lead Officer:** Greg Gardner, accompanied by Mark Powell.

**Report sent to:** Mr. Dean STAPLES, Site Manager on 01/08/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3 Minor	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
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
G4	Please send all annual waste return data to NRW since the permit was issued (2020). Waste returns must be submitted even if a null return	29/09/2023

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

This report details the site visit made on the 25th July 2023 to Your Car Spares Ltd, Permit

number EPR-BB3992CF.

NRW (Natural Resources Wales) Officer Greg GARDNER along with PC Mark POWELL attended the Your Car Spares Ltd Site at Unit 31 Fern Close, Pen Y Fan Industrial Estate, Crumlin, Newport, NP11 3EH, for an unannounced routine site inspection at 10:00am. The weather was dry and mild all through the site visit.

#### ACTIONS FROM PREVIOUS SITE INSPECTION - CAR\_NRW0040700 - 10/11/22

Date	Action	Completed (Y/N)	Action Taken
10/11/22	Please provide an up to date WAMITAB certificate as current records show it is out of compliance or enrol on an approved competence scheme to comply as per permit conditions 1.1.4. If certification is not effective, please complete continuing competency to validate the qualification.	No	Operator has not provided an up to date WAMITAB certificate with no correspondence / evidence that the operator is planning to attend any upcoming training
10/11/22	Please send all annual waste return data to NRW since the permit was issued (2020). Waste returns must be submitted even if a null return	No	Operator has not submitted any outstanding waste returns to NRW

#### PERMIT BREACHES

Below are permit breaches that were identified during the site inspection.

#### **CATEGORY 3 BREACH – PERMIT CONDITION 4.2.2**

##### **(G4) – REPORTING AND NOTIFICATION TO NATURAL RESOURCES WALES**

*"Within one month of the end of each year, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous year."*

- Failure to submit annual waste returns to NRW since permit issued on 02/12/20
- Escalation of breach due to repeated non-compliance

Please see report content for further justification

#### GENERAL OBSERVATIONS

Upon arrival at the site at 09:00am there appeared to be no personnel present or operations taking place (see photos 1-3). The site was securely locked with no visible available entrance present. The site, from outside the securely locked gates, appeared to be non-operational. Personnel at the adjoining business informed us that the operator, Mr. Dean STAPLES, had left the site approximately 1 month prior and the facility had been non-operational since. We

were also informed that the new proprietor intends to turn this unit into a 24-hour gymnasium.

To date, NRW have received no communication from the operator of their intentions regarding the environmental permit. Further to this, a letter has been sent to Mr. Dean Staples requesting information about his intentions regarding the permit. NRW would encourage a response to this letter as a matter of urgency.



**Photo 1** - Your Cars Spares Ltd, Pen-Y-Fan Industrial Estate



**Photo 2** - Your Cars Spares Ltd, Pen-Y-Fan Industrial Estate



**Photo 3** - Your Cars Spares Ltd, Pen-Y-Fan Industrial Estate

**WASTE RETURN SUBMISSIONS**

According to NRW records, Your Car Spares Ltd have failed to submit any waste return data since the granting of their permit on 02/12/20. Failure to supply the waste return data will escalate the permit breach.

Permit condition 4.2.2. states that *‘Within one month of the end of each year, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous year’*

As a reminder to the operator, please see below the waste return submission deadlines:

**Waste Return Submission Deadline**

Annual Return Period	Deadline
January 1 to December 31	January 31 of the following year

A blank waste return spreadsheet has been sent to the operator via email to ensure that they have the correct template to submit any outstanding waste returns to NRW. Site management need to put in place measures to ensure that the Return data is submitted diligently annually. This can be done by setting calendar reminders or having a consultant to submit the business’ data. We can escalate breaches if this is a continuing non-compliance.

Due to repeated non-compliances regarding submission of annual waste returns and that no waste return data has been submitted since the permit issue (02/12/20), this breach has been escalated from a Category 4 to a Category 3 breach.

NRW Officer Greg GARDNER and PC Mark POWELL left site at 10.15am the same day.

If you have any issues with this report, please contact Greg Gardner on [greg.gardner@naturalresourceswales.gov.uk](mailto:greg.gardner@naturalresourceswales.gov.uk)

Thank you.

***In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012***

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.