

Compliance Assessment Report CAR_NRW0043356

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 19/01/2024 between 12:00 and 13:00.

Parts of permit assessed: 2.3.1 & 1.1.1

NRW Lead Officer: Amy Bailey, accompanied by Eleanor Davies.

Report sent to: Paul Cox, Permit Holder on 12/02/2024.

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	C2 Significant (Suspended)	2.3.1

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

Total number of non-compliances recorded	Total non-compliance score
1	0

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	Undertake the necessary improvements to ensure that the site can meet the requirements as per permit condition 2.3.1, as outlined in Table 2.3 Operating techniques in respect of the impermeable surface and sealed drainage. Improve the area of hardstanding so that it is: Permeable, level, load bearing, not prone to rutting or surface water ponding, and able to be kept clean of debris.	25/03/2024

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

Introduction

Industry and Waste Regulation Officer Amy Bailey, and Waste Regulation Team Leader Eleanor Davies attended the permitted facility of, Cox Skips and Waste Management, 80 Village Farm Road, Pyle, CF33 6BN on the 19th January 2024 to undertake a prearranged inspection, arriving at approximately 12:00. Throughout the duration of the inspection the weather was sunny and dry.

Cox Skips and Waste Management hold a Standard Rules permit, standard rules SR2008 No1 are conditions of this permit. Environmental permit reference EPR-EB3893HR, issued 17th December 2014, allows the operator to operate a household, commercial and industrial waste transfer station, at the above specified location, with treatment activities consisting only of manual sorting or manual separation of waste into different components for disposal (no more than 50 tonnes per day) or recovery. These rules do not allow waste treatment activities such as screening or crushing and hazardous waste is not permitted.

The purpose of the planned inspection was to assess compliance with the Regulation 36 notice which was issued on the 21st December 2023, which expired on the 15th January 2024.

Actions are ongoing from the inspection on the 10th of July 2023 and are outlined in CAR_NRW0042856.

We were met by the sites Technically Competent Manager, Paul Denyer and site manager Tony Cox. Site Operator, Paul Cox was not on site. Tony Cox manages day to day operations on site.

The final deadline date on the notice was the 15th January 2024, details of which are set out below.

Environmental permitting regulations (England and Wales) 2016

(2) It is an offence for a person to fail to comply with or to contravene an environmental permit condition.

(3) It is an offence for a person to fail to comply with the requirements of an enforcement notice or of a prohibition notice, suspension notice, landfill closure notice, mining waste facility closure notice, flood risk activity emergency works notice or flood risk activity remediation notice

Environmental Permitting (England and Wales) Regulations 2016 Regulation 36**SCHEDULE 1
STEPS TO BE TAKEN**

Condition number	Steps to be taken	By date
2.3.	Undertake the necessary improvements to ensure that the site can meet the requirements as per permit condition 2.3.1, as outlined in Table 2.3 Operating techniques in respect of the impermeable surface and sealed drainage. Improve the area of hardstanding so that it is: Permeable, level, load bearing, not prone to rutting or surface water ponding, and able to be kept clean of debris.	15.1.2024
1.1.1	Provide a comprehensive and updated written management system (EMS) in line with the permit condition, and How to Comply guidance.	15.1.2024

Drainage and Infrastructure

A category 2 (C2) non-compliance with permit condition 2.3.1 has been recorded under sub-criteria (B3) Site Drainage engineering (Clean and foul), which has the potential to have a significant environmental effect, has been recorded in respect of the sites required infrastructure for the reasons outlined above.

Action Required: *Undertake the necessary improvements to ensure that the site can meet the requirements as per permit condition 2.3.1, as outlined in Table 2.3 Operating techniques in respect of the impermeable surface and sealed drainage. Improve the area of hardstanding so that it is: Permeable, level, load bearing, not prone to rutting or surface water ponding, and able to be kept clean of debris.*

Action Due: *As per discussion on site, the agreed deadline for this work to be completed by, is the 25th March 2024.*

A walk around site was undertaken. Upon inspection it was evident that progress has been made on site.

Drainage channels have been dug and pipework is on site ready to be installed.

The ground has been scraped back in preparation for the new hardstanding.

The Operator has instructed an Environmental Consultant to approve works and compile drainage plans.

As you are actively addressing the non compliance on site, the scores in this CAR form have been suspended. A further Regulation 36 Notice will be served. The notice will specify the actions required to become compliant and set timescales for completion. If the notice is not complied with then we will immediately reinstate any suspended scores.

Environmental Management System

The existing Environmental Management System has been improved and appeared to be more comprehensive. This will need to be reviewed separately by Natural Resources Wales.

Action- Please send an electronic version of the EMS to NRW by 2nd February 2024.

Compliance with Regulation 36

Although works are underway, the Regulation 36 notice issued 21st December 2023 has not been complied with as works have not been completed by the deadline of 15th January 2024. Natural Resources Wales will now be considering our enforcement response to the non-compliance, in line with our enforcement and sanctions Policy and guidance.

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.