

## Compliance Assessment Report CAR\_NRW0043504

**Permit being assessed:** ZP3495FN.

For: Grove Farm Autos, held by Mr David Nigel Owen And Mr Mark Anthony Owen  
At: Hirwaun, Aberdare, R C T, CF44 9HP.

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

On 26/10/2023 between 11:45 and 12:33.

Parts of permit assessed: All

**NRW Lead Officer:** Gareth Morris, accompanied by Daniel Hopkin, Aimee Lintern, Dafydd Evans.

**Report sent to:** Mr David Nigel Owen , Technically Competent Manager on 16/02/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C1 - General Management - Staff competency/training	C3 Minor	Permit Condition 2.2.1
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3 Minor	Permit Condition 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
2	8

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
C1	Complete relevant WAMITAB course and supply proof to officer Gareth Morris that the course has been completed. Evidence will need to be provided of enrolment onto the appropriate course. Please can evidence be provided by, Friday 29th March 2024.	29/03/2024
B3	Please ensure that the sumps are maintained and emptied periodically in line with the schedule set out in the permit and that these actions are recorded in the site diary. Please also provide evidence that the sumps have been emptied since our inspection. Please provide evidence by, Friday 29th March 2024.	29/03/2024

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.**

**At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.**

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

#### **Grove Farm Autos Ltd, Hirwaun, Rhondda Cynon Taf (ZP3495FN)**

**26/10/2023**

Waste regulation officer Gareth Morris attended Grove Farm Autos at Hirwaun, Rhondda Cynon Taf on 26/10/2023 for an un-announced site inspection. Also, in attendance was enforcement apprentice, Daniel Hopkin, and Higher education placement graduates; Aimee Lintern and Dafydd Evans. The weather was wet and mild. On site lead officer Gareth Morris was met by the technically competent manager; Mr David Nigel Owen, who kindly showed me a copy of the site permit, an up-to-date Environmental Management System (EMS) and other relevant registration documents. Mr Owen then showed myself and other staff around the permitted site.

#### **Breaches Recorded**

*Permit condition 2.3.1 Category 3 breach. Permit states that; **Any changes in the technically competent management of the site, the name of any incoming person and evidence that such person has the required technical competence, shall be submitted to the Agency in writing within 5 working days of the change in management.***

While on site, as asked Mr Owen for his WAMITAB certification and he stated that he couldn't provide the document as the registration had lapsed. He informed me that he had steps in place to complete the relevant WAMITAB course. I did state to Mr Owen that it is part of his permit condition that he holds a WAMITAB certificate.

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#### **Action**

Complete relevant WAMITAB course and supply proof to officer Gareth Morris that the course has been completed. Evidence will need to be provided of enrolment onto the appropriate course.

Please can evidence be provided by, Friday 29<sup>th</sup> March 2024.

*Permit condition 3.1 c; Sealed Drainage System Category 3 breach. Permit condition states: **1) Sealed sumps shall be inspected no less frequently than daily and after rain, emptied when the collected liquids reach 80% of the capacity of the sump as measured using a dipstick or equivalent gauge, and constructed and maintained so as to collect and contain all liquids which run off pavement; 2) Inspections and emptying of sealed sumps shall be recorded in the site diary.***

On inspection of the sumps, the sumps were in bad condition and looked like they had not been emptied or maintained for some time.

**Photograph 1.1**



**Photograph 1.2**



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### **Action**

Please ensure that the sumps are maintained and emptied periodically in line with the schedule set out in the permit and that these actions are recorded in the site diary. Please also provide evidence that the sumps have been emptied since our inspection. Please provide evidence by, Friday 29<sup>th</sup> March 2024.

**Areas assessed as compliant and other comments can be found below:**

***Permit condition 6.1.1 states: A record shall be kept of all wastes received (other than those wastes delivered by private households) and all materials (wastes and recovered materials) removed from the site. The records shall include the following for each vehicle load of waste/material:***

**For waste received:**

**A Origin of waste**

**B Date Received**

**C Quantities in tonnes received and waste type**

**D Nature of the waste (solid, liquid or sludge)**

**E Vehicle status (whether previously depolluted or requiring depollution)**

Quarter three of 2023 waste returns and were submitted on time. Please continue to report

quarterly waste returns to Natural Resources Wales. It should be noted that when waste(s) are not accepted or removed from the site during a reporting quarter, a null return will still need to be submitted.

*Permit condition 6.2.1 (Site Diary) states: A record shall be kept secure and shall be available for inspection at the site when required by an authorised officer of the Agency. This shall include a record of the following events, in accordance with the other conditions of this license:*

**A Construction work**

**B Maintenance**

**C Breakdowns**

The site diary was presented to me for inspection on request and the diary was in good order.

*Permit condition 3.1.1 (Engineering site containment and drainage system. The permit states: No waste shall be deposited, stored, treated or otherwise handled in any area of the site until the engineered site containment and drainage system for that area has been constructed and completed in accordance with table (a) Hardstanding (b) Impermeable pavement, bunding and sills.*

While onsite the drainage within the permitted area was assessed; the site benefits from an impermeable, concrete surface to mitigate any spillage from entering ground water, all surface water on site flows into an onsite sealed drainage system which has an interceptor. Please see photograph 1.3

**Photograph 1.3**



*Permit condition 4.1.1 (Site Security) states: The site shall be secure.*

The site security for the site is very robust. The site is enclosed by an 8ft fence and is monitored by 24/7 CCTV. All visitors to site other than members of the public are required to sign in and out of site.

### **Summary**

Lead officer Gareth Morris would like to thank Mr Owen for taking the time to show myself and other staff around the site. If you have any queries relating to this form, please do not hesitate to contact myself on the details below.

Gareth Morris

07966730983

Gareth.morris@naturalresourceswales.gov.uk

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.