

Compliance Assessment Report CAR_NRW0043473

Permit being assessed: YP3632EM.

For: Sandycroft Poultry Processing, **held by:** 2 Sisters Food Group Limited

At: VION Sandycroft Glendale Avenue , Sandycroft, DEESIDE, Clwyd, CH5 2QP.

Type of assessment: Site Inspection,

Reason: Routine.

On: 13/02/2024 between 14:40 and 15:30.

Parts of permit assessed: various.

NRW Lead Officer: Rebecca Harwood, accompanied by Paul Challender.

Report sent to: Steven Van Der Keift , HS&E Manager, on 20/02/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3D - Emissions and monitoring - Noise and vibration	C3 Minor	3.4.1
IR1A - Management - General management	C3 Minor	1.1.1
IR3C - Emissions and monitoring - Odour	Assessed (A)	
IR3F - Emissions and monitoring - Pests	Assessed (A)	
IR2C - Operations - Operating techniques	Assessed (A)	

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

Total 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
IR3D	see text below	29/02/2024
IR1A	see text below	29/02/2024

Compliance 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

This Compliance Assessment Report follows an announced site inspection undertaken on the 13th February 2024.

Officers met with the new Site Director prior to the inspection, previous issues at the site were discussed. A rumble was detected in the main office that was subsequently linked to the diesel trailers that were parked up by the weighbridge. During the site inspection noise issues were discussed alongside the use of diesel powered trailers at the site.

Site Inspection

The new carcass building has been completed and the temporary inflatable building removed from site. One of the roller shutter doors had been damaged so the net barrier was in use. The Operator stated that the damaged door was due to be repaired on Friday 16th February 2024. The Operator has subsequently stated that there is a delay in repairing the damaged door. The height of the net barrier has been extended to fit the full opening of the roller shutter door.

There was no notable odour coming from the building and the temporary barrier was keeping birds out. Although there were gulls on site in this area, there was no evidence of carcasses on the ground and the transfer of the carcass dolavs to the carcass trailer was occurring within the building.

Advice and Guidance: The roller shutter door should be repaired as soon as practicable to avoid any offsite odour impacts.

No issues were identified in the despatch bay area. Trailers were parked up and switched off. Officers reminded the Operator that trailers in the despatch bay area should be off or powered by electric and not be operating on diesel.

To the rear of the site a slight odour was detected close to the boundary with Morgan's Yard. Officers believe this was linked to the wash down processes.

The CAT2 animal by product trailer drain valves are now connected to pipes taking any additional liquid to the ETP. There was no pooling liquid under the offal trailers as

previously noted.

The refrigerated container containing CAT3 animal by products has been removed and this waste is now stored within the PRP building. There is no door to this building.

Advice and Guidance: The Operator should look to provide a barrier to this entrance to avoid any off site odours.

Noise complaint - 14/02/2024

Further to the site inspection a noise complaint was received from Church View at 23:30 on the 14th February 2024. The investigation into this stated that there was a trailer running on diesel in the despatch bay and 3 further trailers opposite the despatch bay running on diesel. These were switched off at 01:00 when identified.

This has been scored a category 3 breach of condition 3.4.1 as the operator has not used appropriate measures to minimise noise and vibration.

A further update was provided by the Operator on the 15th February 2024 stating that the trailer in the bay had failed on electrics and automatically switched over to run on the engine. There was no explanation provided as to why the other 3 trailers were being powered by diesel in this area.

This has been scored a category 3 breach of condition 1.1.1 General Management as the Operator has not followed their noise management plan and was not aware of the issue until the complaint was submitted.

The Operator has stated that they have reviewed their processes and are reducing the number of trailers on site from Monday 19th February 2024. They are working with the haulier to store trailers off site on a trial basis.

Action: Provide NRW with an update on the trial by 12th March 2024 including any further amendments to operations to mitigate against any off site noise.

Further training is required for staff to ensure that trailers are not left on diesel, specifically in the despatch yard area.

Action: Provide evidence to NRW that relevant staff have had the required training to avoid further incidents of trailers running on diesel by 5th March 2024.

Noise complaint - 19/02/2024

A further noise complaint was received at 05:17 on the 19th February 2024. The investigation report indicates that all trailers in the despatch bay were operating on electric. Trailers were moved in the despatch yard between 04:30 and 05:30, the Operator states that these were not refrigerated trailers, however, there may be a noise impact associated with the tractor unit used to move the trailers.

Advice and Guidance: The Operator should consider the timings of trailer movements to minimise disturbance to local residents.

Improvement Condition 16a requires the Operator to undertake a noise impact assessment of the whole site within 6 months of the construction of the covered loading bay. This should help identify any activities that maybe causing an offsite impact.

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.

If your assessment result in Section 1 is suspended, what does this mean?

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 compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.