

## Compliance Assessment Report CAR\_NRW0043335

**Permit being assessed:** AN0291801

For: Sewage treatment plant serving, held by Los Reyes Tapas Limited

At: The Kings Arms Public House, Belmont Hill, Caerleon, Newport, NP18 1JX.

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

On 05/02/2024, between 10:30 and 11:19.

Parts of permit assessed: All Permit

**NRW Lead Officer:** Gavin Summerhill.

**Report sent to:** Ben Tafa, Owner, on 12/03/2024.

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

| Part of permitted activity assessed (criteria)        | Assessment result | Permit condition   |
|---|-------------------|--|
| WQ-C1 - Emissions and monitoring - Emissions to water | C3 Minor          | Maintenance 9 (c). Tanks shall be desludged at sufficient frequency and in such a manner to prevent excessive carryover of suspended solids. |
| WQ-C1 - Emissions and monitoring - Emissions to water | Action only (X)   |  |

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

### 2. What action is required?

| Criteria | Action needed  | Complete by |
|----------|--|-------------|
| WQ-C1    | <ul style="list-style-type: none"> <li>Waste transfer notes and maintenance logs need to be submitted.</li> <li>A full inspection of the Package Treatment Sewage Works needs to be carried out to determine the operational status of the works.</li> <li>An investigative report needs to be submitted.</li> </ul> | 07/05/2024  |
| WQ-C1    | New padlock to be fitted with key to be available upon request.  | 07/05/2024  |

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

### **Site Report**

On Monday 5th February 2024 I visited Los Reyes Tapas, Belmont Hill, Caerleon, Newport NP18 1JX to carry out a permit inspection on their Package Treatment Sewage Works. Permit Number AN0291801 . I arrived on site at 10.30am. The weather conditions were overcast with light rain. My Site inspection commenced at 10.40.am.

### **Observations**

I proceeded to identify the location of the Package Treatment Sewage Works. Please see Photo 1 below.

Package Treatment Sewage Works (Photo 1)



After identifying the location of the Package Treatment Sewage Works I checked the sample point location at NGR ST34369 89736. I confirmed that this was accurate as stipulated by the permit. (Approx to 6m)

The compound to the Package Treatment Sewage Works was locked and the owner did not own a key to the padlock.

I lifted the lid on the first chamber and identified a substantial amount of solid waste within the chamber. This is expected as it is the primary chamber. A strong odour was present. Please see Photo 2 below.

First Chamber (Photo 2)



I lifted the lid on the second chamber and could see that the amount of solid waste was slightly less than the first chamber. A strong odour was still present. Please see Photo 3 below.

Second Chamber (Photo 3)



I lifted the lid on the third chamber and could see that the amount of solid waste had reduced but there was still solid carry over from the second chamber. There was still a strong odour present. I could not determine if the Bio-media within this chamber was functioning as designed reducing the amount of solid carry over. Please see Photo 4 below.

Third Chamber (Photo 4)



I lifted the cover on the sample point chamber. The waste water was visually discoloured. I could not determine if the sample point chamber was free from solids. A strong odour was still present. Please see Photo 5 below.

Sample Point Chamber (Photo 5)



I then proceeded to check the discharge point at NGR ST34346 89717. I confirmed that this was accurate as stipulated by the permit. (Approx to 6m). Discharge via a pipe to a nearby tributary of the the River Usk. The discharge appeared clear but a strong odour was still present. Please see Photo 6 below.

Discharge Point (Photo 6)





At this point I had a conversation with the premises owner and asked him if any maintenance schedules, waste transfer notes or any other relevant paperwork regarding the Package Treatment Sewage Works was available. The owner advised that his wife deals with the paperwork and would email this over to myself.

I left site at 11.19am

#### **Breaches of permit condition:**

##### **SAMPLING POINTS**

4. A sample point shall be provided and maintained at National Grid Reference ST 34369 89736 as shown marked 'Sample Point' on Plan AN0291801, so that a representative sample of the Discharge may be obtained. The Consent Holder shall ensure that all constituents of the Discharge pass through the said sampling point at all times and in any legal proceedings it shall, for the purposes of Section 10 of the Rivers (Prevention of Pollution) Act 1961, be presumed, until the contrary is shown that any sample of the Discharge taken at the said sampling point is a sample of what was discharging into controlled waters.

##### **Justification**

*Sample point restricted due to locked access. (Padlock with no key)*

##### **Maintenance**

9 (c). Tanks shall be desludged at sufficient frequency and in such a manner to prevent excessive carryover of suspended solids.

##### **Justification**

*No maintenance schedules/records or waste transfer notes available at time of visit.*

#### **Action required by date specified:**

- New padlock to be fitted with key to be available upon request.
- Waste transfer notes and maintenance logs need to be submitted.
- A full inspection of the Package Treatment Sewage Works needs to be carried out to determine the operational status of the works.
- An investigative report needs to be submitted.

The above actions are required by the 07/05/2024.

**Contact details:**

If you have any queries regarding this CAR form or to provide an update on any actions above, please contact me using the following details:

Gavin Summerhill (Environment Officer)

[gavin.summerhill@cyfoethnaturiolcymru.gov.uk](mailto:gavin.summerhill@cyfoethnaturiolcymru.gov.uk)

If we do not receive the information requested within specified deadline and have not been informed as to why there is a delay then we may serve a Regulation 60 Notice requiring the information under Environmental Permitting (England and Wales) Regulations 2016.

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 to 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   |
|----------------------------|---|
| C1 Major                   | Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property |
| C2 Significant             | Potential to have a significant impact or effect on the environment, people and/or property                                 |
| C3 Minor                   | Potential to have a minor or minimal impact or effect on the environment, people and/or property                            |
| C4 No environmental impact | Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property       |

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

In line with our guidance, we may suspend non-compliance for up to six months to allow time for remedial action to be taken. These will be re-instated if the action is not completed.

**Full list of water quality action criteria (used in section 1 and 2):****WQ A: Management**

- WQ-A1 General management

**WQ B: Operations**

- WQ-B1 Permitted activities
- WQ-B2 The site
- WQ-B3 Operating techniques
- WQ-B4 Improvement programme
- WQ-B5 Pre-operational conditions

**WQ C: Emissions and monitoring**

- WQ-C1 Emissions to water
- WQ-C2 Emissions to land
- WQ-C3 Emissions of substances not controlled by emission limits
- WQ-C4 Installation of monitoring boreholes

**WQ D: Information**

- WQ-D1 Records
- WQ-D2 Reporting
- WQ-D3 Notifications

**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.