

## Compliance Assessment Report CAR\_NRW0044151

**Permit being assessed:** BB3792HC.

**For:** Groes Y Garreg, **held by:** RM & CA Bright

**At:** Berriew, Welshpool, Powys, SY21 8AU.

**Type of assessment:** Audit,

**Reason:** Routine.

**On:** 26/04/2024 between 10:30 and 12:30.

**Parts of permit assessed:** All conditions.

**NRW Lead Officer:** Shaun Rees.

**Report sent to:** Mr M Bright, Mrs A Bright & Mr L Bright, Operator/Owner, on 03/05/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2F - Installations - Operations - Pre-operational conditions	C3 Minor	2.3 Pre-operational conditions
IR2F - Installations - Operations - Pre-operational conditions	C3 Minor	2.3 Pre-operational conditions
IR2F - Installations - Operations - Pre-operational conditions	C3 Minor	2.3 Pre-operational conditions
IR1A - Installations - Management - General Management	C3 Minor	Schedule 7

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

Total non-compliances recorded	Total non-compliance score
4	16

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
IR2F	Provide up to date Manure management plan to reflect current status on site.	17/05/2024
IR2F	Provide evidence that the scrubber units on site will result in	17/05/2024

Criteria	Action needed	Complete by
	an equal or better than 90% reduction in Ammonia	
IR2F	Provide written confirmation and training documents that all staff have received the necessary training.	17/05/2024
IR1A	Vary permit to include up to date site plan including all drainage systems	31/10/2024

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

Natural Resources Wales Officer Shaun Rees met with site operators Lloyd Bright and Eluned Bright to carry out a routine poultry inspection for the site on the 26th April 2024. Thank you for your time during the visit.

Non-Compliances (recorded in summary) Actions to be addressed -

#### **Pre-operational conditions**

As per the permit, it states that prior to the commencement of operation of the site, the operator shall submit to NRW for written approval, the latest manure management plan to reflect the current status on site.

*Please provide this document to NRW for approval by the 17th May 2024.*

As per the permit, it states that prior to the installation and commencement of operations of the site, the site operator shall provide evidence for written approval that the scrubber system to be installed will achieve equal to or better than 90% reduction in Ammonia.

*Please provide this evidence to NRW for approval by the 17th May 2024.*

As per the permit, A minimum of 10 days before the operation of poultry building 1 and 2, the site operator shall submit written confirmation and training documents to NRW that the necessary operating techniques are in place for the operation of the scrubber units and that all staff have received the necessary training.

*Please provide these documents by the 17th May 2024.*

**Vary permit to update site plan**

The site plan submitted at the application stage and currently attached to the permit is incorrect with the current site layout.

*Please vary the permit to attach an up to date site plan by the 31st October 2024.*

<https://naturalresources.wales/permits-and-permissions/installations/apply-to-vary-change-a-permit-for-installations/?lang=en>

**A warning letter (13840) for not complying with your pre-operational conditions and inline with this CAR form will be sent separately.**

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](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.