

## Compliance Assessment Report CAR\_NRW0044527

**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:** 11/06/2024 between 10:00 and 11:45.

**Parts of permit assessed:** various.

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

**Report sent to:** HS&E Manager, HS&E Manager, on 13/06/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Installations - Management - General Management	C3 Minor	1.1.1
IR3D - Installations - Emissions and monitoring - Noise and vibration	C3 Minor	3.4.1
IR1A - Installations - Management - General Management	C3 Minor	1.1.1
IR3F - Installations - Emissions and monitoring - Pests	Action only (X)	
IR3C - Installations - Emissions and monitoring - Odour	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
3	12

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
IR1A	Actions 1 and 4 below	02/07/2024

Criteria	Action needed	Complete by
IR3D	Actions 2 and 3 below	14/06/2024
IR1A	Action 5	02/07/2024
IR3F	Action 6	02/07/2024

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 (CAR) follows a routine site inspection of the 2 Sisters facility at Sandycroft on the 11<sup>th</sup> June 2024.

Following a spate of noise complaints Officers wanted to discuss these with the Operator. Officers met with the Health Safety & Environment Manager, Engineering Manager, Production Manager, Environment Officer and H&S Officer. The Site Director also attended for a short period.

8 noise complaints were received from Church View during May and June. Although not all reports were sent through to the site at the time for investigation, subsequent investigation and review of the CCTV has shown that the Operator had been loading trailers and shunting trailers in the Despatch Bay late in the evening on some occasions. Movement of these trailers at night is required in order to get the product moved to customers.

The Operator has committed to reducing, as far as practicable, the numbers of trailer unit movements between 22:00 and 06:00 and the following actions were agreed.

**Action 1:** Review Despatch Bay trailer movements between 22:00 and 06:00 since the 1<sup>st</sup> June 2024 to review the number of movements. Provide a summary to NRW by 02/07/2024.

**Action 2:** Trailers removed from the Despatch Bay between 22:00 and 06:00 should only be moved by the shunter vehicle. Third party haulier tractor cab units should not be used. This should be implemented immediately.

**Action 3:** The parked bulk trailers should be relocated to avoid these being moved if required between 22:00 and 06:00. This should be implemented immediately.

The investigations have also identified that the Operator had been utilising Bay 1 at night to load and shunt trailers. It was previously agreed that Bay 1 would not be used at night to reduce some of the off site impacts of night time operations. It is unclear why Bay 1 was used as this is contrary to procedures. **This has been scored a category 3 breach of condition 1.1.1 against compliance criteria IR1A General Management, as the Operator has not followed their procedures. A further category 3 breach of the condition 3.4.1 against compliance criteria IR3D Noise and Vibration, has been applied as the Operator has not used appropriate measures to minimise noise and vibration.**

The Operator has updated their Noise Management Plan (NMP) and this has been circulated to managers. When talking to the Shift Team Leader covering the Warehouse Manager at the time of the visit, he had not seen the procedure but was aware of the requirements and explained these to Officers. Discussions were had relating to training for all staff in relation to the NMP. The Operator committed to training out procedures and the NMP to staff, including attending during the night shift.

**Action 4:** Provide training to all relevant staff in relation to the NMP. This should be completed as soon as possible and cover all shifts. This should be completed by 02/07/2024 and records will be viewed on future inspections.

During the site visit a number of gulls were noted adjacent to the carcass shed. On further inspection waste water from the bin washing within the carcass shed was escaping from the building. The shed has been designed and built with skirts that can be removed in case of flooding to allow for storage of flood water; this is a planning requirement. There is a gap between the bottom of the skirt and the ground. The drainage from this area goes to the effluent treatment plant. The drainage channels immediately outside of the shed were blocked. The waste water from the bin washing that was escaping from under the skirt and the bottom of the side door contained small pieces of raw meat. The gulls were seen in this area picking at the meat. **This has been scored a category 3 breach of condition 1.1.1 against compliance criteria IR1A General Management, as waste water should not be escaping from the building and attracting pests.**

**Action 5:** Review bin washing procedures linked to carcass loading to avoid waste water escaping from the carcass shed. This should be completed by 02/07/2024.

**Action 6:** Ensure drainage channels are clear and free flowing to avoid a build-up of debris outside. This should be completed by 02/07/2024 and will be checked on a future compliance visit.

The Operator has installed the MCERTS flow meter as requested in CAR NRW0043289. They are continuing to dose the effluent discharge and have installed the auto composite sampler for the discharge to sewer as requested by Dŵr Cymru Welsh Water (discussed in CAR NRW0042903).

An off site odour inspection was completed prior to and after the onsite inspection. Officers visited Factory Road, Station Road, Hamilton Avenue, Bernsdale Close, Harrison Grove, Phoenix Street and Wood Street. A mild chicken odour was detected along Glendale Avenue. No further odours from the 2 Sisters facility were detected.

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.