

Compliance Assessment Report CAR_NRW0045453

Permit being assessed: CB3196ZL.

For: Lower Yardo Poultry Farm, **held by:** O.H. Price & Son

At: Lower Yardo Farm, Old Radnor, Presteigne, LD8 2RP.

Type of assessment: Site Inspection,

Reason: Routine.

On: 15/10/2024 between 11:00 and 13:00.

Parts of permit assessed: all.

NRW Lead Officer: Ffion Jones.

Report sent to: Joe Price , Owner/Manager, on 21/10/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2A - Installations - Operations - Permitted activities	C4 No impact	2. Operations
IR1A - Installations - Management - General Management	C3 Minor	1.1.1 (a)
IR1A - Installations - Management - General Management	C3 Minor	1.1.2
IR1C - Installations - Management - Energy Efficiency	C3 Minor	1.2.1 (b)
IR1D - Installations - Management - Efficient use of raw materials	C3 Minor	1.3.1 (c)
IR1D - Installations - Management - Efficient use of raw materials	C3 Minor	1.3.1 (c)
IR1E - Installations - Management - Avoidance, recovery and disposal of wastes produced by the activities	C3 Minor	1.4.2
IR3B - Installations - Emissions and monitoring - Emissions of substances not controlled by emission limits	C3 Minor	3.1

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

Total non-compliances recorded	Total non-compliance score
8	28.1

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
IR2A	Update NRW Llinell Argyfwng/ Incident Hotline (24 Hour): 03000653000	16/12/2024
IR1A	Please ensure that all parts of the Accident Management Plan are combined together and located as specified below.	16/12/2024
IR1A	Please ensure a Policy Statement is created and kept up to date.	16/12/2024
IR1C	Energy usage review document required.	16/12/2024
IR1D	Raw Materials Review required	16/12/2024
IR1D	Water Usage Review required	16/12/2024
IR1E	Waste review required	16/12/2024
IR3B	Up to date Manure analysis required	16/12/2024

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.

At this time, we do not intend to take any further action.

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 Officer Ffion Jones met with Owner/Operator Joe Price on the 15th October 2024 at 11am to carry out a routine audit inspection of Lower Yardo Poultry Farm. Thank you Joe for your time.

Please see non-compliances identified below:

1) Site Identification Notice

The NRW Incident Hotline number (24 Hours) should be updated to 0300 065 3000. The notice must include-

- emergency contact name and telephone number of permit holder and/or operator
- statement that site is permitted by Natural Resources Wales
- permit number - EPR
- Natural Resources Wales general enquires number and incident line - 0300 065

3000

2) Accident Management Plan

Please ensure you put all documentation together to create an Accident Management Plan including; written plan of risks on site and what to do in the event of an incident, drainage plan/site plan, Raw Materials List, Accident and Emergency contact list, and any other appropriate information. Once it has all been put together, please ensure a copy is placed in an accessible location e.g. egg hut or box by entrance and a copy located where staff can access e.g. in office. *Please ensure this has been completed by the 16th December 2024.*

The site/drainage plan must contain the site layout, direction of flow, dirty water tanks/channels, clean water tanks/channels, diverter valves, surface and foul drains, manure stores, gas, fuel, tanks, incinerators, chemical stores, biomass, woodchip, sensitive receptors etc.

Raw Materials List should include any raw materials that is used within the permitted site area, maximum amount that is likely to be stored at any one time, annual throughput and description of use.

3) Policy Statement

Please create a policy statement to monitor the review of management system documents on site (see attached an example). The policy statement should detail the management plan, when it was last reviewed, when it is due for review and any other appropriate comments. *Please complete this by 16th December 2024 and send evidence to NRW.*

4) Energy Review

Please provide a statement of your energy sources, consumption and how attempts are made to reduce usage, this review must be carried out every 4 years – e.g., type of woodchip you use, heat exchangers, solar panels, LED lighting etc. *Please produce an Energy efficiency review plan to NRW by 16th December 2024.*

5) Raw Materials Review

This compliance criteria should be used to record any issues surrounding the efficient use of raw materials, the storage provision, annual usage and the environment impact. The purpose of this is to reduce the environmental impact of raw materials used (apart from energy) which should be recorded. Please ensure your Raw Materials List is up to date and accurate for this review. *Please prove a Raw Materials Review and send to NRW by the 16th December 2024.*

6) Water Review

Please provide information to show an audit is carried out to try and reduce water consumption - a review of water usage must be carried out every 4 years - e.g., water consumption is monitored and recorded daily, equipment check to ensure no leaks, up to date feeders used etc. *Please produce a Water Usage review plan and send to NRW by 16th December 2024.*

7) Waste Review

A review of waste must be carried out within 4 years of issue of permit and opportunities identified to avoid/ reduce waste being produced. e.g. consider if you can avoid producing the waste and any way you plan to use less waste etc. *Please produce a Waste review plan and send to NRW by 16th December 2024.*

Waste that is removed from site must be taken to a suitably permitted facility by a registered waste carrier. Please ensure that the movement of all waste is accompanied by a correctly completed Waste Transfer Note. Please see the link below for further information.

<https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice>

8) Manure analysis

Where manure and slurry is spread on own land, they must be analysed to provide information for Nutrient Management Planning. The analysis should include available nitrogen, total nitrogen, available phosphorus, and total phosphorus. *Please provide the report to NRW by the 16th December 2024.*

Please ensure all activity on site is compliant with The Water Resources (Control of Agriculture Pollution) (Wales) Regulations 2021.

Advice and Guidance:

During the inspection, you mentioned that you had applied for planning to build a manure store on site. Please ensure the infrastructure complies with Resources (Control of Agricultural Pollution) (Wales) Regulations 2021. You will also need to apply for a permit variation to ensure that the drainage/site plans are accurate (this would also be a good time to amend any other differences). The plan should be an accurate representation of the site and needs to be updated in schedule 7 of the permit. The drainage plan should include all clean water and dirty water systems including any storage tanks, channels, soakaways etc. The plan should also outline any other environmental hazards e.g. fuel tanks, incinerators, gas tanks, chemical store, manure store etc. Once the plan has been updated, please ensure it is changed accordingly i.e. within permit, notice board, accident management plan etc.

Many thanks.

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.