

## Compliance Assessment Report CAR\_NRW0045674

**Permit being assessed:** BB3292FP.

**For:** Blaenbwch Farm, **held by:** Mr Robert Powell and Mr Cyril Powell

**At:** Blaenbwch, Maesmynys, Builth Well, Powys, LD2 3HU.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 22/10/2024 between 10:00 and 12:00.

**Parts of permit assessed:** All.

**NRW Lead Officer:** Ffion Jones.

**Report sent to:** Rob & Tracy Powell, Owner/Operators, on 19/11/2024.

### 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	1.1.2
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

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

Total non-compliances recorded	Total non-compliance score
5	20

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	Please ensure Policy Statement is created and kept up to date.	07/01/2025
IR1C	Energy usage review document required.	07/01/2025
IR1D	Raw Materials Review required	07/01/2025
IR1D	Water Usage Review required	07/01/2025
IR1E	Waste Review required	07/01/2025

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/Operators Robert and Tarcy Powell on the 22nd October 2024 at 10am to carry out a routine audit inspection of Blaenbwch Poultry Farm. Thank you for your time.

**Please see non-compliances identified below:**

### 1) 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 plans, when it was last reviewed, when it is due for review and any other appropriate comments. *Please complete this by 7th January 2025 and send evidence to NRW.*

### 2) 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 7th January 2025.*

### 3) 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 7th January 2025.*

**4) 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 7th January 2025.*

**5) 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 7th January 2025.*

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>

**Advice and Guidance****1) Accident Management Plan**

During the inspection, all documents required were reviewed. *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/gatehouse.*

**2) Permit name**

Further guidance (once clarified internally) will be provided on whether action needs to be taken with regard to the names on the permit.

**3) Odour/Noise and Vibration Management Plan**

Odour: Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of Natural Resources Wales, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour. *All procedural and technical failures which may give rise to odour should be identified in the odour management plan.*

Noise: Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of Natural Resources Wales, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan to prevent or where that is not practicable to minimise the noise and vibration. *All procedural and technical failures which may give rise to noise and/or vibration should be identified in the noise and vibration management plan.*

*Despite previous correspondence with regard to Odour/Noise and Vibration Management Plan, it is required that both plans are in place. This has been recorded in the Advice and Guidance section rather than as a breach due to previous correspondence. Please ensure these plans are in place at the earliest possible convenience and certainly by the next Intensive Farming inspection.*

4) Please ensure all activity complies with [The Water Resources \(Control of Agricultural Pollution\) \(Wales\) Regulations 2021](#)

Many thanks for your time.

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.