

Compliance Assessment Report CAR_NRW0045704

Permit being assessed: CB3195HG.

For: Jennings, held by Jennings Building & Civil Engineering Limited
At: Plas Gwilym Quarry, 78 Llysfaen Road, Old Colwyn, Colwyn Bay, LL29 9HE.

Type of assessment carried out: Report/Data Review, Reason: Other.

On 20/12/2024.

Parts of permit assessed: Noise Management Plan

NRW Lead Officer: Sarah Walton.

Report sent to: Danny Jones, Director/TCM on 20/12/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
W3D - Waste - Emissions and monitoring - Noise and vibration	Action only (X)	
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W3D - Waste - Emissions and monitoring - Noise and vibration	Action only (X)	

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

Total number of non-compliances recorded	Total non-compliance score
0	0

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
W3D	Please implement the Noise Management Plan version 1.3 accordingly.	23/12/2024
W3D	Please ensure that class 2 sound level meter is purchased by 31st January 2025 (if this hasn't been purchased already).	31/01/2025
W3D	Commence sound monitoring as per section 5.3 'Objective Noise Monitoring'	03/02/2025

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.

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

A Noise Management Plan (NMP) was requested for the site on 14/11/2023. This was required, following a number of noise complaints made to NRW regarding Jennings at Plas Gwilym Quarry.

The NMP was submitted on 06/02/2024. This was reviewed by NRW who made a number of comments (See CAR form reference CAR_NRW0044470 issued on 21/06/2024).

Jennings made a number of improvements following this advice and submitted a revised Noise Management Plan (version 1.3).

This CAR form is an assessment of the revised Noise Management Plan version 1.3.

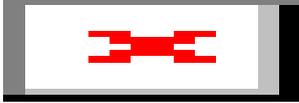
This CAR form is a review of the NMP, which has been assessed against UK Environment Agency Noise Guidance:

<https://www.gov.uk/government/publications/noise-and-vibration-management-environmental-permits/noise-and-vibration-management-environmental-permits>

This NMP does not identify what could be causing the noise complaints noted above. A noise impact assessment has not been conducted to ascertain sound levels either on or off site.

If further complaints are received, it is advisable that the operator carries out a full noise impact assessment in accordance with BS4142, UK noise guidance and the BS4142 Method Implementation Document (MID).

Guidance Requirement	Operators Response	Relevant Section(s) of NMP	NRW Comments
Reference to UK Environment Agencies document 'Noise and vibration management: environmental permits.'			Acceptable. No direct reference to this guidance. However, from the information provided it appears as through the guidance has been used.
Regular review, typically once a year	" 1.2.1 This document will be due for review one year from the date of approval, as a result of any incidents which may lead to the requirement for immediate review, or the FPP guidance	Section 1.2	Acceptable. NMP will be reviewed

	<p>changing, whichever is the sooner. The circumstances which would warrant a review are the following:</p> <ul style="list-style-type: none"> • Experiencing an incident. • Additional waste streams accepted on site. • Increase in waste storage volumes • Development of site infrastructure – new buildings • Installation of new equipment or plant". 		<p>annually, or sooner if required</p>								
<p>Consideration of land use around the facility and any future development.</p>	<div style="text-align: center;">  </div> <p>No mention of future site developments.</p>	<p>Section 1.2 Site Location</p>	<p>Acceptable.</p>								
<p>Clear statement that you understand and accept your responsibilities for controlling noise impact</p>	<p>This NVMP has been produced at the request of NRW via an email to the operator on 14/11/2023, NRW have mentioned complaints have arisen due to some activities taking place on site. This NVMP will therefore assess the risks arising from operations taking place at the site and will detail mitigation measures. The measures outlined in this NVMP will be put in place by site management of Jennings Building & Civil Engineering Limited to ensure noise and vibration is controlled using Best practicable means (BPM) to ensure the receptors listed in Section 2.2 below are not affected by the above proposals.</p> <p>Table 6.1 – Key Responsibilities</p> <table border="1" data-bbox="379 1554 1082 1671"> <thead> <tr> <th>Task</th> <th>Staff position responsible</th> </tr> </thead> <tbody> <tr> <td>Noise monitoring and ongoing assessment</td> <td>Site manager + operative</td> </tr> <tr> <td>Vehicle maintenance</td> <td>Specialist contractor</td> </tr> <tr> <td>Overseeing of deliveries</td> <td>Site manager + operative</td> </tr> </tbody> </table>	Task	Staff position responsible	Noise monitoring and ongoing assessment	Site manager + operative	Vehicle maintenance	Specialist contractor	Overseeing of deliveries	Site manager + operative	<p>S1 - Site history / background</p> <p>Section 5.3 Key responsibilities</p>	<p>Acceptable</p>
Task	Staff position responsible										
Noise monitoring and ongoing assessment	Site manager + operative										
Vehicle maintenance	Specialist contractor										
Overseeing of deliveries	Site manager + operative										
<p>A commitment that either you, or your contractors or subcontractors, will make sure that any</p>	<p>Risk assessment Table (section 4.3) outlines how the site will mitigate noise with relation to maintaining equipment and procedures on-site to reduce noise.</p>	<p>Section 4.3 – Noise Management Table</p>	<p>Acceptable</p>								

<p>noise control equipment is designed, operated, and maintained appropriately so it controls noise effectively at all times</p>	<p>All employees and sub-contractors of Jennings Building & Civil Engineering Limited involved with potentially noisy operations will receive training in noise and vibration monitoring and complaint reporting.</p> <p>Training will be given to all relevant persons to make sure they are competent in completing noise and vibration survey forms, noise and vibration complaint reporting forms and the site diary to ensure sufficient monitoring of noise and vibration can be carried out and any problems addressed correctly.</p> <p>When selecting new plant and equipment, consideration shall be given to the need to meet all legislation and statutory guidance on noise levels and to minimise levels of noise from selected equipment.</p>		
<p>A risk assessment of noise problems from normal and abnormal situations, including worst case scenarios due to, for example, weather, temperature, breakdowns, and accidents</p>	<p>"5.4.1 In the event of any unforeseen circumstances i.e. faulty equipment, the site manager will make an assessment of whether to cease activities/all operations with the main emphasis on site will be to reduce any noise impacts".</p> <p>"6.2.1 In the event of noise problems from normal and abnormal situations, including worst case scenarios due to, for example, weather temperature, breakdowns, and accidents, the incident will be reported to site management who will make a note of the incident in the site diary and complaints form. Upon notification of an environmental incident, the site manager will complete an incident reporting form. The completed form is then distributed throughout the company for review at operational, management and health and safety meetings. This will also be sent to NRW and the complainant on request.</p> <p>6.2.2 All performance failures will be categorised for input as follows: • Minor event: quick fix possible, locally resolved • Medium event: brief disruption to service, management intervention required. • Major event: significant disruption to service</p> <p>6.2.3 Each non-conformance category must have a given deadline for rectification. The deadline for each category is • Minor event: within 24 hours • Medium Event: within 6 hours • Major Event:</p>	<p>Section 4.3 – Noise Management Table.</p> <p>Section 4.5 – Emergencies</p> <p>Section 6.2 – Reporting Measures</p>	<p>Acceptable.</p> <p>Sufficient information provided as to how the site will deal with normal and abnormal events, including timeframes.</p>

	<p>within 1 hour</p>		
<p>Details of the appropriate controls (both physical and management) needed to manage the identified risks</p>	<p>Table 4.3 outlines the management controls for the equipment/plant on-site.</p> <p>5.1.1 The following will be considered when operating the site:</p> <ul style="list-style-type: none"> • Prevent generation of noise by good design and maintenance • Daily maintenance checks – operational and maintenance staff • Preventative maintenance schedule – based on manufactures guidance and historical data, experience. Pro-active and pre-emptive • Noise monitoring and audits – noise monitoring as part of the daily site inspection any abnormal findings are recorded in the site log and reported to the site supervisor. Rattles, hums, squeaks, relief valves, irregular sounds etc • Prioritising maintenance activities – short and 	<p>Table 4.3</p> <p>Section 5 – Best Available Techniques (BAT)</p>	<p>Acceptable.</p> <p>List of risks identified and controls proposed.</p>

	<p>long-term action plans, monitor reliability.</p> <ul style="list-style-type: none"> • Critical spares or supplier identified – spares available on demand. • Daily operational checks - external doors are closed when not in use, hatchways or access doors left open, acoustic hoods not attached/fixed correctly, engines idling when not in use, suitable PPE being used as required. • Daily operational checks – perimeter checks to assess noise levels, changes in level tone, intermittent noise, nuisance noise. This noise assessment is subjective, dependent on experience, familiarisation. • Records – site logs record operational and maintenance issues/findings. • Communication – open 2-way communication, listen to concerns raised, investigate as required and feedback to group or individual. • Procurement – equipment selection, noise rating, inclusive attenuation, replacement policy, life cycle of product • Signage – Appropriate signage denoting noise control areas and quiet zones. 		
<p>Confirmation of the level of monitoring that should be in place.</p> <ul style="list-style-type: none"> • subjective assessment of noise impact • objective sound level 	<p>Qualitative Monitoring Proposed</p> <p>"5.2.1 Ongoing Qualitative Assessment - Site management i.e. the site manager, compliance manager or TCM will subjectively monitor noise levels in and around the entire site perimeter throughout the day. The monitoring will take place using a class 2 sound level meter while the site is operational and should it be observed that unacceptable levels of noise are being emitted from the site, the assessor will contact site</p>	<p>Section 5.2 – Operating Management Plan. Section 5.3 – Objective Noise Monitoring.</p>	<p>Acceptable</p>

<p>monitoring • recording complaints (made directly to you, the environment agencies, or to a third party such as a local authority)</p>	<p>management and advise that operations must cease.</p> <p>5.2.2 The results of monitoring exercises and any remedial action taken will be entered into the site’s diary or logbook which is available for NRW to inspect upon request. The name of the inspector will be stated in the site’s diary / inspection form for each day of operation.</p> <p>5.2.3 Should the monitoring conclude that a certain activity is giving rise to noise which is causing unacceptable impacts, the operation will cease until steps have been taken to prevent the re-occurrence. The operator will also consider informing local residents when the crushing/pecking activities are likely to take place and whether it would be suitable to do so at such time or agree another suitable time with the receptor.</p> <p>5.2.4 Site management will be suitably trained to carry out these duties and delegate to operational staff. Further information regarding training and technical competence is provided within the site’s EMS.</p> <p>5.2.5 Operational staff will continuously monitor noise emissions whilst the treatment plant is in operation and will control noise levels using the procedures listed above, asking site management for advice as required. Work procedures will be stopped/adjusted should it be evident significant noise is being generated which has the potential to cause annoyance.</p> <p>5.2.6 Site management will also be required to make a note of any unavoidable events such as plant failure, in the site diary, rather than just actual complaints received. This will ensure that if complaints are received retrospectively from either NRW or directly, any circumstances which led to that complaint as a result of elements outside of the operator’s control would be able to be attributed (or, at least, in part) to the cause of the complaint.</p> <p>Quantitative proposed as reactive</p> <p>5.3.1 This includes the use of at least a class 2</p>		
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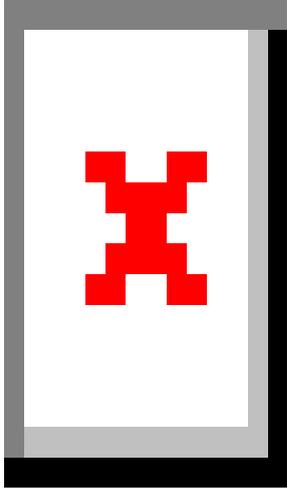
sound level meter (to be purchased) in order to actively measure the sound levels on site. This will take place during typical operations when the site is in use and associated plant vehicles are operating as normal.

5.3.2 Regular Quantitative Assessment - Should adverse impact be identified by the assessor or if complaints are received by NRW/third parties, the operation giving rise to the noise will cease and an appropriately qualified acoustician will be employed to identify the cause of the elevated noise levels and suggest suitable mitigation measures to prevent reoccurrence. This may include, repair of malfunctioning plant, enclosure of plant, erecting acoustic screening to the top of the quarry edge or adjusting on-site operations.

5.3.3 It is proposed to monitor the noise every month at the NSRs with parameters such as LAeq1hour (A weighted noise levels averaged over a 1-hour period) LAFmax noise levels will be recorded. Measurements taken on site will be compared with previous measurements. If LA90,1hour noise levels increase by more than 3dB from the previous month then the cause of the increase will be investigated.

5.3.4 When the source of the noise level increase is identified then the remedial works shall be undertaken to reduce the noise from this particular source back to normal levels. The plant or most offending noise source will be taken out of commission until work is complete. This will be logged in the site diary and the complaints form.

5.3.5 Records will be maintained by both the operator and the monitoring acoustician and will be available upon request.

<p>Details of the actions you will take, contingencies, and responsibilities, when problems arise (it is particularly important that you include expected actions resulting from exceptional circumstances or where serious pollution may occur)</p>		<p>Section 5.2 – Operating Management Plan Section</p> <p>5.3 – Objective Noise Monitoring</p> <p>Section 6.3 – Noise Complaint Investigation</p> <p>Section 6.4 – Key Responsibilities</p>	<p>Acceptable.</p>
<p>Confirmation of the procedures in place to consider reducing or stopping operations to avoid serious noise pollution</p>	<p>"6.1.3 It must be noted that the site lies adjacent to several industrial uses, so in the event of a complaint, the operator will substantiate the complaint by carrying out noise monitoring to identify whether the complaint is valid. If the complaint is valid, the site will implement the complaint procedures and cease operations immediately.</p> <p>6.1.4 If the source cannot be ascertained with 100% confidence, site management will either suspend or reduce the likely noise generating activities.</p> <p>6.1.5 If the source is within the site’s control, site management will take appropriate action to ensure the issue has been rectified. This may take the form of the following: • Investigating the source to prevent a re-occurrence. • Suspending operations which are not being conducted using best-practice controls. • Investigate noise mitigation measures • Logging findings of a – c in the site diary / complaints form and also in the</p>	<p>Section 5 – Actions when complaints are received.</p> <p>Appendix II – Complaints Procedure and Recording Form</p>	<p>Acceptable.</p> <p>More detail has been provided and reference to a procedure has been given that states the site operations will cease if a complaint is substantiated.</p>

	reporting template within the EP".		
<p>A procedure for engaging with neighbours to minimise their concerns and respond to complaints including:</p> <ul style="list-style-type: none"> • Notification to NRW • Investigation route • Preparation to stop a noisy activity 	<p>"6.3.1 All complaints received from third parties including statutory authorities, statutory consultees, members of the general public and representatives of the company will be forwarded to the operations manager to action as below within 2 hours (where feasible). The complaint will be logged in the incident database within 72 hours.</p> <p>6.3.2 The operations manager will ensure that:</p> <ul style="list-style-type: none"> • The complaint is investigated to identify the cause, if necessary, this may involve direct communication with the complaint. • The noise source will be measured using a class 2 sound level meter and compared with monthly objective monitoring records. • In the event of elevated noise being detected, the presence of 'abnormal' onsite activity is assessed and if necessary, action is taken immediately to prevent a reoccurrence of the same problem. These actions must be documented. • The complainant will be contacted and given information on the investigations conducted and actions taken as appropriate. • All complaints are reported to regional directors and discussed at site meetings. • Details of other complaints are sent to the other company personnel as appropriate. <p>6.3.3 If the investigation indicates that the</p>	<p>Section 6.3 – Noise Complaint Investigation</p> <p>Section 7.3 – Liaison with neighbours.</p>	<p>Acceptable.</p> <p>Site have committed to liaising with neighbours.</p> <p>Additional information provided confirming that NRW will be immediately informed of a breach of any permit condition.</p> <p>Section 6.3 now provides sufficient information relating to the investigation of a complaint</p>

	<p>complaint has not been justified this will be clearly recorded on the incident report. All complaints will be logged".</p> <p>"7.3.1 In the event of a significant, but temporary, increase in noise and vibration from the site, neighbours will be contacted to advise them of the occurrence and action being taken to remediate the issue on site. The operator will request contact information i.e. emails from the nearest receptors and advise of them of when any potentially noisy activities are to take place. Depending on what responses come back from receptors, the operator can make a decision whether or not for this to take place at a different time.</p> <p>7.3.2 An open-door policy will be encouraged by the operator to enable any complaints from neighbouring premises (if received) to be dealt with immediately. The complainant will then be supplied with remedial actions taken and any procedures or measures put in place by the operator to reduce or ideally eradicate the likelihood of a subsequent complaint.</p> <p>7.3.3 If the operator receives a direct complaint from a neighbour during site operations, the operator will:</p> <ul style="list-style-type: none"> • Notify NRW • Investigate the cause of the noise • Cease the activity giving rise to the noise <p>7.3.4 A complaints form would be completed and issued to the complainant and NRW to ensure the complaint has been dealt with to prevent a reoccurrence of the issue".</p>		<p>and how a potentially noisy activity could be stopped.</p>
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The Noise Management Plan has been deemed acceptable in line with UK Environment Agency Noise guidance.

ACTION: Please now implement the Noise Management Plan version 1.3 accordingly.

ACTION: Please ensure that class 2 sound level meter is purchased by 31st January 2025 (if this hasn't been purchased already).

ACTION: Commence sound monitoring as per section 5.3 'Objective Noise Monitoring'.

Should you wish to discuss or query anything in this CAR form, please get in touch using the details below.

Kind Regards,

Sarah Walton
Swyddog Rheoleiddio Gwastraff / Waste Regulation Officer
Gogledd-Orllewin / North West

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012

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.

What are suspended scores?

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 and Waste action criteria (used in section 1 and 2):

A: Permitted activities

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

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 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.