

Compliance Assessment Report CAR_NRW0045752

Permit being assessed: CB3597FW.

For: Borrás Quarry, **held by:** Breedon Trading Limited

At: Borrás Airfield, Holt Rd, Holt, Wrexham, LL13 9SE.

Type of assessment: Site Inspection,

Reason: Routine.

On: 03/12/2024 between 12:00 and 13:00.

Parts of permit assessed: waste acceptance, operating techniques, records, the site.

NRW Lead Officer: Joe Weatherley.

Report sent to: Rob Ledward, Site Manager, on 14/02/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W2A - Waste - Operations - Permitted activities	Assessed (A)	
W2B - Waste - Operations - Waste recovery plan	Assessed (A)	
W2C - Waste - Operations - Operating techniques	Assessed (A)	
W2D - Waste - Operations - The site	C3 Minor	2.4 The Site 2.41
W2E - Waste - Operations - Waste acceptance	Assessed (A)	
W4A - Waste - Information - Records	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
1	4

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
W2D	Remove waste materials from the non permitted area and	18/04/2025

Criteria	Action needed	Complete by
	store within the permitted area. Please complete this action by Friday 18th April 2025. Ensure there is enough space within the permitted area, to allow for storage of waste materials that are to be treated under the permit conditions. If there isn't adequate storage space, don't accept more waste until space becomes available.	

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

This was an unannounced, routine site inspection carried out by Waste Regulation Officer Joe Weatherley. The weather at this time was dull and overcast and the ground was wet from recent rainfall.

The permitted operation is situated on the old airfield and is part of a larger activity that takes in Borrass Quarry.

Upon arrival at the site, the officer was greeted by a site operative who accompanied him to the office. After signing the attendance register, the operative explained the site safety rules and requested the officer read through the safety manual and sign it to this effect. The officer asked to see the site permit and was shown a large folder containing the permit and other site related records. These documents were clear, legible, current and in good order.

The operative provided a vehicle and accompanied the officer on an inspection of the site.

The waste types stored on the site are all permitted under the terms of the site permit and include tarmac road plainings.

Following the visit, the officer re examined the site permit with a focus on the site plan and formed the opinion that a substantial amount of waste at the site, was being stored outside of the permitted area.

The officer contacted the site TCM and arranged to re visit the site. This second visit was at 10:45 on Wednesday 22nd January 2025. During the visit, the officer was accompanied by the Site Manager and the TCM. The officer saw and was able to substantiate that a large amount of waste was being stored in an area outside of that indicated on the site plan. This waste material appeared to consist mostly of tarmac plainings.

Waste stored outside of permitted area (images taken on follow up visit 22/01/2025)



**Green border showing extent of permitted area as per site plan.
Red border indicates non permitted area where waste has been stored.**



This is contrary to permit **condition 2.4.1** which states: *"the activities shall not extend beyond the land shown edged in green on the site plan attached to the permit"*. The site TCM explained that this situation had come about due to a large area of the permitted site being used as parking space for plant vehicles and machinery from a neighbouring operation. This had left no room for storage of incoming waste.

This is also a breach of **condition 1.1.1** of the permit which states:
"The operator shall manage and operate the activities: (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and (b) using sufficient competent persons and resources."

In storing the waste outside of the permitted area, the operator has not acted in accordance with the site EMS (Environmental Management System) which states:

"For sites where incoming waste is disposed to a landfill, used for engineering, recovery, noise bunds, edge protection or landscaping work, managers must ensure that: -

- Waste is only deposited on land which is covered by a suitable permit or a registered exemption"*

Both breaches have been given a consolidated C3 score.

Action: Please move the waste into the permitted area by **Friday 18th April 2025**.

Going forwards, please ensure that adequate storage space is available within the permitted area to accept incoming waste. If adequate storage space is not available, waste should not be brought onto the site, or stored outside of the permit boundary.

Thank you for facilitating this inspection.

Should you wish to discuss the contents of this report, please don't hesitate to contact me using the details provided below.

Kind Regards

Joe Weatherley

Waste Regulation Officer (NE Waste Regulation Team)

Email: joe.weatherley@cyfoethnaturiolcymru.gov.uk

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

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.

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

1. Management

- W1A – General management
- W1B – Energy Efficiency (MCP/SG facilities only)
- W1C – Avoidance, recovery and disposal of wastes produced by the activities

2. Operations

- W2A – Permitted activities
- W2B – Waste recovery plan
- W2C – Operating techniques
- W2D – The site
- W2E – Waste acceptance
- W2F – Technical requirements
- W2G – Improvement programme
- W2H – Pre-operational conditions

3. Emission and Monitoring

- W3A – Emissions to water, air or land
- W3B – Emissions of substances not controlled by emission limits
- W3C – Odour
- W3D – Noise and vibration
- W3E – Monitoring
- W3F – Pests
- W3G – Fire

4. Information

- W4A – Records
- W4B – Reporting
- W4C – 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.