

## Compliance Assessment Report CAR\_NRW0046154

**Permit being assessed:** BB3192CR  
For: Caerphilly Mountain Snack Bar, held by Gavin Jones  
At: Mountain Rd, Caerphilly, CF83 1JA.

**Type of assessment carried out:** Site Inspection, Reason: Incident Response (Incident number: 2500763).

On 23/01/2025, between 09:45 and 10:30.

Parts of permit assessed: All

**NRW Lead Officer:** Gavin Summerhill.

**Report sent to:** Gavin Jones, Owner, on 10/02/2025.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-C2 - Water Quality - Emissions and monitoring - Emissions to land	C2 Significant	1 Management 1.1 General management 1.1.1 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 and those drawn to the attention of the operator as a result of complaints; and (b) using sufficient competent persons and resources. 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained. 1.1.3 Any person having duties that are or may be

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
		affected by the matters set out in this permit shall have convenient access to a copy of it kept at or near the place where those duties are carried out.
WQ-C2 - Water Quality - Emissions and monitoring - Emissions to land	C2 Significant	4.3 Notifications 4.3.1 Natural Resources Wales shall be notified without delay following the detection of: (a) any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution;

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

## 2. What action is required?

Criteria	Action needed	Complete by
WQ-C2	<ul style="list-style-type: none"> <li>• Written management plan needs to be submitted.</li> <li>• Inspect Package Treatment Plant.</li> <li>• Produce an investigative report highlighting the reason for the Package Treatment Plant Failure.               <ul style="list-style-type: none"> <li>• All effluent currently being discharged from the Package Treatment Sewage Works must be tankered away weekly using an authorised waste removal company until the Package Treatment Sewage Works is brought back into compliance with permit conditions</li> <li>• Submit weekly Waste Transfer Notes.</li> <li>• Bring Package Treatment Plant into compliance with Permit Conditions.</li> </ul> </li> </ul>	03/03/2025
WQ-C2	<ul style="list-style-type: none"> <li>• Written management plan needs to be submitted.</li> <li>• Inspect Package Treatment Plant.</li> <li>• Produce an investigative report highlighting the reason for the Package Treatment Plant Failure.               <ul style="list-style-type: none"> <li>• All effluent currently being discharged from the Package Treatment Sewage Works must be tankered away weekly using an authorised waste removal company until the Package Treatment Sewage Works is brought back into compliance with permit conditions</li> <li>• Submit weekly Waste Transfer Notes.</li> </ul> </li> </ul>	03/03/2025

Criteria	Action needed	Complete by
	<ul style="list-style-type: none"> <li>Bring Package Treatment Plant into compliance with Permit Conditions.</li> </ul>	

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.

**You are non-compliant with your permit.**

**We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.**

### 4. Details of our assessment

#### Report

I visited Caerphilly Mountain Snack Bar, Mountain Road, Thornhill, Caerphilly CF83 1JA following reports on the 20th January 2025 of sewage discharge at the premises.

I attended the reported incident on the 23rd January 2025. I arrived on site at 9.45am. I carried out a visual inspection at the reported location and could clearly see sewage discharge on the banking at NGR ST 15599 851925. The discharge had a strong odour. Please see Fig 1 and 2 below.

Fig 1



Fig 2



I spoke with the assistant manager who advised he was unaware of any issues with the Package Treatment Plant. At this point he made a phone call to the owner. I spoke with the owner who advised he was aware of the issue with the Package Treatment Plant and has been in communication with a company since the 10/01/2025 via email to rectify the problem.

I advised the owner the issues with the Package Treatment Plant needs to be addressed as soon as possible.

**Breaches of permit condition:**

**Breach 1**

**1 Management**

**1.1 General management**

1.1.1 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 and those drawn to the attention of the operator as a result of complaints; and

(b) using sufficient competent persons and resources.

1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.

1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of it kept at or near the place where those duties are carried out.

### **Justification**

*No written management plan available at time of visit.*

## **Breach 2**

### **4.3 Notifications**

4.3.1 Natural Resources Wales shall be notified without delay following the detection of:

(a) any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution;

### **Justification**

*Natural Resources Wales was not notified of the malfunction, breakdown or failure of equipment resulting in a pollution*

### **Action required by date specified:**

- Written management plan needs to be submitted.
- Inspect Package Treatment Plant.
  
- Produce an investigative report highlighting the reason for the Package Treatment Plant Failure.
- All effluent currently being discharged from the Package Treatment Sewage Works must be tankered away weekly using an authorised waste removal company until the Package Treatment Sewage Works is brought back into compliance with permit conditions
- Submit weekly Waste Transfer Notes.
- Bring Package Treatment Plant into compliance with Permit Conditions.

The above actions are required by the 3rd March 2025.

### **Contact details:**

If you have any queries regarding this CAR form or to provide an update on any actions

above, please contact me using the following details:

Gavin Summerhill (Environment Officer)

[gavin.summerhill@cyfoethnaturiolcymru.gov.uk](mailto:gavin.summerhill@cyfoethnaturiolcymru.gov.uk)

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 to 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
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

### If your assessment result in Section 1 is suspended, what does this mean?

In line with our guidance, we may suspend non-compliance for up to six months to allow time for remedial action to be taken. These will be re-instated if the action is not completed.

**Full list of water quality action criteria (used in section 1 and 2):****WQ A: Management**

- WQ-A1 General management

**WQ B: Operations**

- WQ-B1 Permitted activities
- WQ-B2 The site
- WQ-B3 Operating techniques
- WQ-B4 Improvement programme
- WQ-B5 Pre-operational conditions

**WQ C: Emissions and monitoring**

- WQ-C1 Emissions to water
- WQ-C2 Emissions to land
- WQ-C3 Emissions of substances not controlled by emission limits
- WQ-C4 Installation of monitoring boreholes

**WQ D: Information**

- WQ-D1 Records
- WQ-D2 Reporting
- WQ-D3 Notifications

**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](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.