

## Compliance Assessment Report CAR\_NRW0046175

**Permit being assessed:** BB3491FS

For: Caer Mynydd Farm, held by Robert Barton

At: Caer Mynydd Farm, Saron, Denbigh, Denbighshire, LL16 4TL.

**Type of assessment carried out:** Check Monitoring/Sampling, Reason: Routine.

On 23/01/2025 - 06/02/2025, between 09:00 and 12:00.

Parts of permit assessed: Permit limits

**NRW Lead Officer:** Amy Chisnell.

**Report sent to:** Deanswood Trading Ltd. , Site Owner, on 13/02/2025.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C1 Major	Ammonia limit
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C2 Significant	Suspended solids limit
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C2 Significant	Biological oxygen demand limit

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

### 2. What action is required?

Criteria	Action needed	Complete by
WQ-C1	Arrange for a service of the treatment plant to bring discharge back into compliance in line with previous permit limits. Submit permit application no later than 7th March 2025.	07/03/2025
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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

This CAR form has been reissued to include the BOD (Biological Oxygen Demand) failure.

An NRW data collection officer took a sample at Caer Mynydd Caravan Park, also known as Saron Leisure Caravan Park on the 23rd January 2025.

The results came back as a failure for the following:

- Ammoniacal Nitrogen as N (Ammonia) - 71.9 mg/l compared to the previous permit limit of 2mg/l - this is considered a category 1 failure, which is a non-compliance that could have a major environmental effect
- Suspended Solids - 70 mg/l compared to the previous permit limit of 30 mg/l - this is considered a category 2 failure, which is a non-compliance that could have a significant environmental effect.
- BOD (Biological Oxygen Demand) - 75.1 mg/l compared to the previous permit limit of 20 mg/l - this is considered a category 2 failure, which is a non-compliance that could have a significant environmental effect.

As part of a pre-application service for obtaining a permit in the current owner's name, an environment officer and a senior environment officer from NRW arranged a site visit with a contractor on behalf of the site owner.

The outfall pipe was checked and there was a steady stream of discharge leaving the pipe, into the watercourse. The discharge looked clear and there were no signs of discolouration or sewage fungus in the watercourse. There was however some pooling of water on the bank and a foul, sewage odour in the area.

The chambers of the treatment system were lifted and there was a crust of sewage sludge present on the surface of the first and final chambers. The aeration was operating in the second chamber and good mixing was observed.

NRW have suggested that the treatment system should be serviced, to bring the discharge back into compliance with the old permit's limits, as these were set to protect the watercourse. The treatment plant should also be assessed for suitability going forwards.

Please note that the routine sample was taken from the water course as the current sample point is not suitable and/or representative. This may affect the sample results. Please ensure the final effluent sample can be obtained safely.

### **Actions:**

- Apply for a permit - stop discharging illegally
- Service the treatment plant in the meantime and bring the discharge back into

compliance

- Provide safe access to the final effluent sample point
- Produce an environment management system and submit this to NRW - this will be required when obtaining a new permit

**The deadline for these actions is 4pm on the 7th March 2025. Please provide evidence of completing these actions in writing to NRW.**

Please note that elevated results of the samples taken of the discharge and their subsequent potential environmental impacts continue to cause Natural Resource Wales significant concerns. This has been exacerbated with the fact that the site still continues to operate illegally without an environmental permit despite several correspondence with the site highlighting the seriousness of the matters in hand.

Although this has been raised with the current owner of the site on several occasions, I must draw to your attention again that any discharge to a watercourse without an environmental permit is an offence. You must address these issues highlighted above as a matter of urgency.

Our enforcement investigation for an illegal discharge is still open and will remain open until a permit is in place. Your cooperation will determine the outcome of the enforcement response.

Should you not comply with the actions outlined in this CAR form, NRW will also consider issuing an enforcement notice, such as an anti pollution works notice, which may require you to **stop all polluting discharges** to the watercourse.

The law allows us to recover the cost of investigating and dealing with these incidents from the person(s) responsible. This is known as the 'Polluter Pays' principle. Natural Resources Wales can still recover costs when an incident does not result in pollution of water and when an offence has not been committed.

Our officers are able to offer free pollution prevention advice and assistance, but we must also consider recovery of our costs when responding to incidents.

**Please note that the longer the investigation continues, the higher the costs of the recharge for our officer's time may be.**

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.