

Compliance Assessment Report CAR_NRW0045977

Permit being assessed: YP3632EM.

For: Sandycroft Poultry Processing, **held by:** 2 Sisters Food Group Limited

At: VION Sandycroft Glendale Avenue , Sandycroft, DEESIDE, Clwyd, CH5 2QP.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 31/12/2024.

Parts of permit assessed: Annual performance.

NRW Lead Officer: Rebecca Harwood.

Report sent to: Site Director, Site Director, on 17/02/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3A(1) - Installations - Emissions and monitoring - Emissions to water	Assessed (A)	
IR3E - Installations - Emissions and monitoring - Monitoring	Action only (X)	
IR4B - Installations - Information - Reporting	Assessed (A)	
IR2A - Installations - Operations - Permitted activities	C3 Minor	2.1.1

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
IR3E	Advise NRW whether the CSA Group have been to site and whether an Inspection Certificate has been issued. Please supply NRW with a copy of the certificate if this has been completed, or update NRW on when this inspection is to be	03/03/2025

Criteria	Action needed	Complete by
	undertaken.	
IR2A	Permit variation submitted to amend condition 2.1.1 Permitted activities	Already completed

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.

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

Annual performance reporting 2024

Condition 4.2.2 of the permit requires a report on the performance of the permitted activities over the previous year to be submitted.

1. Monitoring Data - Effluent Treatment Plant

Emissions to sewer were monitored from emission point S1 for Mercury, Chemical Oxygen Demand and flow in accordance with condition 3.5.1.

Mercury concentrations were below the emission limit value of 0.5 µg/l. The maximum COD reading was 1520 mg/l on 19/11/2024. The maximum flow was 1,232m³ on 17/10/2024.

The Operator has installed an MCERTs accredited COD and flow meter. During October it was identified that this had not been audited by the CSA Group. The guidance states that *"Compliance is achieved following satisfactory completion of a site inspection and a management system audit. Once the audit and inspection has been satisfactorily completed, CSA Group will issue an MCERTS Inspection Certificate, valid for 5 years."*

Action 1: Advise NRW whether the CSA Group have been to site and whether an Inspection Certificate has been issued. Please supply NRW with a copy of the certificate if this has been completed, or update NRW on when this inspection is to be undertaken.

2. Annual Production/treatment

The maximum number of chickens slaughtered in a week was 1,102,492 birds. The maximum amount of product produced in a week was 1,435t.

Following receipt of information as requested in CAR NRW0045641 and having reviewed the data supplied in relation to Action 16 - kill numbers, it has been confirmed that the Operator is slaughtering birds 7 days per week. In addition, the operator is slaughtering

more birds than the permitted daily average.

For the period 01/01/2024 – 17/11/2024, the data indicates that the Operator was slaughtering on average 146,400 birds a day. The permitted limit is an average of 134,000 birds per day, as per condition 2.1.1 which states *The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the “activities”)*

Table S1.1 activities

Activity reference	Activity listed in Schedule 1 of the EP Regulations	Description of specified activity	Limits of specified activity
AR1	Section 6.8 Part A(1)(b)	Slaughtering chickens at a plant with a carcass production capacity of more than 50 tonnes per day	From receipt of live birds, slaughter and primary processing. Activity to take place 6 days per week. Average of 134,000 birds, received and processed per operational day.

Condition 2.3.1(a) Operating techniques states *The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by Natural Resources Wales.*

The Operating Techniques submitted as part of the permit variation also reference the reduced numbers as indicated in Table S1.1.

A Regulation 36 statutory notice was issued by NRW to the Operator requiring them to comply with conditions 2.1.1 and 2.3.1(a) from the 3rd February 2025.

The Operator stated at a meeting in January that the assessments for the permit variation issued in June 2023 relating to air, water, habitats, fugitive emissions, amenity etc were based on the current throughput figures (i.e. 146,000 birds and 7 days a week operation) not those submitted in the variation application (i.e. 134,000 birds and 6 days a week operation).

The Operator has subsequently submitted a permit variation to resolve the issue to regularise the activities and kill numbers.

Based on the above a category 3 breach of condition 2.1.1, against compliance criteria (IR2A) Permitted activities has been applied.

Once the permit variation has been determined, NRW will consider their enforcement response in relation to the Regulation 36 notice.

3. Performance Parameters

Water, energy, waste disposal and refrigerant consumption figures were provided. An Environmental Management System summary report was also submitted.

4. Improvement Conditions (IC)

IC16a states

Following establishment of a routine steady operation following the construction of the new covered loading bay, the Operator shall undertake a noise impact assessment for the whole site following BS4142:2014 and guidance set out in [Noise and Vibration Management: Environmental Permits](#). The assessment should include an objective assessment of narrow band (FFT) measurements to identify any tonal elements from on-site sources and off-site at sensitive receptors.

The assessment should include consideration of the Welsh Government's Noise and Soundscape Action Plan 2018-2023.

Upon completion of the work, a written report shall be submitted to Natural Resources Wales for approval.

The report was submitted to NRW on the 7th January 2025 and is currently being reviewed.

The Operator is reminded that IC16b requires an updated Noise Management Plan to be submitted to NRW within 3 months of completion of IC16a.

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 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.