 Environment Agency	EPR Compliance Assessment Report	Report ID:			
This form will report compliance with your permit as determined by an Environment Agency officer					
Site	Hugmore House	Permit Ref	FB3606GC		
Operator/ Permit holder	Agrispread Ltd				
Date	18/10/2024	Time in	16:40	Out	17:40
What parts of the permit were assessed	3.2.1				
Assessment		EPR Activity:	Installation	Waste Op	x Water Discharge
Recipient's name/position	Rob Piggott TCM				
Officer's name	Amy Henderson	Date issued			

Section 1 - Compliance Assessment Summary					
<p>This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS scores can be consolidated or suspended, where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.</p>					
Permit Conditions and Compliance Summary					Condition(s) breached
a) Permitted activities	1. Specified by permit				
b) Infrastructure	1. Engineering for prevention & control of pollution				
	2. Closure & decommissioning				
	3. Site drainage engineering (clean & foul)				
	4. Containment of stored materials				
	5. Plant and equipment				
c) General management	1. Staff competency/ training				
	2. Management system & operating procedures				
	3. Materials acceptance				
	4. Storage handling, labelling, segregation				
d) Incident management	1. Site security				
	2. Accident, emergency & incident planning				
e) Emissions	1. Air				
	2. Land & Groundwater				
	3. Surface water	C2		3.2.1	
	4. Sewer				
	5. Waste				
f) Amenity	1. Odour				
	2. Noise				
	3. Dust/fibres/particulates				
	4. Pests, birds & scavengers				
	5. Deposits on road				
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment				
	2. Records of activity, site diary, journal & events				Action given
	3. Maintenance records				
	4. Reporting & notification				
h) Resource efficiency	1. Efficient use of raw materials				
	2. Energy				
KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk), A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable					

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	31
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If the Total No Breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- the part(s) of the permit that were assessed (e.g. maintenance, training, combustion plant, etc)
- where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- any non-compliances identified
- any non-compliances with directly applicable legislation
- details of any multiple non-compliances
- information on the compliance score accrued inc. details of suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and completed within 5 days of an assessment.

This was an unannounced site inspection carried out at the registered deployment PAN-026421 at Hugmore House. The deployment is registered under Agrispread LTD EPR/ FB3606GC. The inspection was carried out by Environment Officers Sally Sheehan and Callum Brannan.

The inspection was carried out following reports that spreading had been taking place throughout the week during very wet conditions. Concern was also raised regarding the washing of tankers out near to and into the road drain.

Officers arrived on scene at 16:40 and a walk around the fields registered under the deployment was carried out.

Within the fields inspected, the waste was seen to have pooled thickly in areas. With a pool of waste seen around the spreading equipment, as shown in the photo below.

Waste was seen to have run-off and entered a ditch within field 5. This is shown within the photographs below. This ditch had not been identified on the spreading risk maps within the application.

Officers identified waste to have entered a road drain at the entrance to the field . A bucket of black liquid was identified to have been left in situ on the verge by the gateway next to the road drain. Waste had also run off into the adjoining track to field 5.

Spreading was identified to have taken place via surface spreading.

Waste transfer notes were requested following the inspection, these stated that waste which had been spread at the deployment was mainly potable water treatment sludge. Under the permit this waste type is permitted to be spread via surface spreading. However spreading records, only detail Encirc waste being spread to fields 4&5 on the 13th October 2024. This waste should be injected. Concerns from the reporter were in relation to spreading taking place on fields at the south of the deployment during the wet weather (fields 4-7). It has not been included on the spreading records that spreading was taking place on these fields on 15th & 16th October. Spreading records only detail spreading taking place in field 1 of the deployment between 14th-16th. The company confirmed via email that spreading had ceased on Wednesday 16th October 2024 due to the weather. Spreading records show a load was accepted and spread on this day. At this time there was a yellow weather warning in place for the area for heavy rainfall, with numerous nearby locations experiencing surface water flooding. The weather warning had been in place since 6pm the evening of Tuesday 15th October 2024, with some areas forecast to see up to 80mm of rain. This therefore raises concerns that the operator had commenced spreading activities on the 16th October during a weather warning. The operator has been advised previously that spreading should not take place in unsuitable conditions, the importance of this is to ensure no environmental harm from the permitted activity. Spreading should therefore not have been taking place given the forecast in place at the time. It was identified that the heavy rainfall had caused the deposited waste to run off into the ditch.

Officers at the time of the incident were unable to contact the permit holder via phone. A follow

up email was sent to make them aware of the incident and request a clean-up of the ditch and the road drain. The permit holder confirmed on 21/10/2024 that this had taken place. Copies of waste transfer notes for the deployment were requested. These were provided on 07/11/2024.



Waste identified as having run into road drain near field entrance



Waste pooled thickly around spreading equipment in field 5



Area where waste had pooled within field 5 of the deployment



Waste on track adjacent to field 5 of the deployment (outside of deployment area)



Waste seen pooling within field 4



Photograph showing waste spread in close proximity to the drainage ditch in field 5. Pathway can be seen where waste has run-off into drainage ditch.



Waste within the ditch in field 5

As a result of this site inspection the following permit breaches have been identified.

3.2.1 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this rule if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.

The Agricultural benefit statement also states spreading operations will not be carried out when there are adverse weather conditions that are likely to interfere with the operation. These conditions include heavy rain, or during periods of heavy snow or frozen ground as defined in the Code of Good Agricultural Practice (COGAP).

The pollution to the ditch is a breach of the above condition. Spreading had continued to take place during a weather warning, which in turn resulted in the waste being washed off into the ditch. Waste was also seen within the road drain at the field entrance. It is deemed that appropriate measures were not in place to prevent pollution from occurring. Spreading in unsuitable conditions increases the risk of run-off and pollution to nearby watercourses. It is deemed that it was foreseeable that spreading in these conditions risks run off and pollution. The waste had been surface spread, which although is permitted for this waste type under the deployment, increases the risk of run-off further during the weather conditions at the time. The registered deployment is within the Dee water protection area, with nearby stream, the Devon Brook being a tributary of the River Dee. The river Dee catchment is particularly sensitive due to its designation as a SSSI/SAC and also for its use as a provider of drinking water. There is also a spring located within close proximity of field 5. The permit holder has been advised regarding the importance of spreading in suitable weather conditions on previous CAR forms. The ditch had also not been identified on spreading maps. Prior inspections of the deployment fields should have identified this as a risk and it have been included on these risk maps. **This breach has therefore been given a category 2 non-compliance score. This has been scored above under EA criteria E3 Emissions to surface water (under updated NRW guidance the breach would fall under criteria W1A - General management).**

An action has been given to ensure all spreading takes place in suitable weather conditions.

An action has been given to provide updated spreading risk maps for the deployment, identifying all ditches located within spreading area. Please provide these by the 25th February.

Condition 2.1.6 of the permit states Records demonstrating compliance with rules 2.1.3, 2.1.4 and 2.1.5 shall be maintained.


Spreading records provided on the 07/11/2024 do not included details of the spreading taking place on the 15th & 16th to the fields in the south of the deployment (fields 4-7). **An action has been given to ensure that spreading records are accurate. Please check these records provide an accurate picture of the spreading taking place within fields all fields and resubmit any changes necessary. Please provide this by the 26th February.**

Should you have any queries regarding this CAR form please contact
amy.henderson@cyfoethnaturiolcymru.gov.uk

Kind regards
Amy Henderson
Swyddog Rheoleiddio Gwastraff / Waste Regulation Officer
Cyfoeth Naturiol Cymru / Natural Resources Wales
Swyddfa Bwcle / Buckley Office

"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"

There has been a delay in the issuing of this CAR form due to this being a cross-border deployment

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Operator/ Permit	Agrispread LTD	Date	18/10/2024

Section 3- Enforcement Response		Only one of the boxes below should be ticked	
You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.			
Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.			

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.	
We will now consider what enforcement action is appropriate and notify you, referencing this form.	X

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
E3	C2	Ensure spreading takes place in suitable weather conditions i.e not within active weather warnings for heavy rainfall.	Immediate effect.
E3	C2	Provide updated spreading risk maps for the deployment, identifying all ditches located within spreading area.	26 th February 2025
G2	Action	Ensure that spreading records are accurate. Please check these records provide an accurate picture of the spreading taking place within fields all fields and resubmit any changes necessary. Please provide this by the 26th February.	26 th February 2025

Section 5 - Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- advise on corrective actions verbally or in writing
- require you to take specific actions in writing
- issue a notice
- require you to review your procedures or management system
- change some of the conditions of your permit
- decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you.

● We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.

● Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- ensure you comply with other legislative provisions which may apply.

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance which could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General Information

Data protection notice

The information on this form will be processed by the Environment Agency to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). The Environment Agency may also use and/or disclose it in connection with:

- offering/providing you with its literature/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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

The Environment Agency may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The Environment Agency will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with the officer's line managers. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 03708 506 506 (Mon to Fri 08.00–18.00) and ask for the Customer Contact team or send an email to enquiries@environment-agency.gov.uk. If you are still dissatisfied, you can make a complaint to the Ombudsman. For advice on how to complain to the [Parliamentary and Health Service Ombudsman](#) phone their helpline on 0345 015 4033.