

Compliance Assessment Report CAR_NRW0046553

Permit being assessed: FB3735AT.

For: Cambrian Concrete, **held by:** Lloyd Holdings (North West) Ltd

At: Cambrian Concrete, Rhosesmor, Near Mold, Flintshire, CH7 6PE.

Type of assessment: Site Inspection,

Reason: Routine.

On: 05/03/2025 between 09:40 and 12:00.

Parts of permit assessed: 1.1.1.

NRW Lead Officer: Boguslawa Pierzchala.

Report sent to: John Lloyd, Owner, on 25/03/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W4B - Waste - Information - Reporting	Assessed (A)	
W1A - Waste - Management - General management	C3 Minor	1.1.1 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 complaint;
W1A - Waste - Management - General management	C3 Minor	Table 2.4 Operating techniques: 1. The Operator shall: (a) following any fire or if required by the

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
		Environment Agency, submit to the Environment Agency for approval within the period specified a fire prevention plan
W1A - Waste - Management - General management	Action only (X)	
W2E - Waste - Operations - Waste acceptance	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
2	8

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
W1A	Please provide an up-to-date EMS for assessment	23/05/2025
W1A	Please provide an up-to-date FPMP for assessment	23/05/2025
W1A	To clarify the purpose of bringing the waste onto site and to fully understand the plans for this waste please submit a summary of how the waste has been used so far, and what the plan is for the remaining waste. Also, please confirm the total amount of waste accepted on site under the exemption, what waste has been accepted, including the waste codes.	01/04/2025
W2E	Please clarify if the waste described on the WTN WB145140 was accepted on site or taken out.	04/04/2025

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 a routine unannounced site inspection carried out by Natural Resources Wales officers at

the Lloyd Holdings (North West) Ltd, Cambrian Concrete, Site.

The weather was dry and sunny.

On arrival at site officers spoke to one of the employees (Plant Manager), who invited the officers into the site office.

Several Waste Transfer Notes were checked and officers were also shown a file which contained information regarding a U1 waste exemption, which was active.

A moment later John Lloyd, site owner, arrived at the office and accompanied the officers throughout the visit.

The permit only covers a small proportion of the site. Mr Lloyd shown the officers around the whole site, including the areas not included under the waste permit.

A lot of the material stored on site was virgin non-waste material sourced from various companies.

Mr Lloyd talked about his plans to restore the land by planting trees to prevent and reduce landslide risk.

Officers noted that there were piles of waste bottom ash stored next to that area. Please see photos below.





Bottom ash near landslide

Permit condition **2.2 The site, 2.2.1 states:** “ The activities shall not extend beyond the site, being the land shown edged in green on the site plan attached to the permit.”

As this part of the site is not included under the permit, and as such the deposit may be treated as unauthorised.

The deposit of waste bottom ash should be addressed as part of the separate communications sent to site on 11th March 2025.

Please note that should there be no historic agreements in place the waste must be removed and disposed of at a suitably licenced facility.

W4B Reporting – Waste returns

A review of the waste returns submissions **Q1-Q4 2024** for permit FB3735AT has been completed. It appears to be no breaches in relation to the submitted returns.

All returns show no waste leaving site in 2024.

W1A General Management - Waste acceptance

The waste was stored in separate piles. Based on physical inspection no breaches in relation the amount of waste accepted or stored on site were identified.

However; there is currently no Environmental Management System in place, which would include a detailed site plan explaining the storage arrangements on site. This has been raised with Mr Lloyd as detailed below.

W1A General Management - Environmental Management System (EMS)

Permit condition **1.1.1 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 complaint;

The site doesn't benefit from an Environmental Management System, which is a breach of the above-mentioned permit condition.

EMS is a crucial document and the fact that procedures are not readily available for management and staff is a concern for NRW. We have taken into consideration that there have been no pollution incidents reported on site and the waste streams accepted and stored on site were within the permitted limits and at present are posing minor risk.

Based on the current assessment a **C3** score has been assigned; however the risk will be kept under review, should any further information come to light

Action: Please provide an up-to-date EMS by no later than the **23rd of May 2025**.

Fire Prevention and Mitigation Plan - FPMP

The site is required to have an FPMP readily available to all staff.

Table 2.4 Operating techniques of the site permit states:

1. The Operator shall: (a) following any fire or if required by the Environment Agency, submit to the Environment Agency for approval within the period specified a fire prevention plan;

In July 2017 a letter was sent to the owner informing the site of this requirement.

It was also raised with the site manager during a site inspection in July 2019.

Officers asked to see current FPMP; however it transpired that the site does not benefit from having one. This issue has been discussed with Mr Lloyd.

This is a breach of the above-mentioned permit condition and have been assigned a **C3** score.

Action: Please provide an up-to-date FPMP by no later than the **23rd of May 2025**.

Waste exemptions:

The site registered a U1 exemption on the 25th of August 2022.

Officers were shown a large deposit of what appeared to be inert waste. Mr Lloyd initially stated the waste was being accepted under the waste permit but later clarified that this waste is brought in under the U1 waste exemption.

Mr Lloyd stated that he would like to use the waste to restore unpermitted part of the site.

It was pointed out that only certain activities are permitted under this exemption.

Action: To clarify the purpose of bringing the waste onto site and to fully understand the plans for this waste please submit a summary of how the waste has been used so far, and what the plan is for the remaining or waste.

Also, please confirm the **total amount** of waste accepted on site under the exemption, what waste has been accepted, including the waste codes.

Please comply by the **4th of April 2025**.

Officers pointed out changes in legislation with regard to waste exemption on permitted waste sites. Please find the below link which explains the changes:

[Natural Resources Wales / Check before you register](#)

As discussed, please note that six months after the legislation comes into force, you will not be able to have a waste exemption and a waste permit for the same site, or directly linked sites next to it.

Should you wish to carry on with the activities covered by the exemption a permit variation would be needed.

It is also noted, that since the inspection, another waste exemption – **T5-screening and blending waste**- was registered on the 17th of March 2025.

Waste Transfer Notes - WTN

Several waste transfer notes were checked at the start of the site inspection.

Officers saw a WTN dated the **3rd of March 2025**, which detailed waste described as “refractory waste ” with EWC code 191210. WTN number **WB145140** refers.

EWC code 191210 is not listed on the permitted waste list on the site permit.

Action: Please clarify if the waste described on the WTN was being accepted on site or taken out. Please comply by the **4th April 2025**.

Thank you for your time during the visit please find my contact details below.

Kind regards,

Boguslawa Pierzchala Waste regulation Officer (Waste Regulation Team)

Email: boguslawa.pierzchala@naturalresourceswales.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.