

Compliance Assessment Report CAR_NRW0046814

Permit being assessed: CP3494FZ.

For: Spencer Ind Est Scrapyard, **held by:** Spencer Industrial (North Wales) Ltd

At: Liverpool Road, Buckley, Flintshire, CH7 3LY.

Type of assessment: Site Inspection,

Reason: Routine.

On: 28/03/2025 between 10:15 and 10:50.

Parts of permit assessed: 1.1.1, 2.2.1, 2.3.2.

NRW Lead Officer: Amy Henderson.

Report sent to: Zena Spencer/Jack Spencer, Site Manager, on 14/04/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W1A - Waste - Management - General management	C2 Significant	2.2.1
W2E - Waste - Operations - Waste acceptance	C3 Minor	2.3.2
W1A - Waste - Management - General management	Action only (X)	
W4B - Waste - Information - Reporting	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	35

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	Ensure all waste storage and treatment takes place within the permitted boundary. The site should start work to address this and remove all waste from the non-permitted area with immediate effect.	01/07/2025

Criteria	Action needed	Complete by
W2E	Remove all non-permitted waste types from the site. Ensure only waste codes/descriptions listed in the permit are accepted.	17/04/2025
W1A	Review EMS to ensure this is sufficient to manage the environmental risk of the site. It is also recommended that the site implements a Fire Prevention and Mitigation Plan.	11/07/2025
W4B	Check Waste returns have been submitted in correct units i.e Tonnes	09/05/2025

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.

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 was a routine unannounced site inspection carried out by waste Regulation Officer Amy Henderson.

The weather at the time was dry.

On arrival on site a tour of the permitted area was given. The site was full with no separation or organisation. Much of the metal appeared to have been on-site for some time. Access around the site was difficult due to the quantities stored. The untidiness of the site has been raised in previous CAR forms by former Regulating Officers. There were no fire breaks in place, which poses a risk should a fire occur onsite. Under FPMP guidance the recommended stack length is 20m. The full length of the site contained waste, totalling approximately 130m without any fire breaks. It is recommended that the site implements a Fire Prevention and Mitigation plan to address and minimise the fire risk onsite.

I was informed where the site interceptor was, however this was not accessible due to the fullness of the site/storage of waste in this area. Access to the interceptor should be maintained at all times for general maintenance/in case of emergency.



It was not possible to tell what the surface of the site comprised of, due to the build up of mud on-site.

There were no batteries on-site at the time of the inspection. I was informed a collection had recently taken place but assured these are stored in suitable battery boxes when accepted.



Photos showing general untidiness of the site. Brambles can be seen growing amongst waste to the left.

Swarf was seen stored in a damaged tonne sack, which was spilling out onto the floor.



Photo of swarf spilling out onto the floor.

Unpermitted waste types were also seen onsite such as wood and insulation and plastics, as shown in the photographs below



Photographs of unpermitted waste types on site.

Prior to the inspection it had been identified that waste may be being stored outside of the permitted area. This was discussed and a tour of this area was given. It was confirmed that storage of waste had expanded into a yard area North of the site. This area is not with the permitted boundary. The site were informed at the time this waste is currently being stored

illegally and must be removed. This was also confirmed via an email sent to the site following the inspection.



Photograph of waste stored in a non-permitted area.

A check of waste returns has identified the quantities appear to be incorrect. Please note these should be reported in tonnes. An action has been given to ensure waste returns are checked to ensure the correct units has been reported.

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

2.2.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit.

During the inspection it was identified that waste activities have expanded beyond the permit boundary. This is a breach of the above condition. The waste seen in this area was a mixture of waste types. This area of land has not been risk assessed for its suitability for waste activities and therefore poses an unknown risk to the environment. The site is approximately 60m from a designated SSSI/SAC for Newts and would therefore require a bespoke permit application. For this reason **a category 2 non-compliance score has been issued for the above breach. An action has been given to ensure all waste activity takes place within the permitted area. Work to address this should take place with immediate effect.**

2.3.2 Waste shall only be accepted if: (a) it is of a type and quantity listed in schedule 2 table S2.1, S2.2 etc. Unpermitted waste types were seen onsite, this is a breach of the above condition. These should be removed with immediate effect. **A Category 3 non-compliance score has been given for this permit breach under W2E - Waste acceptance**

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, closure and those drawn to the attention of the operator as a result of complaints. The site EMS we currently have on record was last updated in 2013 and is not deemed sufficient enough to manage the activities onsite. **An action has therefore been given to provide an updated version in compliance with condition 1.1.1 of the permit. It is also recommended that the site implements a Fire Prevention and Mitigation Plan.**

4.2.2 Within one month of the end of each year, the operator shall submit to the Environment Agency using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous year. A check of waste returns has identified that, although these have been submitted, the quantities appear incorrect. **An action has been given to check these quantities are being reported in the correct units i.e tonnes, as stated on the form.**

Thank you for your time during the site inspection.

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"

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.