

## Compliance Assessment Report CAR\_NRW0048103

**Permit being assessed:** CB3591HG.

**For:** Lelo Aggregates, **held by:** Lelo Aggregates Ltd

**At:** Land Situated at Craig Lelo Works, Gwyddelwern, Corwen, LL21 9SD.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 31/03/2025 between 14:10 and 14:50.

**Parts of permit assessed:** General management, waste returns, TCM, waste storage.

**NRW Lead Officer:** Boguslawa Pierzchala.

**Report sent to:** Gari Jones, owner, 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             | Action only (X)   |                                                                                                                                                                                                                                                    |
| W4B - Waste - Information - Reporting                     | Assessed (A)      |                                                                                                                                                                                                                                                    |
| W2B - Waste - Operations - Waste recovery plan            | Action only (X)   |                                                                                                                                                                                                                                                    |
| W1A - Waste - Management - General management             | C3 Minor          | Permit condition 1.1.1<br>The operator shall manage and operate the activities: b)using sufficient competent persons and resources.”<br>Permit condition 1.1.4<br>The operator shall comply with the requirements of an approved competence scheme |

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 |
|----------|-----------------------------------------------------------------------------------------------------------------------|-------------|
| W1A      | Please submit the final version of the EMS and ensure the infrastructure is as described within the relevant sections | 02/05/2025  |
| W2B      | Please submit the test results for the inert waste.                                                                   | 02/05/2025  |
| W1A      | Please confirm who will be acting as the TCM for the site.                                                            | 18/04/2025  |

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

On Tuesday the 31<sup>st</sup> of March 2025 Natural Resources Wales (NRW) waste regulation officer attended at Lelo Aggregates Ltd.

This was a planned, unannounced site inspection.

The weather at the time was dry.

The officer met Gari Jones, site manager, who accompanied officer throughout the inspection.

### **W1 General management- EMS**

During previous site inspections officers noted that storage arrangements were not as described in the site's EMS. An action was requested to bring the site into compliance.

This non-compliance has been addressed. There is a small section of the storage bays that still needs to be installed. Mr Jones assured that this will be completed in the near future.

NRW received an updated version of the site's EMS. Some minor comments were made and sent back to the site's management to be included in the final version.

**Action:** Please submit the final version of the EMS and ensure the infrastructure is as described within the relevant sections. Please comply by the 2<sup>nd</sup> of May 2025

### **W4B Reporting – Waste returns**

A review of waste return submissions for permit number CB3591HG has been completed. The returns show that no waste has been sent from site since the permit was granted.

This was discussed with the owner who stated that the inert waste is treated to produce 6f2 aggregate or similar product under the site's Aggregates Protocol. The most recent samples were taken prior to the inspection and the management was waiting for the results.

**Action:** Please provide the sample results by Friday the 2<sup>nd</sup> of May 2025.

## **W1 General management**

### **Technically Competent Manager – TCM**

Permit condition 1.1.1 states: "The operator shall manage and operate the activities:

b)using sufficient competent persons and resources."

Permit condition 1.1.4 states: "The operator shall comply with the requirements of an approved competence scheme".

It transpired that the site's TCM's certificate of Continuing Competency expired on the 6<sup>th</sup> of April 2024.

This breach has been assigned a **CCS 3** score against the relevant permit conditions.

**Action:** Please confirm who will be acting as the TCM for the site by Friday the 18<sup>th</sup> of April 2025.

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

Kind regards,

Boguslaw

Email: [boguslaw.pierzchala@naturalresourceswales.gov.uk](mailto:boguslaw.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](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.