

Compliance Assessment Report CAR_NRW0046740

Permit being assessed: AP3095FU.

For: A & L Scrap Metal Merchants, **held by:** Andrew Brown & Lee Walter Peacock

At: Barry, Glamorgan, CF63 3RF.

Type of assessment: Site Inspection,

Reason: Routine.

On: 20/03/2025 between 15:14 and 15:20.

Parts of permit assessed: All.

NRW Lead Officer: Gareth Morris, accompanied by Craig Coleman, Daniel Hopkin.

Report sent to: Andrew Brown, Permit Holder , on 12/05/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W4A - Waste - Information - Records	C3 Minor	Permit Condition 7.1.2

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
W4A	Submit up to date waste returns	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.

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

A & L Scrap Metal Merchants Limited Regulatory Site Visit, Cardiff (AP3095FU) 20/03/2025

Waste Regulation Officer Gareth Morris accompanied by Senior Waste Regulation Officer; Craig Coleman and Apprentice Dan Hopkin visited A & L Scrap Metal Merchants, Unit 14E, Atlantic Trading Estate, Barry, Vale of Glamorgan, CF63 3RF on 20/03/2025 to conduct a routine site inspection and to assess compliance with environmental permit: AP3095FU.

The operator holds a: Bespoke Vehicle Depollution & Dismantling (Authorised Treatment) Facility

On arrival at site, the gates were closed and locked, therefore no access to the site could be gained. A visual inspection of the site was conducted outside of the operator's permitted area.

Weather on day of inspection, was clear, dry with little wind.

Breaches Recorded

W1A- General Management

Route Cause Breach 1.1.1

Permit Condition 1.1.1 (A) 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 complaints.***

Action: Due to the gates to the permitted site being locked, I had to complete a visual site inspection outside of the operators permitted site. It is your responsibility as an operator and holder of the permit, that you adhere to, and always follow your Environmental Management System (EMS). This a legal requirement under the Environmental Protection Act 1990. There does not seem to be an up to date EMS on file for the site. An up to date EMS would need to be submitted as soon as possible.

W4A- Records

Permit Condition 7.1.2 states: ***A summary of the waste types and quantities accepted and removed from the site shall be made annually at the end of each financial year and shall be submitted to the Agency within one month of the end of that year. The summary record shall be in the format detailed in Appendix A or otherwise subsequently agreed with the agency in writing.***

Upon checking records it is apparent that you submitted incomplete waste returns for the financial year 2023-2024. An officer contacted you in regards to the incomplete returns in December 2024. You are required by your permit conditions to submit waste returns annually. As the waste returns for financial year 2023-2024 were incomplete, you will therefore receive a Category Three (3) breach for this breach of permit condition.

If you have any queries relating to this report, please do not hesitate to contact myself on the details below.

Gareth Morris

07966730983

Gareth.morris@naturalresourceswales.gov.uk

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.