

Compliance Assessment Report CAR_NRW0048813

Permit being assessed: CB3992ZF.

For: Dandy's Topsoil, **held by:** Dandys (Chester) Ltd

At: Yew Tree Farm, Sealand Road, Sealand, Chester, Flintshire, CH1 6BS.

Type of assessment: Site Inspection,

Reason: Routine.

On: 10/06/2025 between 10:20 and 11:00.

Parts of permit assessed: 1.1.1.

NRW Lead Officer: Ian Thomas2, accompanied by Carys Williams.

Report sent to: Simon Hughes, TCM, on 14/07/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W2D - Waste - Operations - The site	C3 Minor	1.1.1 General management
W4B - Waste - Information - Reporting	Action only (X)	
W1A - Waste - Management - General management	Action only (X)	

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
W2D	Take steps to seal bridge area and gradient into brook	Already completed
W4B	Q4 and Q1 waste returns missing	31/07/2025
W1A	Update EMS with correct information and reference	31/08/2025

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 Thursday 10th June 2025 Natural Resources Wales waste regulation officer Ian Thomas and waste regulation team leader Carys Williams attended site.

This was a site inspection for permit ref EPR/FB3734RP, the visit was a routine planned inspection.

Officers were shown around the site by Simon Hughes. The site is operating in the same way as previous inspections, and consists of buildings and storage areas as well as the main substantial soil and aggregate sorting hub. Heavy plant machinery is in constant use. The site was dry.

As Simon showed us around the site we noted that the small bridge crossing and gradient area which leads to the brook has still not been actioned. The gradient requires a bund or kerb to stop water containing silt or sediment entering the brook when the yard is muddy and wet. Also, the bridge has not been sealed for the same reasons. Plant machinery are crossing the bridge and causing silt to enter the brook. The yard can become significantly wet in winter months, as is expected, these measures must be implemented to reduce contamination to the brook.

The failure to implement this action from the previous CARS form NRW0043971 February 2024. This non compliance has been Scored: C3



Bridge over Yew Tree brook, not sealed.



Gaps in blocks

The storage pile of materials to be treated is significant and according to table 2.1 activities:-

Storage of wastes listed in table 2.4 shall not exceed 10.000 tonnes in total at any one time.

All other wastes stored shall not exceed 40.000 tonnes in total at any one time.

NRW request an up to date amount of waste stored on site along with documentation to evidence the total.

The remainder of the site looks to be in good order, a water bowser is available on site for use in dry and dusty conditions.

We returned to the office where the relevant paperwork required to be retained in the site office was checked. Waste transfer notes and waste collection notes were filed and available, these looked to be filled in correctly.

Permit ref 4.2.2 Reporting: Within one month of the end of each quarter, the operator shall submit to Natural Resources Wales 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 quarter.

At the time of the inspection Q4 and Q1 were missing.

Action – please submit the required outstanding returns and submit monthly waste returns in a timely manner.

Whilst checking through EMS document YTF-3290-A, I noted the following:

1. Ref 3.8.2 b) Rejected material will be removed from site as detailed in **Section 2.6.**

Section 2.6 relates to site security.

2. Ref 6.7.2 Training will be in accordance with **Section 3.9** of this document and will be based on the preventative maintenance schedule supplied by the plant/equipment manufacturer.

Section 3.9 relates to record keeping.

The Environmental Management System may be required by employees to refer to in the need of clarification for correct operations. The document could be misleading and therefore cause decisions to be made which may cause an incident.

Action: The EMS must be reviewed and the correct references adjusted.

Thank you for your time during the inspection. Should you have any queries regarding this CAR form please contact.

ian.thomas2@cyfoethnaturiolcymru.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.