

Compliance Assessment Report CAR_NRW0049111

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: 05/08/2025 between 13:40 and 14:30.

Parts of permit assessed: 1.1.1, 2.2.1.

NRW Lead Officer: Amy Henderson, accompanied by Steven White.

Report sent to: Zena Spencer/Jack Spencer, Site Manager, on 19/08/2025.

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 (Suspended)	2.2.1
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	0

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 permit boundary. Work should continue to bring the site fully in compliance with this condition.	19/11/2025
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.	28/11/2025

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 and Senior Waste Regulation Officer Steve White.

The weather at the time was dry and sunny.

The site was last inspected on 28th March 2025. Following this inspection the site were given a number of actions under CAR_NRW0046814 to bring the site back into compliance with the permit. The purpose of this inspection was to ensure these actions were being completed and check on the sites progress with these. Since the last inspection the site has been regularly updating Regulating Officer Amy Henderson via email with their progress.

On arrival at site Officers met with company Director Zena Spencer.

A tour of the site was given, Officers could see that the site had been working hard to address the actions given in CAR form CAR_NRW0046814. Quantities being stored on site had been reduced and access around the site was now easier. Although there is still further work required to bring the site fully into compliance with the permit, it could be seen that the site had been addressing the actions given. The interceptor can now be accessed also. The site has been cooperating with NRW Officers to achieve this.

The site informed Officers that once work was complete to reduce the quantities onsite and improve the storage organisation, they plan on re-surfacing the site to ensure all surfacing to the rear of the building is hardstanding and suitable for the storage of waste, as required under the permit.



Comparison of photos taken at the site on 28/03/2025 (left) & 05/08/2025 (right).

Within the previous CAR form an action was given to remove all waste stored outside of the permitted area. Again, the site has made good progress in addressing this however the

work remains ongoing. The importance of this was reiterated and the site was reminded that only empty skips can be stored in this area. Any remaining skips containing waste will need to be removed.

The sites EMS was discussed, although the site has one in place this needs updating. The site does not require a Fire Prevention and Mitigation Plan under the permit, however the site has agreed to voluntarily introduce one of these so they can effectively manage waste onsite to reduce fire risk. It was agreed that NRW Officers would send over the required guidance to assist the site in drafting an FPMP.

Since the last inspection the site has also addressed an error with the reporting of their waste returns. This has now been rectified and the action completed.

Although the site is not yet fully back in compliance, they are actively working towards this and have a plan in place. For this reason the ongoing breaches have been listed as suspended scores. The breaches still ongoing are;

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.

Some waste remained outside of the permitted boundary however the site has made good progress at addressing this and has been cooperating with NRW Officers. This has therefore been listed as a suspended score.

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, nonconformances, closure and those drawn to the attention of the operator as a result of complaints.

The site's current EMS requires updating. The site has been provided the relevant guidance to update the EMS and produce an FPMP and is currently working towards meeting this action. This action therefore remains ongoing.

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.