

Compliance Assessment Report CAR_NRW0049587

Permit being assessed: CB3195HG.

For: Jennings, **held by:** Jennings Building & Civil Engineering Limited

At: Plas Gwilym Quarry, 78 Llysfaen Road, Old Colwyn, Colwyn Bay, LL29 9HE.

Type of assessment: Report/Data Review,

Reason: Other.

On: 08/10/2025.

Parts of permit assessed: Dust Emissions Management Plan.

NRW Lead Officer: Sarah Walton.

Report sent to: Danny Jones, Director/TCM, on 22/10/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W3B - Waste - Emissions and monitoring - Emissions of substances not controlled by emission limits	Action only (X)	

Result types are explained in more detail in the 'Important Information' section below.

Total non-compliances recorded	Total non-compliance score
0	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
W3B	Review and make changes to DEMP as detailed in actions.	30/11/2025

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.

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

1. Introduction.

Natural Resources Wales (NRW) have received and reviewed the dust and emissions management plan (DEMP) completed by Oaktree Environmental Ltd and submitted by Jennings Building and Civil Engineering Ltd for their site located at Plas Gwilym Quarry, Colwyn Bay, LL29 9HE.

The site is an Inert Waste Management and Recycling facility which processes inert soils, construction and demolition waste into topsoil and recycled aggregates.

This review was requested following a Natural Resources Wales (NRW) site inspection CAR_NRW0048106 on 01/04/2025.

The DEMP identifies potential sources of dust arising from site operations, potential receptors, and a review of proposed mitigation measures to be implemented to reduce impacts at receptors.

2. General comments.

Our following responses are based on the requirements of The Environment Agency's (EA) draft "Dust & Emission Management Plan (DEMP)" template (Version 10) produced to support operators in producing dust and emission management plans for sites with Environmental Permits. This guidance covers both England and Wales respectively.

The draft DEMP is available on request from the EA (see "What to include in your dust management plan" under the guidance titled "Control and monitor emissions for your environmental permit" Links to this guidance is provided below:

<https://www.gov.uk/guidance/control-and-monitor-emissions-for-your-environmental-permit>

[Dust & Emission Management Plan \(DEMP\)" template \(Version 10\)](#)

3. Actionable comments.

The submitted DEMP does not indicate whether site plant & processes have been specifically assessed for the risk of PM10 and PM2.5 emissions during operation and only discusses visual monitoring of dust on-site by site personnel, there is no mention of any quantitative dust monitoring.

Action: Due to complaints from nearby receptors, the operator should further explore quantitative dust monitoring options.

On site measurement of wind speed and direction would facilitate identification of

risks to receptors arising from excessive dust production by specific activities and processes allowing implementation of suitable targeted mitigation measures. It is the responsibility of the operator to determine local wind conditions and ensure mitigation measures accommodate these conditions.

Section 2.1 of the submitted DEMP details the meteorological conditions at the site, the consultant, Oaktree Environmental Ltd, has taken wind speed and direction data from the Rhos-on-Sea weather station and states that this is considered to be representative of the typical conditions at the site.

Action: This weather station is a personal weather station and is located several kilometres away from the site located close to the coast.

It may not be representative of actual meteorological conditions at the site location, and will not account for short term (i.e., hourly, daily) wind direction in terms of instant impact identification and mitigation.

Actual meteorological data at the site location would be more accurate in responding to any incidents or complaints of dust. Consider implementation of weather station at site.

Section 5 presents the risk assessment methodology used for the DEMP. Table 5.5 details the potential sources of dust on the site and the mitigation measures to be implemented to break the source-pathway-receptor routes for dust emissions.

Small particles including PM10 and PM2.5 affect human health but are invisible to the naked eye. While it is therefore likely that visible dust will include an element of PM10 and PM2.5.

As stated in paragraph above, the submitted DEMP does not indicate whether site plant and processes have been specifically assessed for the risk of PM10 and PM2.5 emissions during operation.

Action: The absence of visible dust does not mean that these harmful fractions are not present and may be present at elevated levels.

It is the sites responsibility to identify and where necessary monitor the fraction of PM10 and PM2.5 produced by site plant & activities for comparison against an agreed suitable action level to minimise the risk at human receptors.

The number and frequency of vehicle movements on site and those required for raw material deliveries and removal of processed materials from site has not been included in the DEMP.

Action: Please consider including management of vehicle movements and method of recording/documenting in DEMP amendment.

Section 6.1 of the DEMP details the monitoring regime on-site. The information presented

in this section appears reasonable, however states:

“Dust emissions at the site will be monitored by visual observation and recorded on the Dust Monitoring Form. There are no fixed locations for dust monitoring as this will change dependent on weather conditions and the direction of wind. Monitoring will take place anywhere within and around the site boundary. Monitoring results will be recorded on the Dust Monitoring Form, see Appendix IV. Dust monitoring will be carried out during operational hours. Recorded visual monitoring will be undertaken at least twice a day, for a minimum of five minutes each time by appropriately trained site operatives. Visual monitoring will take place at the beginning of the working day and when operations with the highest potential to produce dust are taking place. This is considered to be the most beneficial method to ensure that mitigation measures being implemented on site are effective. It is expected that staff members will also check for dust emissions as they approach or leave the site boundary. There are no fixed monitoring locations for dust on site as dust being emitted beyond the boundary will vary depending on climatic conditions i.e. wind direction etc, however, monitoring will be undertaken from multiple points around the boundary with additional consideration being taken into account for the prevailing wind direction at the time of monitoring.”

Action: It may be difficult to establish a baseline using visual inspections alone. Because of this and due to a history of dust complaints we would recommend the operator explore the option of periodic dust monitoring. The Environment Agency link's below provide suitable guidance on nuisance dust monitoring.

<https://www.gov.uk/government/collections/monitoring-emissions-to-air-land-and-water-mcerts#monitoring-guides:-air>

<https://www.gov.uk/guidance/monitoring-ambient-air-particulate-matter>

Section 7.0 outlines the procedures in place for reporting incidents, dealing with complaints, and liaising with the local community, the information in this section appears reasonable, however paragraph 7.1.4 refers to the Environment Agency.

Action: This should read as Natural Resources Wales and requires amendment.

Appendix IV contains the dust monitoring form.

Action: This is only the visual checklist and not a quantitative monitoring record.

Please review the site's dust and emissions management plan in line with Natural Resources Wales (NRW) comments in the above.

Pay particular attention to any text highlighted in bold and make amendments to the DEMP as necessary following the actionable comments.

Kind Regards,

**Sarah Walton
Swyddog Rheoleiddio Gwastraff / Waste Regulation Officer
Gogledd-Orllewin / North West**

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.