

Compliance Assessment Report CAR_NRW0049247

Permit being assessed: EP3928XD

For: HAWARDEN ESTATE FARM SHOP, held by CHERRY ORCHARD FARM LIMITED
At: CHESTER ROAD, HAWARDEN, ., FLINTSHIRE, CH5 3FB.

Type of assessment carried out: Audit, Reason: Incident Response (Incident number: 2507464).

On 29/08/2025, between 10:30 and 11:00.

Parts of permit assessed: 2.2.1 & 3.3.2

NRW Lead Officer: Richard Smith, accompanied by: Libby Hughes.

Report sent to: Hawarden Estate Farm Shop, Permit Holder, on 10/12/2025.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-B1 - Water Quality - Operations - Permitted activities	C3 Minor	2.2.1
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	Assessed (A)	

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-B1	Reconsider the discharge point followed by submission of emissions management plan.	04/03/2026

Action 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

NRW Officers attended at Hawarden Farm Shop, Hawarden on 29th August 2025 in order to carry out an inspection for the Water Quality Permit held at the location. They met with the Commercial Director for the duration of the visit.

Upon inspection, the discharge point on Raike Lane, was observed to be flowing into a dry

ditch. This location is detailed in Table S3.2 of the permit as a 'Tributary of the Broughton Brook' (SJ 32530 65278). There was a lack of flow in the ditch, which appears to be a seasonal dry ditch rather than a tertiary watercourse. There was a build up of sewage fungus around the outfall, which extended for approximately 500 metres in the ditch that flows along Raike Lane. Officers were told that the site were aware of the issue of fungus and were investigating the cause. They had recently had the treatment plant checked by a contractor and all was in working order. Additionally, they were due to have the pipe lines cleaned imminently. The sample point, located next to the system, was viewed at the time of visit but due to the time of day and lack of use, there was not sufficient flow discharging from the system to gather a sample.

A follow up visit was carried out on 25th September 2025 and a formal 2l sample was taken from the sample point of the package treatment plant. This was sent off for analysis in the lab.

Results were later received and showed that the levels present within the sample were all compliant with the numeric limits outlined in the permit. This indicates that the issue therefore lies in the discharge flowing into a seasonal dry ditch rather than a flowing watercourse. The lack of flows in the ditch means that the effluent is not diluting and causing a growth of sewage fungus in dry weather.

Results and Permit limits are detailed below.

Parameter	Permit Limit	Sample Result
ATU-BOD as O2	20 mg/l	5.29 mg/l
Suspended solids	30 mg/l	18 mg/l
Ammoniacal nitrogen	20 mg/l	0.5 mg/l

In relation to the discharge point and receiving watercourse, Condition 3.2.2a of the permit states.

3.2.2 The operator shall: (a) if notified by the Environment Agency that the activities are giving rise to pollution, submit to the Environment Agency for approval within the period specified, an emissions management plan;

Natural Resources Wales has since taken over from the EA as the environmental regulatory body in Wales

Due to the pollution caused, the permit holder is therefore required to assess the non-compliance and submit an emissions management plan by no later than **4th March 2026**. An alternative discharge point/method may need to be considered by the permit holder and presented to NRW in way of a permit variation. Details on permit variations will be sent to the-permit holder separately.

Additionally, NRW were made aware of another waste water treatment plant within the site.

This is not registered with NRW. The permit holder has been informed of the requirement to register all treatment systems with NRW. It is requested that this registration is completed by no later than **16th January 2026**.

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 to 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
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

If your assessment result in Section 1 is suspended, what does this mean?

In line with our guidance, we may suspend non-compliance for up to six months to allow time for remedial action to be taken. These will be re-instated if the action is not completed.

Full list of water quality action criteria (used in section 1 and 2):**WQ A: Management**

- WQ-A1 General management

WQ B: Operations

- WQ-B1 Permitted activities
- WQ-B2 The site
- WQ-B3 Operating techniques
- WQ-B4 Improvement programme
- WQ-B5 Pre-operational conditions

WQ C: Emissions and monitoring

- WQ-C1 Emissions to water
- WQ-C2 Emissions to land
- WQ-C3 Emissions of substances not controlled by emission limits
- WQ-C4 Installation of monitoring boreholes

WQ D: Information

- WQ-D1 Records
- WQ-D2 Reporting
- WQ-D3 Notifications

Enforcement response

Any permit condition non-compliance 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 20 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 – 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.