

## Compliance Assessment Report CAR\_NRW0050140

**Permit being assessed:** QP3494FL.

**For:** Dyfi Skips, **held by:** Jones David & Elwyn

**At:** Tan Y Ffordd, Derwenlas, Machynlleth, Powys, SY20 8TN.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 11/12/2025 between 10:00 and 11:05.

**Parts of permit assessed:** See criteria listed below.

**NRW Lead Officer:** Luke Taylor, accompanied by Gillian Coates.

**Report sent to:** Josh Jones, TCM, on 05/01/2026.

### 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	Action only (X)	
W4B - Waste - Information - Reporting	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
W1A	Repairs areas of hardstanding to comply with the requirements of Table 2.1	31/01/2026
W4B	Correctly identify and code incoming waste according to origin and composition	31/01/2026

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.**

**At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.**

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

This Compliance inspection report is being produced following an unannounced inspection of Dyfi Skips conducted by Luke Taylor (Senior Waste Regulation Officer) and Gillian Coates (Hazardous Waste Regulation Officer) of Natural Resources Wales.

The weather at the time of the inspection was dry and bright and the site was operational.

A walk around of the site was conducted by the officers with Josh Jones (Technically Competent Manager). Waste was being stored on the impermeable surface area of the yard, with wood waste being stored on hardstanding after having been sorted.

#### **W1A General Management - Permit Condition 2.1.2 Table 2.1 - Action Only**

The above permit condition states that the site containment and drainage systems shall be maintained to be fit for purpose, and meet the standards specified in Table 2.1. This states:

**Table 2.1 Site containment and drainage standards**

Type of Site Surface and Drainage	Minimum Specified Standards of Design, Construction and Maintenance
a) Hardstanding	<p>Areas of hardstanding shall be constructed of granular material (e.g. crushed stone, aggregate, road planings or other similar material) and maintained such that the working surface:</p> <ul style="list-style-type: none"> <li>i) shall remain even</li> <li>ii) shall not be subject to settlement or differential settlement</li> <li>iii) shall not be subject to rutting by vehicles even when wet</li> <li>iv) shall have sufficient durability to allow cleaning for example by scraping</li> <li>v) shall remain free of standing water.</li> </ul>

The yard area was starting to develop ruts in places, and due to the recent wet weather, some pooling was occurring on the hardstanding areas of the yard. A quantity of stone material is already on site and Josh stated that this would be used fill in the areas which have worn.

**ACTION - Repair areas of hardstanding to comply with the above requirements. Deadline 31/01/2025**

**W4B Reporting - Permit Condition 6.2.2 - Action Only**

All required waste returns have been submitted to Natural Resources Wales by the specified deadlines. The next waste returns are due to be submitted one month after the end of Q3 of the financial year 2025-2026.

When conducting a review of the site waste returns it was noted that all incoming waste is being coded as 20 03 01 Mixed Municipal Waste. From discussion on site with staff in the office, there are times when the incoming waste is construction and demolition in origin, and this should be coded as 17 09 04 Mixed Construction and Demolition Waste accordingly. There has recently been a changeover of staff within the site office, and the staff spoken were fully aware of the various applicable waste codes, so this should be addressed going forward.

**ACTION - Correctly identify and code incoming waste according to origin and composition. Deadline 31/01/2025.**

**W1A General Management**

The site permit is still in the name of David and Elwyn Jones but has been operated by Dyfi Skips Limited, with Josh Jones as the sole director, for several years. Elwyn passed away in 2018, and the permit is now held in the sole name of David Jones. Under the Environmental Permitting Regulations (England and Wales) 2016, an operator is defined as the person who has control over the operation of the regulated facility.

Regulatory guidance note 1 (RGN1) further clarifies that we consider every set of circumstances on its merits, but the following factors help us decide if somebody has sufficient control.

Can they:

- manage site operations through having day-to-day control of plant operations, including the manner and rate of operation;
- ensure that permit conditions are effectively complied with;
- decide who holds key staff positions and have incompetent staff removed
- make investment and/or financial decisions affecting performance of the facility;
- ensure that regulated activities are suitably controlled in an emergency.

None of the above are true of David Jones.

As a result, a permit transfer must be submitted to Natural Resources Wales. Failure to do so may lead to the serving of a notice to revoke the environmental permit, meaning that no further activity could be carried out under the permit, doing so being an offence.

Further information relating to the transfer of environmental permits can be found here:

[Natural Resources Wales / Apply to transfer all or part of a waste permit](#)

If you wish to discuss any aspect of this compliance assessment report, please contact:

[luke.taylor@cyfoethnaturiolcymru.gov.uk](mailto:luke.taylor@cyfoethnaturiolcymru.gov.uk)

Regards,  
Luke Taylor

***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](mailto: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](mailto: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.