

## Compliance Assessment Report CAR\_NRW0051590

**Permit being assessed:** GP3697ES.

**For:** Thomas Contractors, **held by:** Mr Andrew Thomas And Mr Bryan Thomas

**At:** Gwyns Barn, Leighton, Welshpool, Powys, SY21 8LL.

**Type of assessment:** Report/Data Review,

**Reason:** Routine.

**On:** 22/04/2026.

**Parts of permit assessed:** Spreading Records.

**NRW Lead Officer:** Malcolm Dines.

**Report sent to:** Andrew Thomas, Permit Holder, on 23/04/2026.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W4A - Waste - Information - Records	C3 Minor	2.1.6
W4B - Waste - Information - Reporting	C3 Minor	4.2.2
W4B - Waste - Information - Reporting	Action only (X)	
W4C - Waste - Information - Notification	C3 Minor	4.3.4
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
3	12

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
W4A	Re-submit spreading records that detail the following: <ol style="list-style-type: none"> <li>1) Date of spreading (day/month/year)</li> <li>2) Field ref</li> <li>3) Type of waste spread</li> <li>4) Quantity of waste spread</li> </ol>	17/05/2026

Criteria	Action needed	Complete by
	5) Source of waste 6) Weather conditions	
W4B	Re-submit waste returns for 2025 with details of wastes received	17/05/2026
W4B	Submit Waste Transfer Notes for all wastes received in 2025, for spreading under this permit.	17/05/2026
W4C	Must submit prenotifications at least 2 days and no more than 7 days before starting to spread	23/04/2026
W1A	Submit a copy of your Environmental Management System	17/05/2026

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 was a routine review of data undertaken by Malcolm Dines (Waste Regulation Officer) to assess your spreading records for all spreading activities in 2025, against the approved deployment. The records were submitted on 25 February 2026 following my request for you to submit the records. The only deployment approved by Natural Resources Wales for you to spread under in 2025 was PAN-025617, which was approved on 20 June 2024 with an end date of 19 June 2025.

#### **Permit Breaches**

##### **W4A - Records - Category 3 ; Permit Condition 2.1.6**

You have been given this Category 3 breach under the above permit condition because your spreading records for 2025 do not contain sufficient information to assess your spreading activities against approved deployment PAN-25617. The records you supplied do not detail the date wastes were spread, the field references do not relate to those in the Deployment Application form, you have not specified the units of the quantity spread and you have not provided the weather conditions at the time of spreading.

It is reasonably foreseeable that the failure to make and submit accurate records of the material you have spread may result in a minor pollution of the environment as you are not able to demonstrate that you have complied with the conditions of your deployment and permit, both of which are written to be environmentally protective.

**Action:** Submit revised spreading records that contain the following information **by 17 May 2026**:

- Date of spreading (day/month/year)
- Field ref
- Type of waste spread
- Quantity of waste spread
- Source of waste
- Weather conditions

W4B - Reporting - Category 3 ; Permit Condition 4.2.2

You have been given this Category 3 breach under the above permit condition because the quarterly waste returns you have submitted for the period covered by deployment PAN-025617 are all "nil" returns, but the spreading records you have submitted for 2025 show that you have spread waste and so this material must be reported on the wastes received section of the waste returns

It is reasonably foreseeable that the failure to make and submit accurate records of the material you have spread may result in a minor pollution of the environment as you are not able to demonstrate that you have complied with the conditions of your deployment and permit, both of which are written to be environmentally protective.

**Action:** Submit revised waste returns detailing wastes received for the material spread under deployment PAN-025617 **by 17 May 2026**

**Action:** Submit copies of the Waste transfer Notes for all wastes accepted to be spread under this permit **by 17 May 2026**

W4C - Notifications - Category 3 ; Permit Condition 4.3.4

You have been given this Category 3 breach under the above permit condition because you did not submit prenotifications for your spreading activities under deployment PAN-025617 in 2025. You submitted prenotifications for this deployment in 2024 and you have submitted spreading records for wastes spread in 2025. Permit condition 4.3.4 states that you must submit a prenotification to Natural Resources Wales at least 48 hours before and no more than 7 days before you start spreading.

It is reasonably foreseeable that the failure to make and submit accurate records of the material you have spread may result in a minor pollution of the environment as you are not able to demonstrate that you have complied with the conditions of your deployment and permit, both of which are written to be environmentally protective.

**Action:** Ensure that you comply with permit condition 4.3.4 **with immediate effect**

**Other Matters**

W1A - General Management - Action Only

Permit condition 1.1.1 requires you to operate in accordance with a written management system that prevents, or minimises, harm to the environment. Your management system is key for assessing how effectively you are protecting the environment and to help improve how you manage the environmental risks from your activities. When a non-compliance with

a permit condition is identified, it is likely to be the symptom of an underlying issue, often a failure to train staff properly, maintain plant or have effective operational procedures. To identify the root cause of the permit breaches identified above, I need to review your Environmental Management System. Compliance against permit condition 1.1.1 will be assessed on a subsequent compliance report.

**Action:** Submit the version of your Environmental Management System in use on the date this compliance report was issued **by 17 May 2026**

*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 required for the permit condition assessed to avoid non-compliance. No non-compliance scored at this time
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(1) – Emissions to water
- W3A(2) – Emissions to air
- W3A(3) – Emissions to 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.

### Disputing the Content of this Compliance Assessment Report Form

If you disagree with the content of this Compliance Assessment Report form, you should submit your concerns, in writing, to the regulating officer who issued it within **15 working days** of its issue. This will be treated as a **Stage 1 review**.

If you are not satisfied with the outcome of the stage 1 review, you may request a **Stage 2 appeal**. This request must be submitted **within 21 working days** of receiving the response from the stage 1 review.

Further details on our review and appeal process are available at: [Natural Resources Wales / Appeal a regulatory decision from Natural Resources Wales](#)

### Concerns Not Related to the Content of this Compliance Assessment Report Form

If your concerns do not relate to the content of the Compliance Assessment Report form, you should first attempt to resolve the issue with the regulating officer or their line manager.

If the issue remains unresolved, please contact our **Customer Contact Team**:

- **Telephone:** 0300 065 3000 (Monday to Friday, 09:00–17:00)
- **Email:** [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk)

They will provide details on how to escalate your concerns through our **Complaints and Commendations procedure**.

If you are dissatisfied with our response, you may contact the **Public Services Ombudsman for Wales**:

- **Telephone:** 0300 790 0203
- **Email:** [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.