

Compliance Assessment Report CAR_NRW0052104

Permit being assessed: MB3190HG.

For: A D Plant, **held by:** Edith Patricia Parry Ltd

At: Warren, Rhos-Y-Meirch, Knighton, Knighton, Powys, LD7 1PE.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 15/06/2026.

Parts of permit assessed: Improvement Condition.

NRW Lead Officer: Malcolm Dines.

Report sent to: Howard Morgan, Director, on 17/06/2026.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W2G - Waste - Operations - Improvement programme	C3 Minor	2.4.1
W1A - Waste - Management - General management	C3 Minor	1.1.1(a)
W1A - Waste - Management - General management	C3 Minor	1.1.1(a)
W1A - Waste - Management - General management	C3 Minor	1.1.1(b)
W2C - Waste - Operations - Operating techniques	Action only (X)	
W2C - Waste - Operations - Operating techniques	Action only (X)	
W3G - Waste - Emissions and monitoring - Fire	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
4	16

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
W2G	Submit infrastructure report as required by Improvement Condition 1	30/08/2026
W1A	Ensure the company complies with the requirements of Compliance Reports	18/06/2026
W1A	Update and submit to Natural Resources Wales: 1) The sections of the Management System relating to: a) Evidence you have enough staff to run the site b) Site staffing contingency plans c) Training and skills requirements and records for Howard Morgan and Lucy Owen, including training for key equipment and plant. d) Staff are trained in aspects that can lead to pollution and the measures to be taken to prevent that pollution e) Evidence staff are trained to deal with accidents f) Evidence staff are aware of your responsibilities under your permit g) Operating procedures for machinery at the site and who is qualified and competent to operate that machinery h) Induction training for site visitors or temporary contractors i) The document "Warren Farm AD Site Structure Roles and Responsibilities" to ensure that it complies with the requirements of the permit and where roles are specified, staff or contractors are allocated to those roles. 2) Records of the auxiliary flare operating hours for 2025, or a written explanation of why these records are not available. 3) Records of the amount of methane in the biogas in 2025, or a written explanation of why these records are not available.	30/08/2026
W1A	the Technically Competent Manager must attend site for at least one hour each week	18/06/2026
W2C	Operating technique 6: Submit a copy of the site drainage plan that clearly shows clean and dirty water drainage and detail any discharge points as per Operating Technique 7	30/08/2026
W2C	Operating technique 20: Submit a copy of the procedure(s) and contingency plan(s) in place for digestate management when the ability to move the digestate, or the demand for the digestate by end users is reduced	30/08/2026
W3G	Submit a copy of the Fire Prevention and Mitigation Plan for the site	30/08/2026

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 carried out by Malcolm Dines (Waste Regulation Officer) following the deadline for submitting the infrastructure report required by Improvement Condition 1 of this permit and compliance actions required by Compliance Report CAR_NRW0051683, dated 7 May 2026.

Permit Breaches

W2G - Improvement Programme - Category 3; Permit Rule 2.4.1

The company has been given the above breach of Rule 2.4.1 as the report required by Improvement Condition 1 has not been submitted to Natural Resources Wales by the deadline of 11 June 2026. Howard Morgan (Director) and Lucy Owen (Technically Competent Manager) were reminded about this requirement during the compliance visit on 31 March 2026.

Action: comply with the requirements of Improvement Condition 1 **by 30 August 2026**

W1A - General Management - Category 3; Permit Rule 1.1.1(a)

The company has been given the above breach of Rule 1.1.1(a) because it has failed to comply with the actions required by compliance report CAR_NRW0051683, dated 7 May 2026, with a deadline of 11 June 2026.

Deadlines are set for compliance actions to address risk from any non-compliances identified and to return the site to compliance at the earliest, reasonable timescale.

Action: Ensure the company complies with the requirements of Compliance Reports **with immediate effect**

W1A - General Management - Environmental Management System - Category 3; Rule 1.1.1(a)

The company has been given the above breach of Rule 1.1.1(a) as the company does not have an adequate Management System, or the Management System is not being complied with. This is the root cause of the failure to comply with the compliance actions on Compliance Report CAR_NRW0051683, dated 7 May 2026 and to submit the report required by Improvement Condition 1.

Action: Update and submit the following to Natural Resources Wales by **30 August 2026**

- The sections of the Management System relating to:
 - Evidence you have enough staff to run the site
 - Site staffing contingency plans
 - Training and skills requirements and records for Howard Morgan and Lucy Owen, including training for key equipment and plant.
 - Staff are trained in aspects that can lead to pollution and the measures to be taken to prevent that pollution
 - Evidence staff are trained to deal with accidents
 - Evidence staff are aware of your responsibilities under your permit
 - Operating procedures for machinery at the site and who is qualified and competent to operate that machinery
 - Induction training for site visitors or temporary contractors
 - The document "Warren Farm AD Site Structure Roles and Responsibilities" to ensure that it complies with the requirements of the permit and where roles are specified, staff or contractors are allocated to those roles.
- Records of the auxiliary flare operating hours for 2025, or a written explanation of why these records are not available.
- Records of the amount of methane in the biogas in 2025, or a written explanation of why these records are not available.

W1A - General Management - Sufficient Competent Persons and Resources - Category 3: Permit Rule 1.1.1(b)

The company has been given the above breach of Rule 1.1.1(b) because the company is not managing and operating the activities using sufficient competent persons and resources.

The Natural Resources Wales guidance document, "How to Comply with your Environmental Permit" sets out the requirements for site attendance by technically competent managers.

The technically competent manager must be in a position to direct activities on the site and this must be reflected in the operator's management system and operational procedures. This cannot be done by monitoring the SCADA system alone. The technically competent manager **MUST** attend site as well.

As this is a standard rules permit, the standard minimum site attendance requirement is 20% of the operational hours and you must comply with this if:

- you have been operating for less than six months
- you have been carrying out an activity for less than six months
- you do not have a settled management system i.e. a lack of accredited, written and adhered to procedures
- you have not agreed alternative minimum attendance with us in writing
- your Compliance Rating score is over 16 in any quarter, which shows that activities appear to be running beyond the control of the management.

We consider that a site is operational when it is either accepting or removing waste, or

undertaking any process or activity involving waste that should be under the day-to-day control of a technically competent manager.

However, because Anaerobic Digestion sites operate 24 hours a day, I do not consider it to be reasonable to require site attendance of 20% of the operating hours and I would consider agreeing an alternative minimum attendance requirement. When we consider agreeing an alternative minimum attendance for a site we will look at the activity authorised and carried out on site, the waste types that are handled, and the past compliance record. The minimum site attendance requirement at an operational site is one hour a week.

Despite the Anaerobic Digestion process being highly automated it has an inherent risk if a site is not managed correctly in addition, the permit includes more than just the Anaerobic Digestion process and to ensure permit compliance requires site attendance. Currently the site has a relatively high compliance rating score and for this quarter it is over 16. This is primarily due to the failure to comply with, and/or have an adequate Management System and sufficient competent staff. While it is acknowledged that the Anaerobic Digestion process can be managed remotely, this does not negate the need for the Technically Competent Manager to attend site.

The company must keep a record in the site diary, or a separate log, of remote site monitoring and site attendance. Start and finish times of arrival and departure of the technically competent manager must be recorded, as must be the times that the technically competent manager has undertaken remote management. The records must be available for us to inspect.

Where the minimum site attendance standard is met for a particular facility we will view this as evidence that there is adequate management control unless the compliance record indicates otherwise.

Following a discussion with Lucy Owen (Technically Competent Manager), Natural Resources Wales are aware that personal circumstances have impacted her ability to carry out her role as Technically Competent Manager. While it is understandable that situations such as this can impact the running of the site, the company must have contingency plans in place for such occurrences. It is the responsibility of the operator, Edith Patricia Parry Ltd., to ensure that there is sufficient competent cover in place to meet permit obligations.

In addition, Howard Morgan is the sole director of the company and also sole site operative and there must be contingency plans in place in the event that Mr. Morgan is unable to fulfil his role in relation to the operation of the site and permit, as director of Edith Patricia Parry Ltd, and his role as site operative.

Action: the Technically Competent Manager must attend site for at least one hour each week **with immediate effect**

Other Matters

W2C - Operating Techniques - Site Drainage Plan; Action Only; Rule 2.4.1 Operating Technique 6

Action: submit a copy of the site drainage plan that clearly shows clean and dirty water drainage and detail any discharge points as per Operating Technique 7 **30 August 2026**

W2C - Operating Techniques - Digestate Contingency Plans; Action Only; Rule 2.4.1
Operating Technique 20

Action: Submit a copy of the procedure(s) and contingency plan(s) in place for digestate management when the ability to move the digestate, or the demand for the digestate by end users is reduced **by 30 August 2026**

W3G - Fire; Action Only; Rule 3.7.1

Action: Submit a copy of the Fire Prevention and Mitigation Plan for the site **by 30 August 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

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

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.