

Compliance Assessment Report

Report ID:
CAR_NRW0036119

This form will report compliance with your permit as determined by an NRW officer

Site	Roadrunner Waste Ltd	Permit Ref	TB3397TD			
Operator/Permit holder	G. T Roberts & Son Limited					
Regime	Waste Operations					
Date of assessment	13/12/2019	Time in	11:30	Out	12:50	
Assessment type	Site Inspection					
Parts of the permit assessed	Specified by permit; Storage, handling, labelling and segregation; Pests, birds and scavengers; Reporting and notification					
Lead officer's name	White, Steven					
Accompanied by	Henderson, Amy					
Recipient's name/position	Dewi Roberts/ Director	Date issued	23/12/2019			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	X	
F4 - Amenity - Pests/birds and scavengers	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	1.9.1 b i & iii

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	0.1
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

This was an pre-arranged visit to meet with Director Dewi Roberts and new Operations Manager for the site Tony Waterworth following the sale of the business to APK Construction Ltd. Senior Environment Officer Steven White and Environment Officer Amy Henderson met with Dewi and Tony in the site office and discussed the company sale and its potential implications on the site.

APK Construction Ltd bought GT Roberts and Sons Ltd in late November 2019 with the company officially changing hands (on Companies House) soon after, Tony Waterworth was brought in by the new owners to act as Operations Manager. The EPR permit is still in GT Roberts and Sons name, in order to change to APK Construction and application to transfer the permit will have to be submitted to NRW. Correspondence has been sent with advice and guidance on how this should be done; the cost for transfer of GT Roberts' permit to APK Construction would be £2057. The company name has been changed to GTR Aggregates Ltd.

The future plans for the company were also discussed, the manufacture of SRF was addressed - to carry out this treatment operation a substantial variation of the permit would be required. There are currently no plans to carry out this operation at GT Roberts.

Section 1.9.1 b i and iii of the site permit detail that NRW shall be notified within 5 working days of any changes to the permit holders trading name/registered name or registered address, and any change in the operator or operators trading name/address/registered name or registered office address (if different from the permit holder).

NRW was not notified of any change in the ownership of the company until 09/12/19 when Tony Waterworth requested a site visit as the new Operations Manager. This is a breach of the above permit condition and has been scored as a C4 breach against that condition.

Following the meeting with Dewi and Tony a brief inspection of the yard was carried out. The waste on site was segregated well within different piles and skips on site with bays for different waste types, see photos below.



Waste segregated into skips/bays

Sorting of the waste was being carried out within the buildings with two large (approx. 4-5m high) piles of waste observed. Section 1.5.7 of the site Working Plan states that the maximum storage of waste heights is 2.5m to 3.8m (depending on the location within bays/panels); the heights of the two waste piles (see photo below) is above the maximum as stipulated in the site Working Plan. As this was not brought up during the inspection the requirement to reduce the heights of the waste on site will be logged as an action rather than scored against the permit. However, the height of the waste piles on site will be checked during the next visit and if they are at similar heights it will be logged as a breach of the Working Plan condition.



Two piles of waste in building that are estimated at above the (maximum) 3.8m limit.

Vermin from the site was discussed; traps and bait are regularly put down around the site, with the site in close proximity to the River Dee it is difficult to prove that any rats observed in the area would be directly associated with the operations on site. Whilst officers were on site no rats were observed.

A meeting in the new year with the new owners (APK Construction) was discussed - further correspondence will be sent in early January 2020 to arrange this.

Thank you for your time during the inspection, please find my contact details below.

Regards

Steven White

Senior Environment Officer (Waste Regulation Team)

Direct dial 03000 653 913

Email: steven.white@naturalresourceswales.gov.uk

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

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.

EPR Compliance Assessment Report

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Operator/Permit holder	G. T Roberts & Son Limited	Date	13/12/2019

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
G4	C4	All changes to the company as detailed in Section 1.9 of the permit must be communicated to NRW by the timeframe set out in the permit; within 5 days	31/12/2019
A1	X	Heights of waste piles must be reduced to adhere with Working Plan Condition 1.5.7	10/01/2020

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.