

## Compliance Assessment Report

Report ID:  
CAR\_NRW0035503

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

|                              |                                            |             |            |     |       |
|------------------------------|--------------------------------------------|-------------|------------|-----|-------|
| Site                         | Cox Skip And Waste Mangement               | Permit Ref  | EB3893HR   |     |       |
| Operator/Permit holder       | Paul Andrew Gareth Cox                     |             |            |     |       |
| Regime                       | Waste Operations                           |             |            |     |       |
| Date of assessment           | 23/07/2019                                 | Time in     | 14:00      | Out | 14:45 |
| Assessment type              | Audit                                      |             |            |     |       |
| Parts of the permit assessed | Permitted Areas                            |             |            |     |       |
| Lead officer's name          | Medcraft, Jodie                            |             |            |     |       |
| Accompanied by               | Davies, Gareth                             |             |            |     |       |
| Recipient's name/position    | Paul Denyer/ Technically Competent Manager | Date issued | 06/08/2019 |     |       |

### 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 |
|----------------------------------------------------------------------|----------------|-----------------------|
| B4 - Infrastructure - Containment of stored materials                | C3 - Suspended | Condition 2.3.1       |
| C2 - General Management - Management system and operating procedures | C3 - Suspended | Condition 1.1.1       |

**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 | 2 | Total compliance score (see section 5 for scoring scheme) | 0 |
|-----------------------------|---|-----------------------------------------------------------|---|

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

### **Present**

Tony Cox – Cox Skips and Waste Management

Paul Denyer – Cox Skips and Waste Management

Jodie Medcraft – Natural Resources Wales

Gareth Davies – Natural Resources Wales

The purpose of the site inspection was a handover of the site from Gareth Davies to Jodie Medcraft, following an internal reorganizational design within Natural Resources Wales. Cox Skips and Waste Management will now fall under the South Central Waste Regulation Team with Jodie Medcraft as the new Site Officer.

It was immediately apparent that progress is being made on site to comply with the Regulation 36 Notice currently in place. The erection of a building is ongoing and at the time of the inspection, the shell was up and the side panels were being fitted.



A brief conversation was held in the office regarding the Regulation 36 Notice. Tony Cox was under the impression that the expiry date for the notice was the end of August 2019. It was explained that the actual deadline for the notice is the end of July 2019. Tony Cox confirmed that the building is due to be signed off on the 30<sup>th</sup> July but it will take a little longer to clear the back log.

A walk around site was undertaken. Tony and Paul explained that the long term plan is to arrange the site so that there will be one way in and out via the weighbridge. They are also looking to just deal with the smaller size skips, unless the larger ones contain a single stream of waste. They will also potentially be

looking to upgrade the permit in order to include the mechanical treatment of waste.

The treatment of waste outside of the building and storage of skips on hard standing is a breach of the permit (conditions 2.3.1 and Table 2.3).

This breach of permit has been scored a CCS 3 under B4 – Containment of stored materials.

The failure to store and treat the controlled waste in accordance with condition 2.3.1 and Table 2.3 is also a breach of condition 1.1.1 as the written management system has failed to prevent a breach of the permit. This has been scored a CCS 3 under C2 – Management systems.

**However, both of these scores will be suspended pending the completion of the Regulation 36 Notice.**

Jodie Medcraft confirmed that a follow up inspection would be undertaken following the expiry of the Regulation 36 Notice.

Thank you for your time during the inspection.

**END**

## EPR Compliance Assessment Report

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CAR\_NRW0035503**

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|                        |                              |            |            |
|------------------------|------------------------------|------------|------------|
| Site                   | Cox Skip And Waste Mangement | Permit Ref | EB3893HR   |
| Operator/Permit holder | Paul Andrew Gareth Cox       | Date       | 23/07/2019 |

### 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 |              |                                                                                                          |            |
| C2                  | C3           | Compliance with the Regulation 36 Notice currently in place.<br>No further remedial action at this stage | 01/08/2019 |
| B4                  | C3           | Compliance with the Regulation 36 Notice currently in place.<br>No further remedial action at this stage | 01/08/2019 |

## 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](mailto: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.