

Compliance Assessment Report

Report ID:
CAR_NRW0036248

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

Site	Peter's Food Service	Permit Ref	SP3635CS		
Operator/Permit holder	Peter's Food Service Limited				
Regime	Installations				
Date of assessment	21/01/2020	Time in	10:00	Out	11:45
Assessment type	Unknown				
Parts of the permit assessed	D1, F1, F3, F4, F5, G4				
Lead officer's name	James, Ian				
Accompanied by	Willey, David				
Recipient's name/position	Dafydd Davies/ Environment Manager	Date issued	29/01/2020		

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
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	X	

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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

Compliance Assessment Report – Peter's Food Service – EPR-SP3635CS

Introduction

On the 21st Jan 2020 your site was inspected by officers Ian JAMES and David WILLEY. The visit was arranged to also allow familiarisation and handover of regulation to Ian JAMES.

The inspection was hosted by Environment Manager – Dafydd DAVIES.

Areas of the permit assessed, finding and actions

Compliance

G4 – Reporting and notifications – Observation only

This SC should be used to record any issues associated with the requirement of the site operator to report/notify to the Environment Agency and/or any other bodies information or events as set out in the permit including the means and methods of reporting and notification.

Permit section 5

Finding/Observation

During the site inspection it was observed that construction of commercial units was taking place within the southern permitted boundary area.

Site management confirmed that the land was annexed from site ownership and control.

NRW should have been notified in advance of the work taking place and a partial surrender of the permitted area applied for. This development activity may impact the ability to undertake any site condition report requested as part of the surrender process. As the permitted area was green area and not used for permitted or directly associated activities previously this will be recorded as an observation only.

Future changes require advance notice and breaches may well be recorded if this doesn't happen.

Actions

1. Operator to submit a Partial Surrender to encompass the changes to the permitted boundary and commercial development.
2. Ensure security arrangements are consistent with boundary changes and management systems encompass any alterations.

Date due: 31st March 2020

Comments

Prior to the site inspection a meeting was held to introduce the new regulating officer to key members of the site management team.

The Operator was made aware that the Food and Drink BREF revision had been published and there would

be a requirement in due course to respond to that. Dafydd DAVIES suggested that 'Peter's' will complete this internally with guidance from NRW.

The Medium Combustion Plant Directive (MCPD) was also discussed. The following link gives NRW guidance on this and how it impacts regulated sites.

<https://cdn.naturalresources.wales/media/687130/nrw-mcpd-guidance-interim-final.pdf?mode=pad&rnd=131838215570000000>

The inspection looked at external areas of the site and at the time of the visit there were no areas of significant concern observed.

With thanks.

If you have any questions regarding this Compliance Assessment Report (CAR) form, please contact Ian James on 03000 654203 or via email on ian.james@naturalresourceswales.gov.uk

In this document 'Natural Resources Wales' means the Natural Resource 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	Peter's Food Service Limited	Date	21/01/2020

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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	X	Operator to submit a Partial Surrender to encompass the changes to the permitted boundary and annexed land/commercial development.	31/03/2020

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.