

Compliance Assessment Report

Report ID:
CAR_NRW0035748

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

Site	Old Byass Works	Permit Ref	PP3298FX			
Operator/Permit holder	Cuddy Recycling Ltd					
Regime	Waste Operations					
Date of assessment	28/08/2019	Time in	12:13	Out	12:25	
Assessment type	Site Inspection					
Parts of the permit assessed	C3, D1					
Lead officer's name	Davies, Eleanor					
Accompanied by	Wakeford, Sally					
Recipient's name/position	Zoe Donovan on behalf of Alastair Wardell, Grant Thornton UK LLP/ Administrator	Date issued	01/10/2019			

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
C3 - General Management - Materials acceptance	C3	2.3.2 (a) and schedule 2 table S2.1 and S2.2
D1 - Incident Management - Site security	A	

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)	4
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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

Waste regulation officers Eleanor Davies and Sally Wakeford attended site on the 28/08/19.

The purpose of this inspection was to assess compliance with the environmental permit held by Cuddy Demolition and Dismantling (CDDL). There was no representative of CDDL on site during the inspection.

CDDL is currently in administration. Administration started on 23 July 2018. This report will be emailed to Zoe Donovan on behalf of Alistair Wardell of Grant Thornton UK LLP who are acting as administrators for Cuddy Demolition and Dismantling LTD.

A copy of this report has been sent to John Cuddy.

At the time of inspection it was evident that the site was not operational and no waste was currently being accepted onto site.

D1 Site Security



At the time of inspection the site gate was locked and access was restricted to foot traffic only due to the collapse of the wall adjacent to the gate.

This is broadly compliant with condition 2.1.1 schedule 1 table S1.1 which requires the "secure storage of wastes". Secure storage is defined in the permit as "storage where waste cannot escape and members of the public do not have access to it".

There is what appears to be a small amount of fly tipped materials on site that may have been brought in through this gap (see below for further discussion).

ACTION: to ensure continued compliance with this condition of the permit please ensure that the site is appropriately secured.

C3 Materials Acceptance



Compliant waste materials being stored on site



non-compliant waste materials being stored on site.

While the majority of waste on site appears to be compliant with the waste types listed in tables S2.1 and S2.2. of the permit there is a small pile that is non-compliant - namely general household waste such as suitcases. **CCS Score C3.**

ACTION: Please ensure the non-compliant waste materials are removed from site by 31stOctober and that the site is appropriately secured to prevent fly tipping.

Please contact Eleanor Davies on 0300 653225 to provide an update on the permit and the status of Cuddy Recycling Ltd.

Any compliance criteria not highlighted in the above summary should be considered not assessed.

In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012.

END

EPR Compliance Assessment Report

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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			
C3	C3	Please ensure all non-compliant waste is removed from site	31/10/2019

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. 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.