

## Compliance Assessment Report CAR\_NRW0036998

**Permit being assessed:** BP3095SR.

For: The Lodge, held by Penllyn Estate LLP

At: The Lodge, Gibbots Hill, Cowbridge, Vale Of Glamorg, CF71 7FF.

**Type of assessment carried out:** Site Inspection, Reason: Routine.

On 24/09/2020 between 14:00 and 15:00.

Parts of permit assessed: Partial surrender

**NRW Lead Officer:** Laoni Tye, accompanied by Loku Ranasinghe.

**Report sent to:** John Homfray, Gary Gooze and George Harvey, Director, Site manager (TCM) and TCM on 08/10/2020.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B2 - Infrastructure - Closure and decommissioning	Assessed (A)	
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	

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

Total number of non-compliances recorded	Total non-compliance score
0	0

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?

No action required.

### 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.

**At this time, we do not intend to take any further action.**

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

Senior environment officer Laoni Tye attended site on the 24<sup>th</sup> September 2020 and met with TCM George Harvey and land manager Andrew Shakell as part of a pre-arranged visit. Environment officer Loku Ranasinghe accompanied us at the end of the visit. The weather was dry and mild at the time with some light rain towards the end. The site is currently in the process of partially surrendering the green waste open windrow composting and area of the site associated with this, the visit therefore was to confirm that the partial surrender could be completed. We also inspected the waste transfer station area on site. There were no breaches recorded during the visit.

### Partial surrender

The areas of the site previously used for the green waste open windrow composting was inspected and there was no waste present in these areas. All green waste and compost had been removed from site and the area had been left in a satisfactory state. It was confirmed that no green waste had been brought onto site since the first quarter of the year, due to Covid 19 which the waste returns reflect.

Green waste had been stored in the buildings in this time period and there was therefore a minimal amount of leachate entering the lagoon at this time. We were advised that the lagoon had since been fully emptied and now contained rain water and clean water from the site drainage which would not be associated with any waste storage. This lagoon will now be used to store water as part of the waste transfer stations fire prevention and mitigation plan.

**We are satisfied from the inspection that this area of the site can now be surrendered.**

### Waste transfer station

The waste transfer station was operating at the time of the visit, with waste incoming to site and operatives on the picking line. The waste is brought in source segregated with glass, paper, cardboard being brought in separately, before being bulked and baled for onwards transport. Plastic and cans are brought in mixed and tetra packs are also accepted. The plastics and metals go through the picking line and are sorted into separate waste streams before being baled and sent off site. Minimal contamination was witnessed within the stockpiles.

The building is set up with a series of concrete bays where waste could be seen stored in small quantities. The bays we were advised are completely emptied of waste before being refilled to ensure all waste brought onto site has left site within the timescales. Waste volumes were small and the dimensions noted to be compliant with the sites FPMP.

### Waste returns and reporting

There are no breaches against the permit but we do have some advice and guidance on the waste returns.

The site is currently reporting all incoming waste under a single mixed stream waste code which does not account for the fact the waste is coming in source segregated, with metals and plastics only coming in as a mixed waste stream. We are going to investigate this further and see what alternative options could be considered to better reflect how the waste is coming onto site. We can discuss this with you at a later date.

We have noticed some minor errors on the waste returns that also need to be addressed:

The correct code for mixed household waste (for the mixed recyclables) is 200301 but the waste returns say 200201 (bio-degradable).

The outgoing waste coding, if only bulking for onwards transfer, would fall into 20 codes rather than the 19 codes currently being used. The 19 codes are for use only if the waste is going through some sort of treatment process where the nature of the waste has been changed. Bulking and bailing would not be considered treatment in this context and therefore should be coded differently. Please see guidance on waste classification for further information as needed:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/719394/Waste-classification-technical-guidance-WM3.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719394/Waste-classification-technical-guidance-WM3.pdf)

Photographs from visit





Thank you for your time during the visit. Please let your regulatory officer know should you have any questions.

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 only relating to the activity assessment
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.

**What are suspended scores?**

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 Industry and Waste action criteria (used in section 1 and 2):****A: Permitted activities**

- A1 Specified by permit

**B: Infrastructure**

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

**C: General management**

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

**D: Incident management**

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

**E: Emissions**

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

**F: Amenity**

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

**G: Monitoring and records, maintenance and reporting**

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

**H: Resources efficiency**

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

## Enforcement response

Any permit condition non-compliance 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 20 working days to let you know if we agree to your request.

## What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk) for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at [ask@ombudsman.wales](mailto: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.