

Compliance Assessment Report CAR_NRW0038558

Permit being assessed: AB3693CX.

For: Cerrigcroes Poultry Unit, held by A J, J M, R J & R E Abberley

At: Cerrighos, Llanyre, Llandrindod Wells, Powys, LD1 6EU.

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

On 22/07/2021 between 11:00 and 12:50.

Parts of permit assessed: All

NRW Lead Officer: Aled Rees, accompanied by Ffion Roberts.

Report sent to: Ross Abberley, Operator on 03/08/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B4 - Infrastructure - Containment of stored materials	C3 Minor	3.2 Emissions of substances not controlled by emission limits
C2 - General Management - Management system and operating procedures	C4 No impact	2.3 Operating techniques
D2 - Incident Management - Accidents, emergency and incident planning	C4 No impact	1.1 General Management

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

Total number of non-compliances recorded	Total non-compliance score
3	4.2

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?

Criteria	Action needed	Complete by
B4	Please ensure manure is not spilled during removal from the conveyer belt and if any spillage takes place it is cleared with immediate effect to ensure no risk of pollution to groundwater and surface water.	02/09/2021
C2	Please ensure the Manure Management Plan is updated to include the nitrogen produced by all livestock on the holding. During the inspection we found the nutrient calculations did not include the expanded number of birds.	02/09/2021
D2	Please provide evidence of a site layout plan/drainage plan in place by 2nd September 2021.	02/09/2021

Action criteria codes are listed in the 'Important information' section below.

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

Many thanks for your time during the routine inspection on Thursday 22nd July 2021. Officers Aled Rees and Ffion Roberts from Natural Resources Wales met two site operators at Cerrigcroes poultry units at 11:00.

We assessed all permit conditions. The majority of conditions assessed were compliant, however non-compliances and/or actions were recorded during the inspection. The non-compliances and actions must be addressed and presented to Natural Resources Wales by no later than 2nd September 2021. Further information on the non-compliances are detailed below:

1. Manure conveyer belts

A small pool of what appeared to be manure effluent was seen beneath the manure conveyer belts and may be as a result of a small spillage during loading manure. Here is a photo of the effluent:



Please ensure manure is not spilled during removal from the conveyer belt and if any spillage takes place it is cleared with immediate effect to ensure no risk of pollution to groundwater and surface water.

2. Manure Management Plan

Please ensure the Manure Management Plan is updated to include the nitrogen produced by all livestock on the holding. During the inspection we found the nutrient calculations did not include the expanded number of birds.

Please send a copy of the updated Manure Management Plan to NRW by 2nd September 2021.

3. Accident Management Plan

The Accident Management Plan must contain a site layout plan/drainage plan, showing details of all site drainage, including dirty water tanks, diverter valves, surface and foul drains etc. The drainage plan should be appended to the Accident Management Plan, with a back-up copy elsewhere in case the office is inaccessible in an emergency.

You agreed to append a Drainage Plan to the Accident Management Plan and display it on

the wall in a location accessible to all staff and visitors.

Please provide evidence of a site layout plan/drainage plan in place by 2nd September 2021.

Other actions from the inspection:

4. Site Entrance Identification Notice

The Site Identification Notice contained all the required information. It was located on the side of a small wooden shed near to the first poultry house.

The site identification notice should be easily readable from outside the site in daylight hours. Having discussed the purpose of the notice during the inspection, you agreed to create a new notice and locate it along the access track near to the egg collection shed/biosecurity sign.

Please send evidence this has been completed by 2nd September 2021.

5. Chemical Storage

You made us aware that very few chemicals are stored on site, however you would use a metal cabinet in the old egg packing room if chemicals were stored. Chemicals and veterinary medicines should be contained in an area capable of retaining any spillage and this cabinet did not appear to be suitable.

Please consider and implement a chemical storage area capable of storing and retaining any spillage from the chemicals and send evidence to NRW by 2nd September 2021.

6. Generator Fuel Tank

There is a metal fuel tank at the bottom of the back-up generator which we were told during the inspection holds a capacity of 50 litres.

The Control of Pollution (Oil Storage) (Wales) Regulations 2016 do not apply in a case where oil is stored in a container with a storage capacity of 200 litres or less. Under the regulations the oil tank therefore does not need replacing; however, we would recommend the fuel is stored in a container which complies with the requirements of the regulations to reduce the risk of pollution.

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 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

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.