

Compliance Assessment Report CAR_NRW0038634

Permit being assessed: CB3092HQ.

For: Pen Cae Poultry, held by PE and GR Jones T/A Pen Cae Poultry

At: Pen Cae, Trelystan, Welshpool, Powys, SY21 8JA.

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

On 17/08/2021 between 11:00 and 13:00.

Parts of permit assessed: ALL

NRW Lead Officer: Julia Lloyd, accompanied by Aled Rees.

Report sent to: P.E & G.R Jones, Operators on 20/08/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
D2 - Incident Management - Accidents, emergency and incident planning	C4 No impact	1.1 General Management
H2 - Resource Efficiency - Energy efficiency	C4 No impact	1.3 Energy Efficiency
C2 - General Management - Management system and operating procedures	C4 No impact	2.3 Operating techniques
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Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
5	0.5

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
D2	Accident management plan - Produce documentation, to include a site drainage plans see text for more information.	24/09/2021
H2	Energy - Produce documentation, see text for more information	24/09/2021
C2	Manure Management – offsite disposal –Produce documentation to include all requirements, see text for more information	24/09/2021
C2	Manure management - onsite spreading in accordance with a Manure Management Plan, provide plan for the site as requested in text below	24/09/2021

Criteria	Action needed	Complete by
C2	Spreading on own land – manure and slurry nutrient analysis –Records required to show that analysis is carried out. See text for more information.	29/10/2021

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

Natural Resources Wales officers Julia Lloyd and Aled Rees met with poultry operators, T/A Pen Cae Poultry onsite to carry out the first routine poultry inspection for the site on Tuesday 17-08-21 at 11am. Thank you for your time during the visit.

All permit conditions were assessed, please see below non-compliances/or actions that were recorded during the inspection. Please supply the information requested by the dates given.

- **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 attached to the Accident Management Plan, with a back-up copy elsewhere in case the office is inaccessible in an emergency. Please display the plans in a location accessible to all staff and visitors. (see guidance section 6 on inspection form).

Please provide the above requirements by 24th September 2021.

- **Energy -**

Energy used should be documented, this should include all major sources and amounts used. Sources and amounts should be reviewed, and attempts made to reduce usage. A review must take place within four years of permit issue as discussed (see guidance section 7 on inspection form and within the 'How to Comply' document).

Please provide the above requirements by 24th September 2021.

- **Manure Management – offsite disposal –**

Records should include the amounts, names and addresses and land acreage available. (see guidance section 13 on inspection form)

Please provide the above requirements for this crop by 24th September 2021.

- **Manure management - onsite spreading in accordance with a Manure Management Plan**

The plan should detail which land is suitable for spreading and when spreading can be carried out. The weight and nutrient content applied to each field should be recorded. The manure management plan should recognise whether the farm is in a Nitrate Vulnerable Zone. Arrangements should be in place in case there is an emergency or land becomes unavailable for spreading (disease outbreaks, flooding etc). (See guidance section 14 on inspection form and within the 'How to Comply' document).

Please provide the above requirements by 29th October 2021.

- **Spreading on own land – manure and slurry nutrient analysis –**

Where manure and slurry is spread on own land, they must be analysed to provide information for nutrient management planning. Records should show that analysis is carried out twice yearly, or once per production cycle where that cycle exceeds six months. The analysis should include available nitrogen, total nitrogen, available phosphorus and total phosphorus. (see guidance section 15 on inspection form)

Please provide the above requirements by 29th October 2021.

During the inspection you showed sight of documentation for Raw materials (section 8), Odour (section 20), Noise (section 21) and Site Closure Plan (section 19) please can you now review and complete documentation for each and make site specific as discussed. **Please provide these requirements by 24th September 2021.**

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.