

Compliance Assessment Report CAR_NRW0038796

Permit being assessed: AB3992HE.

For: Cwm Farm Free Range Poultry, held by Duncan Davies

At: Cwm Farm, Aberhafesp, Newtown, Powys, SY16 3JD.

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

On 29/09/2021 between 11:15 and 14:30.

Parts of permit assessed: All

NRW Lead Officer: Aled Rees.

Report sent to: Duncan Davies, Operator on 06/10/2021.

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	Action only (X)	
H1 - Resource Efficiency - Efficient use of raw materials	Action only (X)	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	Action only (X)	
B2 - Infrastructure - Closure and decommissioning	Action only (X)	

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?

Criteria	Action needed	Complete by
D2	Please send an Accident Management Plan for the site by 8th November 2021.	08/11/2021
H1	Please send a Raw Materials list for the site by 8th November 2021.	08/11/2021
G2	Please record manure export details including name, address, quantity and date.	08/11/2021
B2	Please send a Site Closure Plan for the site by 8th November 2021.	08/11/2021

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 Wednesday 29th September 2021. Officer A Rees met Duncan & Nerys Davies, William Lea (Lloyds Animal Feeds) and Steve Braithwaite (Newquip) at Cwm Farm at 11:15.

This was the first Natural Resources Wales inspection to the installation. All permit conditions were assessed. 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 8th November 2021. Further information on the non-compliances are detailed below:

1. Accident Management Plan

Please ensure an Accident Management Plan is in place for the installation. To produce an accident management plan, you should:

- identify events or failures that could damage the environment
- assess how likely they are to happen and the potential environmental consequences
- take steps to minimise both the potential causes and consequences of accidents.

The plan should consider sensitive receptors, drainage systems, site access etc and should include the contact details of all emergency services and contractors. Further information can be found on Pages 13 – 16 of the 'How to Comply...' document.

Please send the site Accident Management Plan to NRW by 8th November 2021.

2. Raw Materials list

Please ensure a Raw Materials list is prepared for the installation. The Raw Materials list should identify the substance, storage provisions/location, annual usage, environmental fate and impact. The raw materials list should be appended to the accident management plan. Further information can be found on Pages 18 and 19 of the 'How to comply...' document.

Please send the Raw Materials list to NRW by 8th November 2021.

3. Manure Export

We are aware some of the manure from the poultry installation is exported to customers. Where manure is being exported for spreading, records should include the names and addresses of those taking the manure, the quantities and date of transfer.

Please ensure this record is kept in future.

4. Site Closure Plan

Please ensure a Site Closure Plan is prepared for the site. The aim of the site closure plan is to ensure that the site can be decommissioned to avoid any pollution risk and return the site to a satisfactory state.

Please send a Site Closure Plan to NRW by 8th November 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.