

Compliance Assessment Report CAR_NRW0039027

Permit being assessed: BP3595FV.

For: Longlife Spares, held by Marcello Zaccaria

At: Graddfa Road, Llanbradach, Caerphilly, CF83 3QS.

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

On 30/11/2021 between 10:30 and 10:50.

Parts of permit assessed: N/A

NRW Lead Officer: Jak Rose, accompanied by Jonathan Lee.

Report sent to: Marcello Zaccaria and Tahir Karim, Operator and Site Manager on 02/12/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
D1 - Incident Management - Site security	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
D1	Secure the front gates to prevent unlawful access to the site.	31/01/2022

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

This report details a visit made on 30 November 2021 at 10:30 to Longlife Spares, Graddfa Industrial Estate, Colliery Road, Llanbradach, Caerphilly, Mid Glamorgan, CF83 3QS - Permit Number **EPR-BP3595FV**.

The HSE have been involved at site and served prohibition notices due to unsafe working conditions.

NRW received information from HSE that Mr Tahir KARIM has been convicted and sentenced on the 18th of November 2021 to 1 year in prison for 4 counts of breaching prohibition notices. Mr KARIM will serve at least half, so will be in prison for 6 months.

The permit has still not been transferred to Mr KARIM despite our communications in March 2020. There have also been previous communications with other members of NRW staff dating back to 2016. The legal operator is Marcello ZACCARRIA and so is liable for the permit and the site operations.

As per the core guidance 'revocation may be appropriate where the permit holder is no longer the operator e.g. where transfer should have been made but has not.'

As Mr KARIM is the 'Site Manager' and he is currently unavailable, it can be reasonable to determine that the site has effectively been abandoned. There are currently £1615,90 outstanding subsistence fees for the charging period 2021/2022.

Due to the permit remaining under the name of Mr ZACCARRIA it could be argued that Mr KARIM has effectively been operating illegally.

Officers Jak ROSE and Jonathan LEE carried out a site walk round of Longlife Spares. Due to the unsafe nature of the site Officers did not enter the site. Officers made observations and took photos from the road that runs adjacent to the site which overlooks the front of the premises. The weather conditions were dry and cold at the time of inspection.

Officers parked the vehicle at the main gate which appears to have fallen. This would not prevent unlawful access to the site. Considering the ease of access this may pose a risk to members of the public.



Photo 1 – The front gates to Longlife Spares

While Officers were stood overlooking the site a smell of hydrocarbons possibly waste oil was experienced. This would come and go depending on the change in wind direction.

Many vehicles remain at the premises. From the photos it is difficult to ascertain if the vehicles have been depolluted. They appear to be stacked with the tyres still on the vehicle which suggests that they may not have undergone a full depollution process.



Photo 2 – the front of the premises showing approximately 50 or so vehicles.



Photo 3 – The area of hardstanding containing a quantity of tyres, vehicle components and skip bin.

Officers were unable to see the rear of the premises but from the previous inspection in February 2020 there were a number vehicles and engine parts stored there. Officers left the site at approximately 10:50.

If you have any issues with this report, please contact Jak Rose on 07866 157281 or jak.rose@naturalresourceswales.gov.uk

Thank you.

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

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.