

This form will report compliance with your permit as determined by an NRW officer

Site	City Skips Transfer Station	Permit Ref	NP3997EE		
Operator/Permit holder	City Skips (N W) Limited				
Regime	Waste Operations				
Date of assessment	16/01/2018	Time in	10:30	Out	12:15
Assessment type	Site Inspection				
Parts of the permit assessed	Specified by Permit; Containment of stored materials; Storage, handling, labelling and segregation				
Lead officer's name	White, Steven				
Accompanied by	Challender, Paul				
Recipient's name/position	Rhodri Roberts/ Director	Date issued	21/02/2018		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	C2	B:8:1
B4 - Infrastructure - Containment of stored materials	C2	E.13.5
C4 - General Management - Storage, handling labelling and Segregation	C2	A9 of Permit (Conditions 4.3.1, 4.3.2, 4.3.3, 4.6.3 of Working Plan); A12; D6.1; D6.2; D8.2

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	3	Total compliance score (see section 5 for scoring scheme)	93
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

This was an arranged visit to discuss the recent non-compliance with Regulation 36 Notice served on City Skips (NW) Ltd on and to meet with Martha Savage (Senior Minerals and Waste Planning Officer) to discuss the planning application for the site. The inspection was carried out by Regulating Officer Steven White and Environment Officer Paul Challender, officers met with Rhodri Roberts and Martha Savage on site.

On arrival it was observed that there was a lot of waste on site split into 3 separate waste streams (Inert, Wood, Household) and the amounts of waste were well in excess of the amounts allowed under the permit. Little, if no, waste had been removed as stipulated in the enforcement notice and subsequent enforcement action has been initiated for this offence (Regulation 38 (3) EPR 2016: non-compliance with an enforcement notice). The photographs below show the volume of waste observed on site:



Waste in excess of permitted volumes observed on site

The following permit conditions were observed to have been breached during this inspection; the reasoning for the

CCS C2 scores are explained further in this report:

A1: As specified by Permit

Permit Condition B:8:1 states that no waste shall be stored at any location outside of the secure compound indicated on drawing CS/2/1. Waste accepted onto site was stored outside of the permitted area (as shown on drawing CS/2/1), subsequently a category **C2** non-compliance has been recorded against this permit condition

B4 Infrastructure - Containment of stored materials

There was a considerable amount of waste observed on site, the bays which were previously used for storage of the treated waste had spilled over resulting in a lot of loose, untreated waste on site.

Condition E.13.5 of the site permit states that the skips and bay areas shall be kept clear of any loose waste, which shall be collected and disposed of as the skips are emptied. At the end of each working day the site shall be cleared of any loose or discarded waste. As a large amount of loose untreated wastes were observed not within the respective bays a category **C2** non-compliance has been recorded against this permit condition.

C4 Storage, handling, labelling and segregation

The specified volumes of waste and the time limits for the storage of these wastes allowed on site (as stipulated in the permit conditions below) were not being adhered to; it was estimated that there was in excess of 200T of waste (Household ~150T; Inert ~50T; Wood ~10T).

Section A:9 of the permit states that the site operations shall be conducted in accordance with the working plan; the following breaches of the Working Plan were noted:

- 4.3.1: Non inert waste in Bay A (drawing CS/2/1) is to be cleared by the end of the working day and the waste in the general waste skip is stored for a maximum of 7 days
- 4.3.2: Inert waste in Bay B is stored for a maximum of 31 days. Bay B is to be cleared at the end of the working week to allow inspection of the push walls. Bay C is used for the storage of reusable waste materials.
- 4.3.3: If the maximum storage of the site is reached then no further waste is tipped until waste can be removed from the site and taken to a suitably licensed landfill.
- 4.6.3: Putrescible waste stored on site for no longer than 7 days

A12: Inert waste and wood (less than 76m³, stored for no more than 31 days) Biodegradable waste (less than 25m³, stored for no more than 7 days) Putrescible waste (less than 5m³, stored for no more than 1 working day). **C2**

D6.1: Permitted wastes arriving on site shall be deposited immediately in the appropriate skip or bay **C2**

D6.2: All putrescible waste with the exception of wood, paper and card shall be removed from the facility within 3 working days. **C2**

D8. 2: No further waste shall be accepted once it is calculated that any of the limits on quantity imposed by condition A2 of this licence have been exceeded. **C2**

The above breaches in this section of the CAR form (C4 Management – storage, handling, labelling and segregation) have been consolidated and scored as a single CCS breach of **C2** against this part of the permit; the justification for the CCS C2 scores for this inspection are set out below.

CCS C2 Scores

Greens Industrial Estate is a small industrial estate where businesses are situated in close proximity to each other, waste from City Skips was encroaching on a neighbouring business and the piles of waste were higher than the perimeter fence. Concerns have been raised regarding vermin and the potential for notifiable diseases to be spread from the rats to livestock from the Auction House and from The Animal and Plant Health Agency. There are no gaps between the waste piles on site and waste is pushed against the rear fence next to the livestock market and against the palisade fencing adjacent to the neighbouring business.

If a fire were to break out then it could spread with ease from one waste pile to the other potentially having a serious effect on neighbouring businesses, homes and local infrastructure. This represents a severe risk that if a fire were to break out in the waste piles the lack of fire-gaps between them means the fire could easily spread to adjacent businesses and impact on householders and the A55. The A55 is a major route in North Wales that runs 30m from the site boundary, the amount of waste on site poses a genuine, severe risk that if it caught fire it could have a major impact on the functionality of the road and the safety of those using it. NWFRS have visited City Skips and stated that it would be likely that a full closure of the A55 would be required should a fire

break out on site.

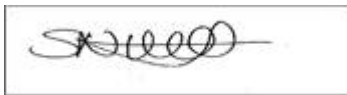
It is very concerning that the site was as full as it was during the visit, the amounts of waste were well above the permitted volumes and the subsequent CCS scores for the visit show the seriousness of the situation at City Skips. The volume of waste must be reduced as a matter of urgency as it poses a significant risk to neighbouring businesses and the environment.

An interview under caution was carried out on 09/02/2018 with Rhodri Roberts where it was stated that it would take "a matter of weeks" to remove the waste from site; estimated at 6 wagon loads for the household waste.

Following discussions with our Legal Team further enforcement action is being considered; the deadlines for compliances with the permit breaches in this CAR form is by **Thursday 29th March 2018**.

Thank you for your time during the inspection, please find my contact details below.

Regards

A rectangular box containing a handwritten signature in black ink, which appears to read 'Steven White'.

Steven White

Environment Officer (Waste Regulation Team)

Direct dial 03000 653 913

Email: steven.white@naturalresourceswales.gov.uk

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

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

This form will report compliance with your permit as determined by an NRW officer

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Operator/Permit holder	City Skips (N W) Limited	Date	16/01/2018

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
B4	C2	Waste on site must be removed to a suitable waste transfer station/landfill to bring the site back in compliance	29/03/2018
C4	C2	Waste on site must be removed to a suitable waste transfer station/landfill to bring the site back in compliance	29/03/2018
A1	C2	Waste on site must be removed to a suitable waste transfer station/landfill to bring the site back in compliance	29/03/2018

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.