

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

Site	Foregolf Golf Course & Driving Range	Permit Ref	QP3695VB		
Operator/Permit holder	Fore Golf Discount (Wrexham) Ltd				
Regime	Waste Operations				
Date of assessment	01/12/2016	Time in	09:10	Out	09:30
Assessment type	Site Inspection				
Parts of the permit assessed	Permitted Area				
Lead officer's name	Sowerby, Andrew R.				
Accompanied by					
Recipient's name/position	Steven Andrew/ Director	Date issued	02/02/2017		

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	A	
B2 - Infrastructure - Closure and decommissioning	A	
C2 - General Management - Management system and operating procedures	C3	1.1.1
C3 - General Management - Materials acceptance	A	
E2 - Emissions - Land and groundwater	A	

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	1	Total compliance score (see section 5 for scoring scheme)	4
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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

A routine inspection was undertaken by the new regulating officer for the site, Andrew Sowerby. There was no one present at the time of the inspection.

During the site inspection it was observed that there were still big pieces of concrete sticking up out of the ground and the ground also felt very stoney as it was walked across (see photos 1 and 2). It was highlighted in the last inspection form (CAR_NRW0023800, inspection date 27th June 2016) that the restoration standards as detailed in the waste recovery plan had not been achieved. My colleague, Rachel Twiss, was informed at that time that the contractor, Hollingsworth Bros, would be liased with to address the issues. Please provide an update with regards to what has happened since then.



Photo 1



Photo 2

The same breach as was recorded during the last inspection will be recorded again as no progress has been observed.

C2 - Management System and Operating Procedures - Permit Condition 1.1.1 (a) - CCS Score 3.

Permit Condition 1.1.1 (a) of the permit states that "the operator shall manage and operate the activities in accordance with a written management system..."

The drainage requirements that are outlined within your Management System have not been met as pooling water was observed on site (see photo 3). Section 5.4.1 of the management system/waste recovery plan states that "the proposed levels at the site fall progressively to aid surface water drainage. Any surface water will soak away naturally or fall to the site boundary." Action therefore needs to be taken to ensure that standing water is dealt with on the site.



Photo 3

The site is obviously very close to a stage at which you may wish to consider surrendering the permit. The permit was issued based upon compliance with the permit itself, the waste recovery plan and the environmental management system. Before you apply to surrender the permit, and therefore cease paying annual subsistence fees for it, you will need to ensure the actions highlighted have been completed. These include :

- submitting a survey of the final waste levels relative to Ordnance Datum to Natural Resources Wales (Permit Condition 2.1.5) which can be sent to me.

- restoration of the site in the manner described in your waste recovery plan/management system, i.e planting of planned grasses, shrubs and trees for the purpose specified (driving range?).

Only once all these actions have been completed can you apply to surrender your permit. Should the waste recovery plan require amending due to changing circumstances etc then you should submit the revised plan to NRW for approval. Only once any amended plan has been approved can it be implemented.

Once the above actions have been completed please contact me should you require further advice around the surrender application process.

If you have any questions regarding any of the above please contact me either by email, Andrew.r.Sowerby@naturalresourceswales.gov.uk, or by phone, 0300 065 3806

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0027050**

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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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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			
C2	C3	Ensure surface water soaks away naturally on site	31/03/2017

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.