



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

Site	Nick Brookes Demolition & Waste Disposal			Permit Ref	EAWML 50066 EPR/EP3798CS		
Operator/ Permit holder	Brookes Nick						
Date	28/06/2021			Time in	10:00	Out	10:50
What parts of the permit were assessed	Specified Activities, Infrastructure, Management, Amenity						
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge	
Recipient's name/position	[REDACTED], Transport Operations Manager						
Officer's name	Tammy Finlayson			Date issued		30/06/2021	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations (EPR). A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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			Condition(s) breached
a) Permitted activities	1. Specified by permit	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	A	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	A	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	A	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates & litter	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	NA	
	2. Energy	NA	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),

A = Assessed (no evidence of non-compliance), **N** = Not assessed, **NA** = Not Applicable, **O** = Ongoing non-compliance – not scored

MSA, MSB, TCM = Management System condition A, Management System Condition B and Technically Competent Manager condition which are environmental permit conditions from Part 3 of schedule9 EPR (see notes in Section 5/6).

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

The inspecting officer made an announced site visit and was met by Transport Operations Manager [REDACTED]. Warrant shown to the Transport Operations Manager.

This was a follow up visit to check if the actions set within the previous CAR form (50066/0394656) has been complied with.

The actions required be completed were:

- All waste to be inside the transfer building
- The concrete identified in disrepair during the previous inspection to be repaired
- Wood to be stored in compliance with the conditions of the environmental permit conditions
- First in first out policy being applied and the old waste at the back of the shed processed

At the time of inspection all actions set within the previous CAR form (50066/0394656) had been met.

Photographs were taken on site and a Code B served to the Transport Operations Manager (no.006954).

Waste inside transfer building



27th May 2021 – waste outside transfer building



28th June 2021 – waste inside transfer building

Concrete repaired



27th May 2021 – concrete in disrepair



28th June 2021 – Concrete repaired

Requested Paperwork

On 17th June 2021, the Transport Operations Manager sent all requested paperwork detailed in CAR form (50066/0394656) to the inspecting officer

Site responses to previous CAR form (50066/0394656)

On 22nd June 2021, the site's consultant responded to the previous CAR form (50066/0394656), to clarify information.

The inspecting officer asked for the contingency plan for when the waste shed was full

I can confirm that arrangements are in place with permitted facilities (sites identified) to take Nick Brookes waste in the event that the facility is unable to accept materials due to break downs or the facility be full to capacity.

The inspecting officer asked if the processed C&D trommel fines had been tested

I can confirm that over 14 samples and tests have been completed and assessed using WM3 for the trommel fines. The assessment has taken into account the requirements of mirror-hazardous entry and the results have deemed the fines non-hazardous.

The inspecting officer asked what the mixed soils and demolition waste was for and its intended use

I can confirm that the material is to be processed through the aggregate washing plant and manufactured into finished aggregates for sale as BS standard products into the construction and building industries.

The inspecting officer asked why there was large stockpile of plastic and cardboard

The storage of materials relate the market values of the products and their sale wholly depends on best values. All materials are sold into the UK markets with very little material being sent for disposal. The storage of materials under S2 exemptions are permitted for a 12 month period.

The inspecting officer asked why Gypsum was being crushed

The gypsum is crushed to assist in making the material smaller so it's easier to get a full load when transporting for onward recycling. No gypsum materials are sent to landfill.

Breaches

- a. WM3 assessments are carried out for all mirror-hazard entries to ensure they are non-hazardous for acceptance and disposal this will be available on site for inspection.
- b. The materials stored outside of the duration periods will be removed from site. A revision of the EMS will be completed taking into account the EA FPP guidance and EA best practice.
- c. Ensure wood piles are below 3 metres, the pile will be reduced to 3 metres until such time as a revised EMS is submitted inline with EA FPP guidance on the size and height of stockpile.
- d. Repairs to concrete will be made as directed on site before the 28th June.

Section 3- Enforcement Response

Only one of the boxes below should be ticked

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.

**Non-compliance with MSA, MSB & TCM do not constitute an offence but can result in the service of a compliance, suspension and/or revocation notice.*

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	CCS Category	Action Required / Advised	Due Date
See Section 1 above			

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 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

Section 6 – General Information

Data protection notice

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

- offering/providing you with its literature/services relating to environmental matters

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.

- A civil sanction Enforcement Undertaking (EU) offer may also be available to you as an alternative enforcement response for this/these offence(s).

See our Enforcement and Civil Sanctions guidance for further information

A breach of permit condition **MSA, **MSB** & **TCM** is not an offence but may result in the service of a notice requiring compliance and/or suspension or revocation of the permit.*

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 which 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.

MSA, MSB & TCM are conditions inserted into certain permits by Schedule 9 Part 3 EPR

MSA requires operators to manage and operate in accordance with a written management system that identifies and minimises risks of pollution.

MSB requires that the management system must be reviewed, kept up-to-date and a written record kept of this.

TCM requires the submission of technical competence information.

- 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 and taking any resulting action

- preventing breaches of environmental law

- assessing customer service satisfaction and improving its service

- Freedom of Information Act/Environmental Information Regulations request.

The Environment Agency 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 Environment Agency 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 28 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?

You must notify your local officer within 28 days of receipt if, you wish to challenge any part of this compliance assessment report. If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with the officer's line managers. If you wish to raise your dispute further through our official [complaints](#) and Commendations procedure, phone our general enquiry number 03708 506 506 (Mon to Fri 08.00–18.00) and ask for the [customer contact](#) team or send an email to enquiries@environment-agency.gov.uk. If you are still dissatisfied, you can make a complaint to the Ombudsman. For advice on how to complain to the [Parliamentary and Health Service Ombudsman](#), phone their helpline on 0345 015 4033.