Permitting decisions - Refusal

We have decided to refuse the permit for Finmere Quarry Recycling Facility.

The decision was issued on 25/09/2026

The proposed facility location is Banbury Road, Finmere, MK18 4AJ.

The application is for a bespoke Environmental Permit for a hazardous waste treatment facility. The proposed operator is Soil Treatment UK Limited. The site lies within the existing Finmere Quarry and Landfill in the southern area of the quarry.

The applicant has applied for an environmental permit to permit the physical treatment of hazardous and non-hazardous construction / demolition waste and the production of a compost like output (CLO). The application requests the following waste management activities:

- Screening and washing hazardous waste to remove and separate the hazardous components of the waste.
- Treatment of hazardous waste that is contaminated with identifiable pieces of bonded asbestos by handpicking and screening.
- Handpicking, screening, washing and crushing of non-hazardous waste as required.
- The production of a compost like output from non-hazardous waste streams with a significant biodegradable organic fraction and suitable physical characteristics.

The application proposes that all water associated with the storage and treatment to be directed to an on site waste water treatment plant. Once treated it is recirculated back through the wash plant with no point source emission from the site. The application states there are no point source emissions to air.

We consider in reaching our decision we have taken into account all relevant considerations and legal requirements.

Purpose of this document

This decision document provides a record of the decision making process. It:

- highlights key issues in the determination
- gives reasons for refusal

- summarises the decision making process in the decision considerations section to show how the main relevant factors have been taken into account.

Unless the decision document specifies otherwise, we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the refusal notice.

Key issues of the decision

Summary of our decision

We are refusing the application on the following grounds:

Operator Competence

1. The Applicant Will Not Be the Operator of the Facility

Regulation 13(3) of the Environmental Permitting (England and Wales) Regulations 2016 applies Part 1 of Schedule 5 to an application for the grant of an environmental permit. Schedule 5, Part 1 sets out the matters the regulator must consider when determining an application and the circumstances in which an application must or may be refused.

Paragraph 13(1) of Part 1 of Schedule 5 requires the regulator to refuse an application if it considers that, if the permit is granted, the requirements in paragraph 13(2) will not be satisfied. One of those requirements is that the applicant must be the operator of the regulated facility (paragraph 13(2)(a)).

Regulation 7 of the Environmental Permitting (England and Wales) Regulations 2016 defines “operator” as the person who has control over the operation of the regulated facility. Environment Agency guidance, Legal operator and competence requirements: environmental permits - GOV.UK, explains that the legal operator must have sufficient legal, financial and operational control of the regulated facility and must be able to ensure compliance with the environmental permit. ‘Sufficient control’ means they must control day-to-day operations, ensure permit compliance, make key staffing and financial decisions, and be able to manage the activity effectively, including during emergencies.

The applicant, Soil Treatment UK Ltd, has stated that it will be the operator of the site and DNT Contractors Ltd will be engaged by Soil Treatment UK Ltd as a contractor to provide operational support at the facility.

The applicant has provided the following information to explain how Soil Treatment UK Ltd will be the operator of the facility in accordance with Regulation 7 and the Environment Agency’s legal operator guidance:

‘In accordance with the Environment Agency’s guidance on legal operator requirements, Soil Treatment UK Limited has, and will retain, full legal, financial, and operational control of the regulated facility. This includes:

- *Responsibility for compliance with the environmental permit and all applicable environmental legislation.*
- *Full authority to make decisions relating to the management and operation of the site.*
- *Control over capital investment, infrastructure, and site layout.*
- *Responsibility for the appointment and oversight of the Technically Competent Manager (TCM) and other staff engaged in regulated activities.*
- *Direct accountability for site performance, record keeping, emissions control, and environmental monitoring.*

DNT Contractors Ltd has been engaged by Soil Treatment UK Limited as a contractor to provide operational support at the facility. Their role will include carrying out certain day-to-day waste treatment activities in accordance with operating procedures and the requirements set out in the Environmental Management System (EMS).

However, DNT Contractors Ltd:

- *Will operate strictly under the direction and instruction of Soil Treatment UK Limited.*
- *Will not have independent decision-making authority over the facility’s operation.*
- *Will not hold or assume responsibility for permit compliance.*
- *Will not be responsible for legal or financial control of the facility or the site infrastructure.*

A formal management contract will be in place setting out the responsibilities of DNT Contractors Ltd as a service provider, under the authority of Soil Treatment UK Limited. This arrangement ensures that the legal operator — Soil Treatment UK Limited — maintains direct control and oversight of the facility at all times.’

Usually, we would accept the applicant’s proposals where this type of arrangement is proposed. However, in this case we have reasonable grounds to question this arrangement. We have been given information by the Environment Agency (EA) Area compliance teams and we are aware of events that have taken place on the wider site to date. Together this information has raised concerns that Soil Treatment UK Limited will not be the operator on site and that the site will be operated by DNT Contractors Ltd. Further consideration of that information and the details below have provided the reason for refusal.

Corporate structure

The applicant is Soil Treatment UK Limited, company registration number 14735656 incorporated on 16 March 2023. Companies House records show that

the company has filed dormant company accounts for both the years ending 31 March 2024 and 31 March 2025, indicating that it has remained dormant since incorporation. The company has a Sole Director, Julie Todd. The concern is not that Soil Treatment UK Limited has a single Director, rather, the concern is whether the company appears to be a special purpose vehicle with no substantive operational capability, while effective control of the regulated facility is exercised by another person or company. This concern is supported by operations across the known wider site to date. The wider site comprises Finmere landfill (permit reference EPR/FB3301CV) to the North and a Materials Recycling Facility (MRF) (permit reference EPR/AB3908CZ) and the proposed soil treatment facility, the subject of this application, to the South.

Looking at the environmental permits on the wider site, on 15/01/2025 the permit for the MRF (EPR/AB3908CZ) was transferred to Juno Recycling Limited, company registration number 14736292, incorporated on 17 March 2023. Companies House records show that Juno Recycling Limited has also filed dormant company accounts for the years ending 31 March 2024 and 31 March 2025, indicating that it appears to have remained dormant since incorporation. In addition, at the time of the transfer of the permit, Julie Todd was the sole Director of Juno Recycling Limited. This demonstrates a comparable corporate structure for both Juno Recycling Limited and Soil Treatment UK Limited where both companies have been incorporated recently, have operated with Julie Todd as sole Director and appear to have filed dormant company accounts since incorporation.

Julie Todd remained the sole Director of Juno Recycling Limited, the permit holder, from 17/03/2023 to 21/07/2025. This is relevant because during this period, evidence from compliance inspections and subsequent correspondence between the permit holder and the EA indicates that Juno Recycling Limited was not exercising effective control over the activities taking place at the site and was not the operator. This evidence is set out below.

Site Compliance at Finmere Quarry

During the time Julie Todd was the Director of Juno Recycling Ltd, an initial compliance visit took place on 13/05/2025. This is documented in the Compliance Assessment Report (CAR) AB3908CZ/0567742 attached at Appendix A.

This was an unannounced inspection and EA officers observed active waste treatment operations taking place within the permitted MRF building and surrounding areas. Heavy plant was in use, including a trommel, excavators and loaders processing mixed construction and demolition-type wastes. However, none of the operatives on site were employees of Juno Recycling Limited nor were they acting as Juno Recycling Limited “subcontractors”. Instead, activities were being undertaken by personnel employed by DNT Contractors Ltd (DNT). This is the company referred to in this permit application as the contractors supplying operational support to Soil Treatment UK Limited.

These facts were established through direct engagement with on-site personnel during the inspection when a loader driver operating within the MRF directed Environment Agency officers to DNT's working area. This 'working area' falls within the permit boundary proposed in the current application. Officers were then approached by an individual who identified himself as a 'DNT site supervisor'. During an informal discussion, he described working arrangements across the wider site involving Opes MRF 2013 Limited, DNT Contractors Ltd and Juno Recycling Limited. The detail of that discussion was not described in the CAR form. However, the information provided prompted further enquiries and was later checked with Juno Recycling Limited and Opes MRF 2013 Limited (see 'further enquiries' below).

These findings demonstrate that Juno Recycling Limited was not operating the site and that the site was being operated by DNT Contractors Ltd. Environment Agency guidance, Legal operator and competence requirements: environmental permits sets out the requirements needed to be considered the legal operator of a permitted site. Examples given are:

- have day-to-day control of the facility or activity, including the manner and rate of operation
- make sure that permit conditions are complied with
- decide who holds important staff positions and have incompetent staff removed, if required
- make investment and financial decisions that affect the facility's performance or how the activity is carried out
- make sure your activities are controlled in an emergency

The above guidance recognises that contractors may undertake work at a permitted site whilst the permit holder must still retain sufficient control of the regulated facility to remain the legal operator. When Juno Recycling Limited applied to transfer the permit, it did not state that the day-to-day operation of the site would be subcontracted to DNT Contractors Ltd, nor did it provide evidence to demonstrate how it would retain legal, financial and operational control in accordance with the guidance.

As part of the inspection that day, EA officers also requested site documentation to establish whether there was any evidence showing who was exercising control of the permitted activities.

The following documents are required to be kept on site and would demonstrate operational oversight:

- The Environmental Permit – Regulation 12 of the Environmental Permitting (England and Wales) Regulations 2016 requires a regulated facility to be operated only under, and in accordance with, an environmental permit. "Regulated facility" is defined in regulation 8. The permit is the legal document that authorises the operator to carry out specified waste activities at the permitted site. It sets out the activities allowed, the site boundary, waste types and limits, operating conditions, and management controls required to prevent or minimise pollution. A copy must be available on site so staff and contractors understand what activities are authorised and what

conditions must be complied with.

- Environmental Management System (EMS) - condition 1.1.1 of an Environmental Permit requires the site to be operated in accordance with an Environmental Management System. This must be available from the date of permit issue and a copy retained on site. It sets out how the operator manages the permitted activities and complies with the permit. It must include site-specific procedures for waste acceptance, storage, treatment and removal, environmental risk controls, inspections, maintenance, staff responsibilities, training, monitoring, record keeping, incident response and contingency arrangements.
- Site Specific Management Plans – these must set out how specific site activities and environmental risks will be managed, monitored and controlled to ensure the facility operates in accordance with the permit and prevents or minimises pollution.
- Site Diary – A site diary must be available on site to provide a record of daily site operations and management oversight. This must include details of waste movements, activities carried out, plant in use, staff and contractor attendance including Technically Competent Management attendance, inspections, incidents, complaints, maintenance issues and any corrective actions taken.
- Waste transfer Notes/Hazardous Waste Consignment Notes - these notes must be kept on site, or be readily available electronically, to provide an audit trail of waste received and removed. They must record key details including the waste description, EWC code, quantity, date of movement, producer, carrier, consignee and destination. If they are not available, there is no clear evidence that waste movements were being properly classified, tracked or managed.

The Area compliance team confirmed there no site documentation was available during the inspection to demonstrate compliance with the permit. In the absence of documentation, there was no evidence that the environmental risks arising from the ongoing waste operations had been assessed by the permit holder. Nor was the permit holder controlling any risks on site nor effectively managing those risks or operations. Critically, the absence of the site diary meant there was no audit trail showing how activities within the permitted area were being managed, who was exercising day-to-day control, or what action had been taken to ensure compliance with the permit. There was also no evidence that the Technically Competent Manager had attended site or was providing effective oversight of the permitted operations.

This unannounced site inspection on 13/05/2025 clearly demonstrated that DNT Contractors Ltd was in control of waste activities on site. DNT Contractors Ltd employed supervisors were directing DNT Contractors Ltd personnel to carry out waste operations with no Juno Recycling Limited employees, be that staff or management to oversee operations. The lack of any written evidence on site that demonstrated Juno Recycling Limited had given any instruction to ensure compliance with the permit further supported our concern that Juno Recycling Limited was not operating the site but that the operator was DNT Contractors Ltd. A non-compliance against condition 1.1.1 of the permit was recorded in the Compliance Assessment Report (CAR) AB3908CZ/0567742 (Appendix A) for

failure to operate the facility in accordance with a written management system. The area compliance team confirmed the site did have an EMS in place as part of the transfer application documents but as stated in the CAR form, these '*do not detail the operation of the site by any other party and how they would secure, manage and supervise the site to ensure that no one else operates illegally*'.

Further Enquiries

After the site visit, the EA compliance team carried out further enquiries to clarify the relationship between Juno Recycling Limited and DNT Contractors Ltd, and to assess whether Juno Recycling Limited, as permit holder, was the legal operator in accordance with Regulation 7 of the Environmental Permitting (England and Wales) Regulations 2016. These enquiries were necessary to determine who had actual legal, financial and operational control of the permitted activities.

On 26 June 2025, the Environment Agency issued Juno Recycling Ltd with a Regulation 61(1) notice under the Environmental Permitting (England and Wales) Regulations 2016 requiring information. A copy is provided at Appendix B. The purpose was to clarify who was controlling waste activities within the permitted MRF area. The notice required Juno Recycling Limited to explain the legal arrangement between Juno Recycling Limited and DNT Contractors Limited for waste acceptance and treatment within the permitted MRF area; who had day-to-day control of those activities; who was responsible for permit compliance; who made financial decisions for activities within the permitted area; and who employed and paid the staff working in that area

In response to the Regulation 61(1) notice, Julie Todd, as sole Director of Juno Recycling Limited, stated that there was no legal or other arrangement between itself and DNT Contractors Ltd for activities within the permitted MRF area. It was also stated that Juno Recycling Limited had not carried out any activities under the permit, did not know who had day-to-day control of the activities taking place on the land, had made no financial decisions in relation to those operations, and had no staff working on site.

All of this information was captured in an updated version of CAR form dated 13/05/2025 (Report ID: AB3908CZ/0567742) presented at Appendix A.

During this period, the EA also contacted the landfill operator, Opes MRF 2013 Limited (permit reference EPR/FB3301CV), to establish which activities were being carried out on site, by whom, and on whose behalf.

In email correspondence between the EA and the Technical Director of Opes MRF 2013 Limited, it was confirmed that DNT Contractors Ltd was working on behalf of Opes MRF 2013 Limited to carry out restoration works as part of the landfill activities. This is relevant because the regulation layer (a layer of material used as part of the landfill restoration profile to regulate surface levels and provide a suitable formation layer before final restoration soils are placed) was being produced and blended at the MRF by DNT Contractors Ltd. The correspondence described the three organisations, namely Opes MRF 2013 Limited, DNT

Contractors Ltd and Juno Recycling Limited, as discrete legal entities that work collaboratively on the wider project where possible. This information contradicted the information given by Juno Recycling Limited with respect to DNT Contractors Ltd in response to the statutory Regulation 61 (1) Notice.

We believe the above evidence demonstrates that DNT Contractors Ltd's role is inconsistent with the role of subcontractor working on behalf and at the direction of the permit holder and supports our conclusion that Juno Recycling Limited was not acting as the legal operator of the permitted facility. It also demonstrates that Juno Recycling Limited allowed another company to carry out waste operations within the permitted area without having sufficient knowledge of, or control over, those activities.

We consider that the weight of this evidence indicates a common way of working and means it is reasonable for us to have concern and doubt over the status of DNT Contractors Ltd with respect to Soil Treatment Limited should a permit be granted.

Technically Competent Management

The environmental permit for the MRF at Finmere Quarry (permit reference EPR/AB3908CZ) was transferred to Juno Recycling Limited on 15/01/2025. At the time of the transfer application, in addition to being the sole Director, Julie Todd was also listed as the Technically Competent Manager (TCM) for the site and the relevant Certificate of Technical Competence (COTC) was submitted in support of the application.

Following the inspection on 13/05/2025 where the EA contacted Opes MRF 2013 Limited to clarify activities and responsibilities across the wider site, Opes indicated that COTC cover was being provided locally for Juno. However, there was no evidence that this reflected an arrangement made by Juno Recycling Limited as permit holder, or that the EA had been notified of any change to the technically competent management arrangements. We have therefore proceeded on the basis that Julie Todd remained the Technically Competent Manager, as confirmed in the transfer application.

This lack of clarity supports the wider concern that there was uncertainty across the overall site as to which company was operating which activities, and on whose behalf. Given the comparable operating arrangements and corporate structure between this application and the wider site activities observed here, we consider there are reasonable grounds to doubt whether Soil Treatment UK Limited would exercise the necessary control of the proposed facility, and therefore whether it would be the legal operator if a permit were granted.

Ongoing Compliance at Finmere

The initial site inspection on the 13/05/2025 established an early and fundamental concern that the permit holder was not exercising control over activities taking

place on its permitted land and had insufficient management systems in place to prevent unauthorised waste operations by third parties.

Companies House records show that Olivia Bradshaw was appointed as a Director of Juno Recycling Limited on 21/07/2025, and that Julie Todd resigned as a director on 22/07/2025. The change in directorship does not remove the relevance of Juno Recycling Limited to this application, as the corporate structure remains comparable: both companies operating with a sole Director model on the Finmere site. The evidence relating to Juno Recycling Limited is therefore relevant to our assessment of whether Soil Treatment UK Limited is likely to have the necessary legal, financial and operational control to be the operator of the proposed facility.

Evidence also shows that, after Julie Todd resigned as Director of Juno Recycling Limited, DNT Contractors Ltd continued to carry out waste operations at the site and the improvements required by the Environment Agency set out in the Compliance Assessment Report (CAR) form AB3908CZ/0572900 dated 25/07/2025 were not completed – see Appendix C. This further demonstrates that Juno Recycling Limited was not exercising effective control over operations at Finmere. Given the comparable corporate structure and proposed reliance on DNT Contractors Ltd, it also supports our conclusion that Soil Treatment UK Limited has not demonstrated that it will exercise effective control over the proposed facility.

The following CAR reports were issued to Juno Recycling Limited over the last 12 months and are presented at Appendix D to I:

- AB3908CZ/0572900, dated 8 August 2025 for the site inspection on 25 July 2025 (Appendix D);
- AB3908CZ/0578841, dated 13 September 2025, for site inspection on 10 September 2025 (Appendix E);
- AB3908CZ/0590159, dated 15 January 2026, for site inspection on 8 January 2026 (Appendix F);
- AB3908CZ/0593702, dated 25 February 2026, for site inspection on 11 February 2026 (Appendix G);
- AB3908CZ/0597860, dated 22 April 2026, for site inspection on 16 April 2026 (Appendix H);
- AB3908CZ/0600291, dated 10 June 2026, for site inspection on 01 and 02 June 2026 (Appendix I);

These clearly evidence that the permit holder was not exercising control over activities with regulatory action escalating appropriately from site findings and formal enquiries through to permit revocation. On 12 June 2026, the Environment Agency issued a Notice of Revocation of Environmental Permit EPR/AB3908CZ, provided at Appendix J. The decision to revoke the permit was based on the operator's inability to demonstrate control of the regulated facility, the absence of a technically competent manager or responsible personnel on site, and failures to comply with permit conditions 1.1.1 and 3.6.1.

Conclusion

Taken together, the evidence demonstrates that Juno Recycling Limited did not exercise effective control over site operations at Finmere, both while Julie Todd was its Director and after her resignation. Given the comparable corporate structure between Juno Recycling Limited and Soil Treatment UK Limited, and the proposed reliance on DNT Contractors Ltd for operational support, we have reasonable grounds to conclude that Soil Treatment UK Limited has not demonstrated that it will exercise the necessary legal, financial and operational control of the proposed facility. Therefore, we do not consider that Soil Treatment UK Limited will be the operator of the regulated facility for the purposes of regulation 7 and Paragraphs 13 (1) and 13(2) of Part 1 of Schedule 5 to the EPR regulations.

2. The Facility Will Not Be Operated in Accordance with the Permit

Regulation 13(3) of the Environmental Permitting (England and Wales) Regulations 2016 applies Part 1 of Schedule 5 to an application for the grant of an environmental permit. Schedule 5, Part 1 sets out the matters the regulator must consider when determining an application and the circumstances in which an application must or may be refused.

Paragraph 13(1) of Part 1 of Schedule 5 requires the regulator to refuse an application if it considers that, if the permit is granted, the requirements in paragraph 13(2) will not be satisfied. One of those requirements is that the applicant must operate the regulated facility in accordance with the environmental permit (paragraph 13(2)(b)).

There is evidence to indicate that the applicant will not operate the facility in accordance with the permit. This evidence arises from recent activities on the wider Finmere site involving persons and companies connected to this application, and from compliance concerns at other permitted facilities where the applicant's Director has acted as the Technically Competent Manager. This evidence has been gathered through Compliance Assessment Reports (CAR forms), notices and correspondence from Area EA compliance officers and is set out below.

Compliance Assessment Reports and scoring

Compliance Assessment Reports (CAR forms) record permit breaches using compliance scores that reflect the seriousness of the non-compliance and the actual or potential environmental impact. Category 2 breaches indicate significant non-compliance, often linked to serious management system failures or significant environmental risk. Category 3 breaches indicate lower-level non-compliance but still demonstrate a failure to comply with permit conditions. Repeated Category 2 and Category 3 breaches are relevant because they show continuing failure to manage the site in accordance with the permit and may contribute to a worsening

compliance band and regulatory escalation. This information is relevant because it helps identify where sites are failing to comply with the requirements of their environmental permits and why, including whether the failures result from poor operator control, inadequate management systems, insufficient technical competence, or failure to follow required permit controls.

Site Compliance Finmere Site

DNT Contractors Ltd are listed as the company intended to provide operational support to Soil Treatment UK Limited to run the proposed hazardous waste treatment facility at Finmere, the subject of this application.

The wider Finmere site comprises the landfill operation to the North, regulated under permit reference EPR/FB3301CV, and the Materials Recycling Facility (MRF) to the South, regulated under permit reference EPR/AB3908CZ along with the area to the South which is the subject of this application (EPR/TP3724SA/A001).

On 11 April 2024, the EA issued a cease and desist letter to DNT Contractors Ltd following an inspection at Finmere Quarry on 14 March 2024. The letter, presented at Appendix K, advised that waste activities appeared to be taking place without an environmental permit, contrary to regulations 12 and 38 of the Environmental Permitting (England and Wales) Regulations 2016. It required the unauthorised activity to stop immediately, the waste to be removed, the area cleared by 14 May 2024, and waste transfer notes provided by 14 June 2024. The letter also made clear that no future waste activity should take place unless authorised by an environmental permit or registered exemption.

On 18 June 2024, the EA again wrote to DNT Contractors Ltd following a site inspection on 7 June 2024 at Finmere Landfill. The letter is presented at Appendix L. Officers observed an unpermitted soil washing facility and large piles of fines material and crushed concrete, which appeared to originate from landfill operations rather than the wash plant. The letter reminded DNT Contractors Ltd that soil washing was not permitted at the site and that no waste should be imported or treated without an environmental permit. It required all material unrelated to the wash plant to be removed immediately and advised that the EA would re-inspect the site in the following weeks and contact the landfill operator about the same issue. These activities were being carried out in the area which is the subject of this application.

The correspondence issued on 11 April 2024 and 18 June 2024 shows that DNT Contractors Ltd carried out waste activities within the area subject to this application without the necessary authorisation. Despite being advised that no waste activity should take place without an environmental permit or registered exemption, further unauthorised activity was identified during a later inspection.

This raises concern that DNT Contractors Ltd has not complied with regulatory requirements and may not operate in accordance with any permit granted.

During an unannounced EA compliance inspection of the MRF on 13 May 2025, recorded in the Compliance Assessment Report AB3908CZ/0567742 at Appendix A, officers observed active waste treatment operations taking place within the permitted MRF building and surrounding areas. Through discussions with site personnel, including a site operative and a DNT representative identifying themselves as 'DNT Site Supervisor', officers established that these activities were being carried out by personnel employed by DNT Contractors Ltd. DNT Contractors Ltd was not the permit holder or legal operator of the MRF. The permit holder was Juno Recycling Limited, whose sole Director at the time was Julie Todd. This arrangement is directly relevant to the current application. Soil Treatment UK Limited proposes a similar operating model, with Julie Todd as sole Director and DNT Contractors Ltd engaged to undertake day-to-day operational activities at the proposed facility.

The CAR form also confirms that no site documentation was available during the inspection. A copy of the environmental permit, Environmental Management System, site-specific management plans, waste transfer notes or consignment notes, and a site diary must be available on site, or readily accessible, to demonstrate compliance with the permit. In the absence of this documentation, there was no evidence that DNT Contractors Ltd understood the requirements of the permit or the supporting management documents necessary to ensure compliance and prevent or minimise pollution. There was also no evidence that DNT Contractors Ltd had the technical competence required to carry out the ongoing waste operations at the site. A Category 2 breach was recorded against the permit holder, Juno Recycling Limited, for failing to comply with permit condition 1.1.1 where an operator must manage and operate the activities in accordance with a written management system. The CAR form explains that there was an EMS in place (CAR report ID: AB3908CZ/0567742). However, that '*application documents, including the Management System, do not detail the operation of the site by any other party and how they would secure, manage and supervise the site to ensure that no one else operates illegally. Significant deficiencies in your management system, including insufficient controls to secure your site from illegal activities, have allowed OPES MRF 2013 Limited and DNT Contractors Ltd to carry out waste activities without consent. This failure to prevent illegal activities on your site can have a significant foreseeable impact in the environment and you have been scored Category 2 non-compliance 31 CCS'.*

During the same inspection on 13/05/2025, personnel from DNT Contractors Ltd discussed the relationship between the landfill operator, Opes MRF 2013 Limited, Juno Recycling Limited and DNT Contractors Ltd. To determine the relationship between DNT Contractors Ltd and Juno Recycling Limited, the EA issued Juno Recycling Limited with a Regulation 61(1) notice under the Environmental

Permitting (England and Wales) Regulations 2016 to clarify who was controlling waste activities within the permitted MRF area which is included at Appendix B. Julie Todd responded as Director to confirm there was no legal or other arrangement between itself and DNT Contractors Ltd for activities within the permitted MRF area. It therefore appears that DNT Contractors Ltd was carrying out waste operations within the permitted MRF area without the permission or control of the permit holder.

The EA also contacted Opes MRF 2013 Limited, the landfill operator under permit reference EPR/FB3301CV, to establish which activities were being carried out on site, by whom, and on whose behalf. In email correspondence between the EA and the Technical Director of Opes MRF 2013 Limited, it was confirmed that DNT Contractors Ltd was working on behalf of Opes MRF 2013 Limited to carry out restoration works. The correspondence also confirmed that material for the landfill restoration layer was being produced and blended within the permitted MRF area for use on the landfill site. It was stated the three organisations, as discrete legal entities, work collaboratively on the wider project where possible. It did not acknowledge that DNT Contractors Ltd was not the operator of the MRF, nor that it did not have permission from the permit holder to carry out those activities within the permitted MRF area. It also did not recognise that activities within the MRF permit boundary must be carried out under the control of the permit holder and in accordance with the MRF environmental permit. This information contradicted the information given by Juno Recycling Limited with respect to DNT Contractors Ltd in response to a statutory Regulation 61 (1) Notice referred to above.

This indicates a lack of understanding of the regulatory position and supports our concern that activities across the wider Finmere site were not being carried out in accordance with the relevant permit requirements. It is directly relevant to this application because Soil Treatment UK Limited proposes to rely on DNT Contractors Ltd to undertake day-to-day operational activities at the proposed facility. Given DNT Contractors Ltd's previous operation within the permitted MRF area, without the knowledge or control of the permit holder, and not in accordance with the requirements of that permit, and also within the area that is the subject of this application, means it is reasonable for us to have concern and doubt over whether DNT Contractors Ltd would carry out day-to-day operations at the proposed facility in accordance with the requirements of any environmental permit granted to Soil Treatment UK Limited, should a permit be granted.

Ongoing Non Compliance

After the site inspection on 13/05/2025, the EA issued a cease and desist letter to DNT Contractors Ltd on 10/07/2025 for operating a regulated facility without being authorised by an environmental permit, contrary to regulation 12 of the Environmental Permitting (England and Wales) Regulations 2016. A contravention of regulation 12 is an offence under regulation 38 to those Regulations. A copy of the letter is provided at Appendix M.

Following the letter, a site inspection was carried out on 25/07/2025 (CAR form report reference AB3908CZ/0572900 at Appendix N), officers observed that no activities were taking place at the time of the inspection. However, an inspection undertaken on 10/09/2025 (CAR Form report reference AB3908CZ/057884 at Appendix O) showed waste material has been transferred from the MRF building to the outside yard area where waste material was being screened. This was confirmed by an operative from DNT Contractors Ltd on site. After the inspection, the Environment Agency contacted Juno Recycling Limited, as the permit holder, to ask why DNT Contractors Ltd had continued to operate within the permitted MRF area after being instructed to stop. The then Director of Juno Recycling Limited confirmed that DNT Contractors Ltd was not operating on Juno Recycling Limited's behalf.

This shows that DNT Contractors Ltd continued to carry out waste operations despite being aware that it was not authorised to operate within the permitted MRF area and despite having received a cease and desist letter. This raises further concern that DNT Contractors Ltd would not carry out the proposed hazardous waste treatment operations in accordance with the requirements of an environmental permit. Their continued operation despite regulatory intervention demonstrates a disregard for the regulatory process and for the need to ensure activities are properly authorised before they are undertaken.

Technical Competence Management

Julie Todd was initially proposed as the Technically Competent Manager (TCM) for this application. However, during the determination, the applicant amended the technical competence arrangements and proposed an alternative Technically Competent Manager. Julie Todd would therefore no longer provide the technically competent management for Soil Treatment UK Limited, but she remains the company's sole Director.

This is relevant to our assessment because although Julie Todd is no longer the proposed Technically Competent Manager for this application, she remains the Director of Soil Treatment UK Limited and would be capable of resuming that role of TCM after permit issue. Additionally, where the TCM and Director may be different individuals, their roles are complementary and both are relevant to permit compliance.

Technically Competent Managers are responsible for ensuring that day-to-day site operations are managed in accordance with the environmental permit, the Environmental Management System, all site-specific management plans and any other documents forming part of the permitted operating arrangements. Failure to provide effective technical oversight may result in the regulated facility being operated other than in accordance with the environmental permit, contrary to regulation 12 of the Environmental Permitting (England and Wales) Regulations

2016. A contravention of regulation 12 is an offence under regulation 38. This is relevant to our assessment Paragraph 13 of Part 1 of Schedule 5, which allows the regulator to refuse an application where it considers that the applicant will not operate the regulated facility in accordance with the permit.

Compliance at other permitted facilities

We have reviewed the compliance record for a number of other similar permitted sites where Julie Todd has previously held positions of responsibility. We have identified 6 permits across two facilities, which are similar in nature to Finmere and/or the proposed operations applied for under this permit application, where Julie Todd held the position of technically competent manager. These sites are listed below, together with evidence of non-compliance which occurred during her tenure. The evidence is directly relevant to this refusal because it is not confined to incidents at Finmere Quarry. Rather, it indicates a recurring pattern of non-compliance across several permitted sites at which she held a position of technical responsibility. The nature, repetition and persistence of those failures give rise to serious concern about her understanding of, and ability to ensure, the effective management and operation of permitted facilities in accordance with permit conditions and regulatory requirements.

The sites in question are as follows:

Escrick Environmental Services Limited, Old Brick and Tiles Works

Four permits are held by Escrick Environmental Services Limited for the Old Brick and Tiles Works, North Yorkshire, namely

- EPR/ZP3835JD - an inert landfill with the permit issued in 2019.
- EPR/BB3907LY - waste treatment facility for inert and non-hazardous waste to produce recycled aggregates with the permit issued in 2012.
- EPR/DB3000UP - consolidated permit which operates under SR2010 No17 and SR2022 No1
- EPR/LB3005TW – Deposit of waste to land as a recovery operation (currently compliant and not considered further here).

From April 2025, Escrick Environmental Services Limited has a similar corporate structure to Juno Recycling Ltd and Soil Treatment UK Limited, in that it is also a sole Director company from this point. The EA Area compliance team for this site has confirmed that Julie Todd is currently the Technically Competent Manager covering all three of the permits held by Escrick Environmental Services Limited for the Old Brick and Tiles Works. She provided a copy of the relevant certificates to the EA in April 2025.

Escrick Soil Landfill Site (EPR/ZP3835JD)

The EA Area Compliance team has confirmed that the site was compliant with its permit before Julie Todd became the Technically Competent Manager (TCM) and this is evidenced through the Compliance Assessment reports held by the Environment Agency. Since her appointment, the site's compliance rating for the landfill has deteriorated and it currently has a compliance Band D, with a Band E rating recorded in 2025. Compliance bands provide an overall indication of a permitted site's compliance performance, based on the non-compliance scores recorded in Compliance Assessment Reports. A deterioration in compliance band indicates repeated or more serious permit breaches and is relevant because it demonstrates whether the operator is effectively managing the site in accordance with the environmental permit. The bands usually run from A to F, where:

- Band A = very good compliance / little or no non-compliance;
- Band B/C = some non-compliance, generally less serious or less frequent;
- Band D/E/F = poorer compliance, often involving repeated, serious or unresolved non-compliance.

The deterioration in compliance at the landfill is evidenced in the Compliance Assessment Reports (CAR) for the site and the accompanying correspondence. Key evidence is summarised here and the relevant documents included at Appendix P to Appendix AA:

- An unannounced inspection was carried out by EA compliance officers on 17 September 2025, recorded in CAR form reference 406424/0581445 (Appendix P). Julie Todd, as Technically Competent Manager, was present on site during the inspection. Officers observed waste being deposited in Cell 1, which had previously been closed. The material was not inert and was therefore contrary to the permitted waste types. Julie Todd was unable to explain why the waste was being deposited in that location. Two Category 2 breaches were recorded for non-compliance with permit conditions 1.1.1(b) (using sufficient competent persons and resources) and 2.7.1(b) (non-permitted wastes). The CAR form identified the root cause as follows: "Observations made during the inspection suggests that the operations on site are not being managed in line with a suitable management system that identifies and minimises the risk of pollution and that there is a lack of technical competency."
- During the unannounced inspection on 10 November 2025, recorded in CAR form reference 406424/0587154 (Appendix Q), officers observed visually non-compliant waste in Cell 2A. The waste was not inert and was therefore contrary to the permitted waste types. Julie Todd, as Technically Competent Manager, was informed that the waste would need to be removed from the site. The waste should have been cordoned off at that point to prevent further disturbance or mixing and to enable its removal from the permitted area. Again, two Category 2 permit breaches were recorded one against permit condition 2.7.1(b) (non-permitted wastes) and one

against permit condition 1.1.1(b) (using sufficient competent persons and resources) as with the previous inspection.

- In response to the ongoing no compliance at the site, on 10/12/2025 the EA served a Regulation 37(5) Notice requiring the removal of the non-permitted waste (Appendix R).
- An announced site inspection and meeting was carried out on 19/01/2026 recorded in CAR form reference 406424/0591025 (Appendix S) to discuss previous non compliances. Julie Todd as TCM was present at the meeting. A Category 2 breach was recorded for non-inert waste deposited in Cell 1, Cell 1 Extension, and Cell 2A (breach of permit condition 2.7.1(b)) with the root cause given as staff competency/training and management system inadequacies (breach of permit condition 1.1.1(b)); and a Category 3 breach was recorded for restoration material spread without proper assessment or Environment Agency approval (breach of permit condition 2.7.2(b)).
- A second Regulation 37(5) Notice was served on 11/02/2026 (Appendix T) which requires the removal of the non-permitted waste as previously stated but also the full suspension of the permit.
- An announced site inspection and meeting was carried out on 25/02/2026 recorded in CAR form reference 406424/0595048 (Appendix U) to discuss previous non compliances. Julie Todd as TCM was present. There was no evidence that any of the non-compliant waste identified in previous inspections has been removed. Two Category 2 breaches were recorded for staff competency/training (Category 2 breach, condition 1.1.1(b)) and materials acceptance (Category 2 breach, condition 2.7.1(b)).
- An announced site inspection was caried out on 25/03/2026 recorded in CAR form reference 406424/0597120 (Appendix V). Julie Todd as TCM was present. Two Category 2 breaches of permit conditions were recorded. Materials Acceptance (Condition 2.7.1(b)) due to non-inert waste was found deposited in Cell 1, Cell 1 Extension, and Cell 2A with Cell 2A contained a significantly larger volume of non-compliant waste than previously identified. The site was not managed in line with a suitable management system, and there was a lack of technical competency (Staff Competency/Training (Condition 1.1.1(b)). This was considered the root cause of the materials acceptance breach. Gas monitoring was also carried out by the EA and elevated methane emissions were observed, further indicating the presence of non-inert waste in contravention of the permitted waste types. The presence of non-inert waste and high gas emissions indicate ongoing risks to the environment, particularly groundwater pollution and air quality.
- On 09/04/2026 the Regulation 37(5) Notice was withdrawn and the EA served a new Regulation 37(5) Notice requiring the removal of the non-permitted waste by 8/9/2026 (Appendix W).
- An announced site inspection was caried out on 20/04/2026 recorded in CAR form reference 406424/0597769 (Appendix X). The situation on Cell 1, Cell 1 Extension, and Cell 2A is unchanged from the previous site inspections, and once again two Category 2 breaches were recorded for

staff competency/training (Category 2 breach, condition 1.1.1(b)) and materials acceptance (Category 2 breach, condition 2.7.1(b)).

- An announced site inspection was carried out on 30/06/2026 recorded in CAR form reference 406424/0602496 (Appendix Y). As with the previous inspections there have been no changes in regard to the removal of non-compliant waste and once again, 2 Category 2 permit breaches have been recorded for staff competency (1.1.1 (b)) and materials acceptance (2.7.1(b)).
- An announced site inspection was carried out on 11/08/2026 recorded in CAR form reference 406424/0605200 (Appendix Z). As with previous visit, there had been no changes in regard of the removal of non-compliant wastes in Cell 1, Cell 1 Extension and Cell 2A. Again, 2 Category 2 permit breaches have been recorded for staff competency (1.1.1 (b)) and materials acceptance (2.7.1(b)).
- An announced site inspection was carried out on 10/09/2026 recorded in CAR form 406424/0606900 (Appendix AA). It noted that the actions set out in the Regulation 37(5) Notice issued on 09/04/2026 were not completed. Again, 2 Category 2 permit breaches have been recorded for staff competency (1.1.1 (b)) and materials acceptance (2.7.1(b)). The site has a compliance rating in Band F.

Although there has been some communication with the site during this period, and some information has been provided, this has been limited and it has not demonstrated how the site will be brought back into compliance and the Area Compliance Team has confirmed no appropriate programme of works has been officially provided or agreed with the EA, only ‘roadmaps’ have been received. It was agreed that the operator would provide weekly updates to the Environment Agency on progress; however, the last weekly update received from Julie Todd was 17/02/2026. Since then, the Director has provided only limited and intermittent updates. Additionally, the Regulation 37(5) Notice issued on 09/04/2026 has not been complied with by the date given. This further indicates a lack of effective management oversight and a failure to engage consistently with the steps required to restore compliance with the permit.

This demonstrates that the Technically Competent Manager failed to maintain effective control of the permitted activities and did not ensure that the site was operated in accordance with the environmental permit, the Environmental Management System and the site’s management procedures. The repeated acceptance and deposit of non-permitted waste, the failure to remove or isolate that waste once identified, and the recurring breaches of permit conditions indicate continuing deficiencies in technical competence, staff training and management systems. This is particularly relevant because Julie Todd was present as Technically Competent Manager during key inspections and was aware of the non-compliance, yet the required corrective action was not taken.

The deterioration in compliance at sites where Julie Todd has held a position of responsibility as Technically Competent Manager is directly relevant to this application because she remains the sole Director of Soil Treatment UK Limited. As sole Director, she would retain ultimate responsibility for ensuring the company has effective management systems, sufficient competent persons and resources, and appropriate arrangements to operate the proposed facility in accordance with any permit granted. The repeated compliance failures at sites where she has provided technical oversight raise reasonable doubt about whether Soil Treatment UK Limited, under her sole directorship, would operate the proposed Finmere facility in accordance with any permit granted.

Escrick Waste Treatment Facility (EPR/BB3907LY)

Escrick Waste Treatment Facility is permitted to treat inert and non-hazardous waste to produce recycled aggregates. The treatment activities include crushing, washing and screening. This is comparable to the activities proposed by Soil Treatment UK Limited, albeit the current application also seeks to treat hazardous waste soils.

Although the site has a history of poor performance, Julie Todd's appointment as Technically Competent Manager in April 2025 should have provided an opportunity to improve operational control and bring the site back into compliance. As TCM, she was expected to work with the Environment Agency to ensure the site was operated in accordance with the permit, the Environmental Management System and relevant management procedures. However, the evidence from April 2025 onwards demonstrates continuing failures in day-to-day management and compliance. The key evidence is set out below and the relevant documents included at Appendix AB to Appendix AJ:

- A compliance site inspection was carried out on 09/06/2025 and recorded in CAR form reference 104658/0561618 (Appendix AB). Julie Todd attended the inspection in her capacity as Technically Competent Manager. The CAR form is relevant because it records the outstanding compliance issues from previous inspections, where the operator and previous Technically Competent Manager had failed to secure compliance with the permit. It therefore demonstrates that Julie Todd was made aware of the existing compliance issues at the site and the actions required to bring the site back into compliance with the environmental permit. Two Category 3 breaches were recorded, one for a breach against permit condition 2.1.1 (waste not stored in accordance with the permit) and one for a breach against permit condition 1.1.1 (failure to operate in accordance with a written management system and staff competency).
- A compliance site inspection was carried out on 22/08/2025 and recorded in CAR form reference 104658/0576130 (Appendix AC). Julie Todd attended the inspection in her capacity as Technically Competent Manager. No infrastructure work on drainage improvements has been started despite it being identified as a non-compliance on the previous site visit. A deadline

was given for compliance. Some waste was found stored outside the area with an impermeable surface and without an adequate sealed drainage system, although some had been removed. This breaches permit condition 2.1.1 and was scored a Category 3 non-compliance. Environmental Management System (EMS) was found inadequate, breaching permit condition 1.1.1 and also recorded as a category 3 non-compliance.

- A compliance site inspection was carried out on 17/09/2025 and recorded in CAR report reference 104658/0580703 (Appendix AD). No breaches of permit conditions were recorded during this inspection. However, the report does state there appeared to be evidence of a waste type similar to that of Trommel Fines that had been stored on the pad. Julie Todd, as Technically Competent Manager, stated that she was unaware where this waste had come from or where it had gone. This is concerning because a Technically Competent Manager is expected to maintain effective oversight of site operations, including the acceptance, storage, treatment and removal of waste, to ensure compliance with the environmental permit and waste duty of care requirements.
- An unannounced compliance site inspection was carried out on 10/11/2025 and recorded in CAR report reference 104658/0586981(Appendix AE). Julie Todd was present as the TCM. It was found that waste was still be stored outside the area with an impermeable surface. Furthermore, no additional work has been done to ensure that the site has an adequate sealed drainage system. The inspection also included actions for Julie Todd, as TCM; to confirm the treatment process and recovery value of the waste, stop pumping drainage water to the discharge point, provide the outstanding information requested in CAR reference 104658/0561618, continue progress against the Compliance Action Plan, and submit weekly updates to the Environment Agency.
- An unannounced compliance site inspection was carried out on 19/01/2026 and recorded in CAR report reference 104658/0590461(Appendix AF). Julie Todd was present as the TCM. Three permit non-compliances were identified: waste was being stored outside the required impermeable surface, leachate was not being adequately contained, and the Environmental Management System was inadequate which was given a category 2 permit breach. These failures created risks to land, groundwater and surface water, and demonstrated that the site was not being managed with sufficient controls, competent staff or resources to ensure compliance with the permit. In addition to this, the report also states that the EA had previously identified problems at the Escrick Waste Treatment Facility and asked the operator to follow a Voluntary Compliance Action Plan (CAP) to fix them. However, the EA was concerned that the site has not made enough progress on the CAP as the deadlines set in the plan were not being met. As such the EA decided to reinstate (reactivate) previously suspended negative scores from two earlier Compliance Assessment Reports (CARs) which could affect its compliance band. This further demonstrates a lack of effective control over day-to-day site activities and a failure by the TCM to

ensure that deadlines set out in the operator's own Compliance Action Plan were met.

- On the 05/02/2026 the EA served a Regulation 36 of the Environmental Permitting (England and Wales) Regulations 2016 (Appendix AG). This was served because the facility was in breach of permit condition 2.1.1, which requires all waste to be stored on an impermeable surface with sealed drainage and currently all waste was not stored correctly in accordance with the permit. A deadline of 08/05/2026 was given for compliance.
- An unannounced compliance site inspection was carried out on 25/02/2026 and recorded in CAR report reference 104658/0594572 (Appendix AH). Julie Todd was present as the TCM. This inspection was carried out to assess progress towards compliance with the actions set out in the Regulation 36 Notice. During the inspection, officers identified that street sweeping waste continued to be stored off the impermeable surface with no sealed drainage. Furthermore, no additional work had been done on the site's drainage system. Leachate was seen pooling behind the stockpile of street sweeping waste, on unmade ground. Moreover, due to the site not having a sealed drainage system, the site did not have adequate infrastructure in place to ensure the management of this waste liquid minimised the risk of pollution (non-compliance with permit condition 2.1.1) The root cause for the above non-compliances was attributed to the inadequacies of the Environment Management System (EMS) and/or failure to provide sufficient competent persons and resources (non-compliance with permit condition 1.1.1). This demonstrates that the TCM was not ensuring the site complied with the requirements of the Regulation 36 Notice or the conditions of the environmental permit.
- An unannounced compliance site inspection was carried out on 25/03/2026 and recorded in CAR report reference 104658/0596734 (Appendix AI). Julie Todd was present as the TCM. It was observed that no progress had been made since the previous inspection. The TCM stated that the site director was preparing a plan to bring the site back into compliance. However, the same assurance had been given during the previous inspection and no plan had been submitted.

  Leachate continued to discharge to unmade ground, with no effective management of other leachate sources, no secondary containment for IBCs, and no leachate management plan submitted by the required deadline. No progress had been made on sealed drainage or compliant waste storage, and the TCM's proposed pad-sealing works were insufficient. The breach of permit condition 2.1.1 remained a Category 3 non-compliance. Mixed construction and demolition waste containing soil was accepted onto site despite not being a permitted waste type. The TCM acknowledged the waste was not permitted and was unable to explain why it had been accepted. This was recorded as a Category 3 non-compliance with permit condition 2.3.2. Because no progress had been made since the previous inspection, the ongoing breach of permit condition 2.1.1 was attributed to deficiencies in the EMS and/or a failure to provide sufficient

competent persons and resources, and this was recorded as a category 2 breach.

- The Regulation 36 Notice deadline of 08 May 2026 was not met.
- Further site inspection was carried out on 11/05/2026 recorded in CAR form reference 104658/0599683 (Appendix AJ). It shows no progress had been made on any of the actions set out in the previous CAR forms to bring the site into compliance. In addition to this, it was stated that weekly progress updates had not been received for several weeks. The site was now in compliance band F and the root cause remained non-compliance with permit condition 1.1.1, namely managing the activities using sufficient competent persons and resources.
- On 19 May 2026, the Environment Agency wrote to the operator confirming non-compliance with the Regulation 36 Notice and advising that further enforcement action was being considered.

It has been determined that the inadequate resources provided by the site, together with the operator's failure to respond to non-compliances promptly and adequately, have contributed to an increased risk to the environment. As TCM, Julie Todd was responsible for providing effective technical oversight of day-to-day operations and ensuring that the site was operated in accordance with the permit, EMS, management plans and corrective actions required by the Environment Agency. The continuing non-compliances, missed deadlines, lack of progress against required actions and failure to restore compliance demonstrate that this oversight was not effective. This supports our concern that Julie Todd has not demonstrated the level of technical competence and management control required to ensure a permitted facility is operated in compliance with its environmental permit. This is directly relevant because Julie Todd remains the sole Director of Soil Treatment UK Limited and would retain overall responsibility for ensuring the proposed facility is properly managed and compliant. The repeated compliance failures at sites where she provided technical oversight raise reasonable doubt that Soil Treatment UK Limited would operate the Finmere facility in accordance with any permit granted.

Escrick Aggregate Treatment Plant (EPR/DB3000UP)

Escrick Aggregate Treatment Plant is a consolidated permit which operates under SR2010 No17 and SR2022 No1. This area of the site has primarily been used for the storage of waste, as a result, the non-compliances have been regulated under SR2010 No17. This area has usually been referred to as 'Escrick Storage Permit'. Again, as with Escrick Waste Treatment Facility, the activities are comparable to the activities proposed by Soil Treatment UK Limited. Additionally, the site has a history of poor performance which did not improve through Julie Todd's appointment as Technically Competent Manager in April 2025. The key evidence is set out below and the relevant documents included at Appendix AK to Appendix AO:

- A compliance inspection was carried out on 09/06/2025 recorded in CAR report refence 402437/0561297 (Appendix AK). Julie Todd as TCM was present. The inspection focused on how the site intends to return to compliance following permit breaches which had been identified in previous inspections along with the long-term plans for the site. Two category 2 breaches were recorded, one under permit condition 2.1.1 due to the storage of non-permitted waste on site for an extended period; and one under permit condition 1.1.1 due to a failure to effectively manage and operate activities in accordance with a written management system. The Operator was required to produce a compliance action plan by 07/07/2025 and a new EMS by 26/06/2025.
  The Compliance Action Plan was submitted on 25/06/2025 but was not accepted by the EA and a revised deadline was given. The first draft of the EMS was submitted on 02/09/2025.
- A compliance inspection was carried out on 19/01/2026 recorded in CAR report reference 402437/0590465 (Appendix AL). The inspection noted that there remained a significant quantity of non-permitted waste being stored on site and leachate was identified across the permitted area. Two Category 2 breaches of the permit were recorded against conditions 1.1.1 and 2.1.1.
- On the 05/02/2026 the EA served a Regulation 36 of the Environmental Permitting (England and Wales) Regulations 2016 (Appendix AM). This was served because the facility was in breach of permit condition 2.1.1, storing wastes not listed in table 2.3 of the permit; exceeding the maximum storage capacity and failing to store individual waste streams separately. The Notice required the removal of all non-permitted waste. A deadline of 08/07/2026 was given for compliance.
- An unannounced compliance inspection was carried out on 25/02//2026 recorded in CAR report reference 402437/0594550 (Appendix AN). Julie Todd as TCM was present. Two category 2 breaches of the permit were recorded; against permit condition: 2.1.1 based on the fact the non-permitted wastes had been on site for an extended period of time (Over 30 months) and during that time it has degraded, producing intermittent odour and leachate; and against permit condition 1.1.1 (a) and (b) as the root cause of the non-compliances, the site is not being effectively managed and operated in accordance with a written management system with sufficient competent persons.
- An unannounced compliance inspection was carried out on 25/03//2026 recorded in CAR report reference 402437/0596743 (Appendix AO). Julie Todd as TCM was present. Again, as with previous inspections, two category 2 breaches of the permit were recorded; against permit condition: 2.1.1 and permit condition 1.1.1. The TCM confirmed that no progress has been made towards completing the actions set out in Schedule 1 of the Regulation 36 Notice, although this was in part due to weather conditions. The previous report included an action to resubmit the sites Odour Management Plan by 03/04/2026. This action has not been complied with.

Due to the non-compliance identified on the site, the Environment Agency has requested the site submit weekly updates to outline site operations and progress towards compliance. The last weekly site update received by the Environment Agency was on 17/02/2026. The site now had a compliance rating of Band D.

Julie Todd's performance as Technically Competent Manager is directly relevant to this application because she remains the sole Director of Soil Treatment UK Limited. As sole Director, she would retain ultimate responsibility for the company's decisions, resources, governance and operational oversight. Even though she is not the proposed Technically Competent Manager for this application, the Director remains responsible for ensuring that the company has effective management systems, sufficient competent persons and resources, and appropriate arrangements to operate the regulated facility in accordance with any permit granted.

The evidence from sites where Julie Todd has acted as Technically Competent Manager demonstrates repeated failures to maintain effective technical oversight, secure compliance with permit conditions, implement corrective actions and respond adequately to Environment Agency concerns. Those failures are directly relevant to our assessment because they raise reasonable doubt about whether Soil Treatment UK Limited, under her sole directorship, would exercise effective management control over the proposed hazardous waste treatment facility.
This concern is heightened because the proposed facility would involve technically complex and higher-risk waste operations, including the treatment of hazardous waste soils and asbestos-contaminated waste. Effective senior management oversight would therefore be essential to ensure waste acceptance, storage, treatment, emissions control, record keeping, staff competence and contractor activities are properly controlled. The compliance history associated with Julie Todd's previous TCM roles indicates a pattern of inadequate oversight in regulated waste operations and supports our concern that Soil Treatment UK Limited may not operate the proposed facility in accordance with any permit granted. This evidence is relevant to our assessment under Paragraph 13 of Part 1 of Schedule 5 of the Environmental Permitting (England and Wales) Regulations 2016.

Himley Environmental Limited

Like Soil Treatment UK Limited, Juno Recycling Limited and Escrick Environmental Services Limited, Himley Environmental Limited operated with a sole Director corporate structure. This is relevant because it demonstrates a comparable management structure at another permitted facility where Julie Todd acted as TCM and where repeated permit non-compliance was identified. Julie Todd was TCM for Himley Environmental Limited for the following permits from Jan 2023 to December 2023.

Oak Farm Quarry Landfill Site (EPR/UP3830NT)

A non-hazardous waste landfill with asbestos cell with the permit originally granted in 2013. In 2014 it was varied to add a non-hazardous waste treatment area to the adjacent landfill.

Oak Farm Quarry North East Landfill (EPR/DB3909MM)

A non-hazardous waste landfill with the permit originally granted in 2016.

The site to which these permits apply did not operate in accordance with their permits whilst Julie Todd was TCM, giving us concern that the same will happen at Finmere under Soil Treatment UK Ltd. Key evidence from CAR inspection reports and correspondence are set out below and the relevant documents provided at Appendix AP to Appendix AY:

- On 16 January 2023, a site inspection was carried out recorded in CAR report reference UP3830NT/0447948 (Appendix AP). Julie Todd was present as it was advised she would be taking over the role of TCM. The site had several outstanding compliance issues and actions. For this inspection, breaches of permit conditions 1.1.1 (general management); 2.10.1 (landfill gas management); 3.1.2 (emissions to water and air) and 1.2.1 (financial provision) were recorded (all Category 3 breaches) and a number of actions were set out. This is relevant because Julie Todd was present as TCM and was therefore aware of the site's compliance issues and the actions required to address them.
- An announced inspection was carried out on 23/03/2023 reported on CAR form reference UP3830NT/0455605 (Appendix AQ). It was arranged to meet Julie Todd who was present for the visit. The CAR report confirms the actions with deadlines from the previous inspection had not been complied with. During the inspection, the landfill gas flare was found to be out. Julie Todd, as TCM, was unaware of the failure and could not confirm when it had occurred. Although the flare appeared to have remote telemetry capability, this was not being used to provide real-time failure alerts. For this inspection, breaches of permit conditions 1.1.1 (general management); 2.10.1 (landfill gas management); 3.1.2 (emissions to water and air) and 1.2.1 (financial provision) were recorded (all Category 3 breaches). This is relevant because it demonstrates that the TCM had failed to ensure compliance with previous actions required to bring the site into compliance with the permit. It also shows that she was unaware of an operational failure affecting the landfill gas flare, despite the potential for environmental consequences from uncontrolled landfill gas emissions.
- A CAR form reference UP3830NT/0457125 was issued on 11/04/2023 stating the operator failed to conduct or report any environmental monitoring in quarter 1 (January-March) and quarter 2 (April – June) as required by conditions 3.5.1 and 4.2.1 of the permit. The operator was therefore aware of the quarter 1 non-compliance but failed again to undertake and report the

required monitoring in quarter 2. This repeated failure demonstrates a disregard for the permit conditions and supports concern that the site was not being managed with adequate technical oversight. While the legal responsibility for carrying out and reporting required environmental monitoring rests with the operator, the TCM is expected to provide effective technical oversight to ensure that permit-required monitoring is undertaken, recorded and reported in accordance with the permit and EMS. Failure to carry out or report required monitoring may therefore indicate inadequate management systems and ineffective technical oversight.

- Compliance inspections on 06/06/2023, recorded on CARs UP3830NT/0463923 (Appendix AR), on 08/08/2023 recorded on CAR form reference UP3830NT/0470612 (Appendix AS) and on 07/09/2023 recorded on CAR for reference UP3830NT/0473418 (Appendix AT), all confirmed no action had been taken to address any of the issues previously reported for non-compliance with the conditions of the permit, including site security, surface water management and maintenance of the gas collection system. Non compliances with permit conditions 1.1.1 (site security); 2.10.1 (landfill gas emissions) and 3.1.2 (surface water management were) all recorded as category 2 breaches.
- On 13/10/2023 the site was inspected as recorded on CAR form UP3830NT/0477645 (Appendix AU), with one Category 2 and three Category 3 scores for breaches of permit conditions 1.1.1 (site security); 2.10.2 (landfill gas management and treatment); and 3.1.2 (emissions to water). It was noted that the gas flare was not operating and the site remained insecure - security man confirmed that no-one has been out to site to check. A TCM is expected to attend site with sufficient frequency to maintain effective technical oversight of permitted activities and to ensure the site is operated in accordance with the environmental permit, EMS and relevant management plans. The appropriate frequency will depend on the nature, scale and risk of the activities and the site's compliance history. Where a site has ongoing non-compliance, enforcement action or unresolved environmental risks, more frequent attendance and active oversight would be expected. If repeated inspections show unresolved issues, lack of records, missed deadlines or the TCM being unaware of operational failures, that can support a conclusion that TCM attendance and oversight were not sufficient.
- On the 13/10/2023 the EA served a Regulation 36 of the Environmental Permitting (England and Wales) Regulations 2016 (Appendix AV). This was served because the facility was in breach of permit condition 1.1.1 as it had failed to comply with its own management system for the provision of a secure perimeter fencing system, to prevent unauthorised access to the site.
- A CAR form reference UP3830NT/0480902 (Appendix AW) was issued on 16/11/2023 included confirmation that the operator failed to conduct or report any environmental monitoring in quarter 3 (July to September) as required by conditions 3.5.1 and 4.2.1 of the permit. Again, this repeated

failure demonstrates a disregard for the permit conditions and supports concern that the site was not being managed with adequate technical oversight.

- On 12/12/2023 the site was inspected as recorded on CARs UP3830NT/0484288 (Appendix AX). As with previous inspections none of the outstanding actions and permit breaches had been addressed. The landfill gas flare was, again, not operating, the site had not been secured. Security in site had confirmed once again that no-one has been out to site to check on the gas system since the last inspection. Three category 2 breaches of the permit were for non-compliance with permit condition 1.1.1 (site security); condition 2.10.1 (Landfill gas management and treatment) and condition 3.1.2 (emissions to water and air).
- On the 18/12/2023 the EA served another Notice under Regulation 36 of the Environmental Permitting (England and Wales) Regulations 2016 (Appendix AY). This was served because the facility was in breach of permit condition 3.5.1 and 4.2 for failing to monitor and report on leachate. This notice was never complied with.

Julie Todd acted as TCM for the Himley Environmental Limited permits during a period when the sites repeatedly failed to operate in accordance with their environmental permits. The evidence shows ongoing failures to comply with permit conditions, enforcement notices, required monitoring and reporting, site security, surface water management and landfill gas controls. As TCM, Julie Todd was expected to provide effective technical oversight to ensure the sites were operated in accordance with the permits, EMS and required corrective actions. The repeated and unresolved non-compliances during her tenure demonstrate that this oversight was ineffective. Given the similar structure at Soil Treatment UK Limited, these failures are directly relevant to our assessment because they raise reasonable doubt over whether Soil Treatment UK Limited, under her sole directorship, would exercise effective management control over the proposed hazardous waste treatment facility. As with other sites where Julie Todd has provided technically competent management, the compliance history at Himley indicates a pattern of inadequate management in regulated waste operations and supports our concern that Soil Treatment UK Limited may not operate the proposed facility in accordance with any permit granted. This evidence is relevant to our assessment under Paragraph 13 of Part 1 of Schedule 5 of the Environmental Permitting (England and Wales) Regulations 2016.

Conclusion

For the reasons set out above, we do not consider that Soil Treatment UK Limited and its proposed subcontractor, DNT Contractors Ltd, will operate the regulated facility in accordance with the environmental permit. The evidence set out above demonstrates repeated failures by connected persons and companies to comply with environmental permits, enforcement notices, written management systems and required corrective actions. We therefore consider that there are reasonable

grounds to refuse the application under Paragraph 13 of Part 1 of Schedule 5 of the Environmental Permitting (England and Wales) Regulations 2016.

Decision considerations

The legal framework

The following legislation and Directives are relevant to the determination of this application for a bespoke environmental permit for a hazardous waste treatment facility.

Environmental Permitting (England and Wales) Regulations 2016

The Environmental Permitting (England and Wales) Regulations 2016 (EPR) provide the principal legal framework for permitting regulated facilities in England and Wales.

Regulation 7 EPR provides the definition of operator

7. In these Regulations—

"operator", in relation to a regulated facility, means—

(a) the person who has control over the operation of the regulated facility,

(b) if the regulated facility has not yet been put into operation, the person who will have control over the regulated facility when it is put into operation, or

(c) if a regulated facility authorised by an environmental permit ceases to be in operation, the person who holds the environmental permit.

Regulation 8 provides the definition of a regulated facility

8.—(1) In these Regulations, "regulated facility" means any of the following—

(a) an installation;

(b) mobile plant;

(c) a waste operation; ……

Regulation 12 provides the requirement for an environmental permit

12.—(1) A person must not, except under and to the extent authorised by an environmental permit—

(a) operate a regulated facility, or

(b) cause or knowingly permit a water discharge activity or groundwater activity.

The proposed facility is a regulated facility and its operation must be in accordance with, an environmental permit.

Regulation 13 provides for the grant of an environmental permit

13.—(1) On the application of an operator, the regulator may grant the operator a permit (an "environmental permit") authorising—

(a)the operation of a regulated facility, and

(b)that operator as the person authorised to operate that regulated facility.

(2) Regulation 17 applies in relation to the grant of a single permit authorising the operation of more than one regulated facility by the same operator.

(3) Part 1 of Schedule 5 applies in relation to an application for the grant of an environmental permit.

Part 1 of Schedule 5 paragraph 13 provides the refusal test for an application for the grant or transfer of an environmental permit

13.—(1) Subject to sub-paragraph (3), the regulator must refuse an application for the grant of an environmental permit or for the transfer in whole or in part of an environmental permit if it considers that, if the permit is granted or transferred, the requirements in sub-paragraph (2) will not be satisfied.

(2) The requirements are that the applicant for the grant of an environmental permit, or the proposed transferee, on the transfer of an environmental permit (in whole or in part), must—

(a) be the operator of the regulated facility, and

(b) operate the regulated facility in accordance with the environmental permit.

Schedule 5 paragraph 13 is central to our determination of this application. It requires us to consider whether the applicant will be the operator of the regulated facility and whether the facility will be operated in accordance with any permit granted. We must refuse an application for the grant of a permit if we consider that the applicant will not be the operator of the regulated facility or that the applicant will not operate the regulated facility in accordance with the permit.

As previously explained, we do not believe, based on evidence at other sites where the same parties have been involved, that Soil Treatment UK Limited has

demonstrated it would have sufficient legal and operational control of the proposed hazardous waste treatment facility and would not be able to ensure that the facility would be operated in accordance with the requirements of an environmental permit. Our consideration has included the proposed operating arrangements, the reliance on DNT Contractors Ltd for day-to-day operational support, the evidence from the wider Finmere site, and the compliance history associated with connected persons and companies.

Having assessed the application in accordance with our duties and the requirements of regulation 7, regulation 12 and regulation 13, we are not satisfied that Soil Treatment UK Limited has demonstrated that it would be the operator of the regulated facility. We are also not satisfied that the facility would be operated in accordance with the permit. We have therefore decided to refuse the application under regulation 13(3) and Part 1 Schedule 5 paragraph 13 of the Environmental Permitting (England and Wales) Regulations 2016.

Environment Act 1995

The Environment Act 1995 established the Environment Agency and provides the wider statutory framework for its environmental protection and pollution control functions.

Section 4 sets out the Environment Agency's principal aim to protect or enhance the environment, taken as a whole, and to contribute towards sustainable development. Section 5 is relevant to the Environment Agency's pollution control functions, including the prevention or minimisation of pollution from regulated activities.

The Act is applicable because it provides the wider statutory context in which the Environment Agency exercises its permitting functions, including its functions to protect or enhance the environment, prevent or minimise pollution, and take account of costs and benefits where appropriate. In this case, those statutory functions support the Environment Agency's assessment of whether the proposed facility can be properly controlled and operated without unacceptable risk to the environment.

Environmental Protection Act 1990

The Environmental Protection Act 1990 forms part of the wider legal framework for waste management and environmental protection. Section 33 prohibits unauthorised or environmentally harmful waste activities, while section 34 places a duty of care on those who produce, keep, transport, treat or dispose of controlled waste. Together, these provisions reinforce the need for waste activities to be

properly managed to prevent pollution of the environment and harm to human health.

This legislation is relevant because the proposed facility would receive, store and treat waste, including hazardous waste. The application must therefore be considered in the context of whether waste would be properly classified, handled, managed and controlled. In this case, our concerns about whether the applicant would exercise effective control over the proposed facility, and whether waste operations would be managed in accordance with permit requirements, are directly relevant to that assessment.

Hazardous Waste (England and Wales) Regulations 2005

The Hazardous Waste (England and Wales) Regulations 2005 establish controls over the identification, movement and management of hazardous waste. The regulations apply to hazardous waste producers, consignors, carriers and consignees and therefore affect how a permitted installation must operate.

These Regulations are applicable because the proposed facility would accept and treat hazardous waste, including hazardous construction and demolition waste and asbestos-contaminated waste. Compliance with these requirements depends on competent management systems, effective waste acceptance procedures and operational control. In this case, our concerns about operator control, management arrangements and whether the facility would be operated in accordance with permit requirements are particularly significant given the hazardous nature of the waste. These concerns are relevant to the assessment of whether hazardous waste would be properly controlled and support our decision to refuse the application.

Industrial Emissions Directive — Directive 2010/75/EU

This Directive is applicable because the proposed hazardous waste treatment activity falls within the scope of an installation activity regulated under the Environmental Permitting (England and Wales) Regulations 2016. The Regulations implement the Industrial Emissions Directive requirements for relevant installations, including controls relating to emissions, management systems, waste treatment techniques, and the use of Best Available Techniques where applicable.

This is relevant to our refusal because the proposed facility would be a hazardous waste treatment installation requiring a high level of operational control, technical competence and pollution prevention. Our concerns about operator control, management arrangements and whether the facility would be operated in accordance with permit requirements mean we are not satisfied that the installation

would be operated to the standard required by the Environmental Permitting Regulations and the Industrial Emissions Directive framework.

Waste Framework Directive — Directive 2008/98/EC

The Waste Framework Directive establishes the general legal framework for waste management. It requires waste to be managed without endangering human health, without harming the environment, and without creating risks to water, air, soil, plants or animals. It also establishes principles relating to the waste hierarchy, recovery, disposal and waste classification.

This Directive is directly relevant because the application concerns the treatment of waste, including hazardous waste. It underpins the need to ensure that the proposed activities are properly authorised, that waste is correctly classified and managed, and that treatment operations are carried out under effective management control. In this case, our concerns about whether the applicant would exercise sufficient control over the proposed facility, and whether the facility would be operated in accordance with permit requirements, are relevant to whether the waste treatment activities would meet the standards required by the Waste Framework Directive and these concerns support our decision to refuse the application.

Section 108 Deregulation Act 2015 - Growth Duty

We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 100 of that Act in deciding whether to grant this permit.

Paragraph 1.3 of the guidance says:

“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”

We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance, and its purpose is not to achieve or pursue economic growth at the expense of necessary protections. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.

Other relevant issues

Assessment of application

The application was duly made on 12 September 2024. During the technical assessment, we needed to ask for more information to demonstrate that the proposed activities would meet Environment Agency guidance, including the relevant appropriate measures guidance. We therefore took the following actions to assess the proposals:

- Schedule 5 Notice was issued on 12 June 2025 requesting:
    - clarification of the proposed legal operator arrangements, the respective roles of Soil Treatment UK Limited and DNT Contractors Ltd, and evidence of the technical competence arrangements for the proposed technically competent manager.
    - Additional information to confirm the suitability of the proposed waste types and treatment activities. This included justification for specific waste codes, clarification of asbestos-related waste treatment, and clearer descriptions of the proposed hazardous, non-hazardous and biological waste treatment processes.
    - Further details on the design and operation of the site. This included revised site layout plans and process flow diagrams, waste acceptance and storage arrangements, site surfacing, drainage, wastewater treatment, plant and equipment, raw materials, and measures to prevent cross-contamination between hazardous and non-hazardous waste streams.
    - Further information on emissions control, including point source emissions from asbestos picking, diffuse emissions from waste treatment operations, dust suppression measures, and the extent to which activities would be enclosed or controlled by alternative measures.
    - Updated management plans and risk assessments for dust, bioaerosols and odour.

- Schedule 5 Notice was issued on 23 October 2025 requesting:
    - Details on technical competence and whether the proposed technically competent manager held qualifications relevant to all activities applied for.
    - the proposed permit boundary, its relationship with other permitted activities at the wider Finmere complex, and how the boundary would be physically secured.
    - waste acceptance procedures, including the need to:

        - remove proposals to accept waste that had not been assessed before arrival on site;
        - ensure pre-acceptance information, transfer documentation and waste classification are checked and validated before acceptance;
        - clarify that waste contaminated with free asbestos fibres should not be accepted at the site;
        - waste storage capacity, including evidence that the proposed quantities of hazardous and non-hazardous waste could be stored safely;
    - the proposed approach to Best Available Techniques, particularly alternatives to enclosure and abatement for fugitive emissions to air.
    - controls for dust, particulate matter, asbestos fibres and volatile organic compounds.
    - the handling, storage and treatment of asbestos-contaminated waste.
    - the proposed treatment of compost-like output, including process monitoring and storage arrangements.
    - site surfacing, wastewater treatment capacity and proposed waste types.
    - amendments to the Dust and Odour Management Plans.

- A further position letter was issued on 15 December 2025 confirming that asbestos screening would need to be enclosed and that further details would be required on the wastewater treatment system.

The purpose of this assessment was to determine whether the proposals could be made acceptable through further information, amended operating techniques and, where appropriate, pre-operational conditions. Although further information and revised documents were provided during the determination, there remained matters where we were not satisfied that the application adequately demonstrated how the facility would be operated and controlled (see 'Pre Operational Conditions' below). We have not refused the application on the basis that the original application required significant amendment. Our refusal is based on the reasons set out in the 'Key issues of the decision' section above.

Pre Operational Conditions

We consider that had the application otherwise been acceptable, pre-operational conditions would have been needed since the application lacked sufficient detail in key areas. We consider that we would have needed to include the following:

- A pre-operational condition requiring the operator to obtain our written approval before using the mechanical screener for the pre-screening of asbestos-contaminated soils. The condition would have required the

operator to submit evidence that the screener would be fully enclosed and that all dust emissions from the screening operation would be directed to an active abatement system fitted with a HEPA filter or other suitable design. It would also have required details of the proposed commissioning, operating, maintenance, monitoring, audit and emergency procedures to demonstrate that both the screener and abatement system would be fully operational and working as designed before the activity commenced.

The purpose of this pre-operational condition is to set appropriate controls to ensure any potential asbestos fibre release will not cause pollution or harm to human health and appropriate monitoring, maintenance and management procedures will be set.

- The submission of a commissioning plan for all site infrastructure to operate the facility as described in the application. The commissioning plan would have needed to cover the installation, commissioning, testing, verification, maintenance and monitoring of all relevant infrastructure, plant and equipment before the associated activities commenced. This would include, where relevant, site surfacing, drainage systems, wastewater treatment infrastructure, waste treatment plant, emissions control equipment, containment measures, monitoring systems and any other infrastructure necessary to ensure the facility could operate in accordance with the permit and the approved operating techniques.

  This pre-operational condition would be necessary as these elements of the site set up were not in place at the time of permit determination and, had a permit been issued, the operator would need to demonstrate it can meet all the necessary appropriate measures required once operational.

- The submission of a revised Dust & Emissions Management Plan would also have been required.

  This would have been necessary as the existing Dust Management Plan would not accurately reflect site operations once the infrastructure required by the pre-operational conditions had been installed, commissioned and verified. A revised plan would therefore be needed to demonstrate how dust and particulate emissions would be prevented, minimised, monitored and managed under the final operational arrangements.

- The submission of an assessment, including a H1 Environmental Risk Assessment, for any point source emissions to air arising from the proposed infrastructure would have been required.

  This assessment would have been necessary because the application stated that there may be a release point from the asbestos hand-sorting cabin, depending on the final design. The assessment would need to identify and

assess the nature, source and potential impact of any emissions from that release point and set out proposals for any ongoing monitoring or further assessment required to demonstrate that those emissions would be adequately controlled. The assessment would also need to consider any other point source emissions to air arising from the proposed infrastructure, including any emissions associated with the proposed enclosure of screening activities for waste contaminated with asbestos required by other pre operational conditions.

Consultation

The following summarises the responses to consultation with other organisations, our notice on GOV.UK for the public and the way in which we have considered these in the determination process.

Responses from organisations

Response received from UK Health Security Agency (UKHSA)

Brief summary of issues raised:

- fugitive dust from vehicle movements and waste handling activities as the main potential emission of concern
- previous odour complaints and a fire at Finmere Quarry
- previous odour complaints and fire at Finmere Quarry should be considered within the Accident Management Plan

UKHSA advised that overall and based on the information provided, the proposed installation is not expected to pose a significant risk to the health of the local population.

Summary of actions taken:

We reviewed the Dust Management Plan to ensure that appropriate measures had been proposed to minimise fugitive dust emissions arising from vehicle movements, waste storage and waste handling activities.

We requested and reviewed an Odour Management Plan against Environment Agency guidance, Odour management: comply with your environmental permit

We considered the risk of fire as part of our assessment. The proposed activity does not involve the storage or treatment of combustible waste of the type that would require a standalone Fire Prevention Plan. We therefore did not require a separate Fire Prevention Plan. However, the application did include an Environmental Risk Assessment which considered the risk from fire, and we took this into account during the determination.

Representations from community and other organisations

Response received: on behalf of a Provectus Soils Management

Brief summary of issues raised:

- Asbestos management was a key concern with the acceptance of both bound and unbound asbestos wastes but did not demonstrate adequate asbestos-specific controls, emissions mitigation, monitoring, or health risk assessment for nearby receptors. Reliance on water sprays, together with limited evidence of understanding asbestos risks, raised concerns about whether the proposed activities could be safely managed.
- Air emissions monitoring was considered inadequate. The proposals relied largely on visual dust checks, with no airborne asbestos monitoring programme or clear monitoring frequencies, trigger levels or locations. This raised concerns that the proposals did not meet relevant monitoring guidance and may not adequately control fugitive emissions from screening, crushing and stockpile management.
- Waste acceptance and classification procedures were considered insufficient. The application did not provide clear asbestos acceptance limits, robust waste characterisation, or adequate sampling and testing requirements. Concerns were also raised about the proposed use of repeated sampling to reclassify hazardous waste, rather than demonstrating suitable treatment, and the lack of clarity on hazardous waste assessment in line with WM3.
- Hazardous waste treatment and technical competence were key concerns. The application did not demonstrate a clear understanding of hazardous waste management, provide sufficient evidence of technically competent management, or adequately describe and assess the proposed treatment methods. Particular concern was raised about the reliance on reclassification, rather than effective treatment, of hazardous waste.
- BAT compliance was a key concern. The representation questioned whether the application had properly assessed or demonstrated compliance with relevant BAT requirements, including BAT 3, 6, 7, 8, 12, 13, 20, 25 and 28. It raised concerns that key requirements had been discounted or incorrectly applied, particularly for hazardous soil washing and dry screening, which the respondent considered should not be permitted unless BAT could be clearly demonstrated.
- Water management and wastewater controls were considered inadequate. The application did not propose monitoring of wastewater or water emissions, provide sufficient treatment details for contaminated process water, or explain how contaminated surface water from hazardous waste areas would be managed. Concerns were also raised about the potential for cross-contamination through recirculated wash water.
- Odour and hydrocarbon emissions were not adequately addressed. The application gave limited consideration to odours and volatile emissions from hydrocarbon-contaminated soils and did not propose suitable odour monitoring or management measures. Concerns were raised that certain

hydrocarbon-contaminated waste streams may be unsuitable for acceptance without further controls.

- Risk assessment was considered inadequate, particularly in relation to asbestos-contaminated and hazardous soils. The application gave limited consideration to off-site receptors, human health impacts, contaminant limits, control measures and emissions mitigation. Concerns were also raised that fugitive emissions during operation and storage had not been sufficiently assessed.
- Storage and handling of contaminated material raised concerns due to the proposed storage of up to 80,000 tonnes on site. The application did not demonstrate sufficiently robust controls for stockpiles or contaminated soils, creating potential risks of dust and asbestos fibre releases during storage and handling activities.
- Consistency with comparable facilities was raised as an issue. The representation referred to a recent planning or permitting inquiry involving similar activities and argued that equivalent asbestos monitoring, controls and permit conditions should be applied at Finmere to ensure a consistent regulatory approach.

Summary of actions taken:

We took the following actions during determination which address the comments made by the consultee:

- Issued two Schedule 5 Notices, dated 12 June 2025 and 23 October 2025, seeking detailed information on operator competence, waste acceptance, asbestos management, waste treatment processes, BAT compliance, drainage, wastewater treatment, emissions controls, dust, odour and site infrastructure.
- Required the applicant to revise and submit key documents, including waste acceptance procedures, site plans, flow diagrams, the Dust Emissions Management Plan and the Odour Management Plan.
- Requested further evidence on technically competent management, including the relevant qualification and applicability of the proposed TCM arrangements.
- Sought clarification on whether asbestos screening was proposed and required further details on storage, handling, housekeeping and emissions controls for asbestos-contaminated waste.
- Required further information on wastewater treatment capacity, containment, drainage arrangements and how contaminated waters would be managed.

- Sent a further position letter on 15 December 2025 confirming that asbestos screening would need to be enclosed and that further details would be required on the wastewater treatment system.
- Considered that, had the application otherwise been acceptable, pre-operational conditions would have been needed to secure the design, construction and approval of key infrastructure, emissions controls and monitoring arrangements before relevant activities could commence.

Appendix A

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 13052025) - 12072025

Appendix B

Compliance EPR Environmental Permitting Regulation 61(1) Information Notice - Juno Recycling Limited (Permit AB3908CZ) - 25062025

Appendix C

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 25072025) - 08082025

Appendix D

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 25072025) - 08082025

Appendix E

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 10092025) - 13092025

Appendix F

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 08012026) - 15012026

Appendix G

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 11022026) - 25022026

Appendix H

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 16042026) - 22042026

Appendix I

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 01062026 - Emergency Fire Incident Response) - 04062026 (SEE AMENDED DOC)

Appendix J

Compliance Enforcement Revocation Notice JUNO RECYCLING LIMITED (Permit AB3908CZ) - 12062026

Appendix K

Case and Desist Letter – Finmere Quarry

Appendix L

Letter operating without a permit

Appendix M

Advice Letter

Appendix N

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 25072025) - 08082025

Appendix O

Compliance Data Review CAR Form Waste Returns Apr-Jun 2025 - 03102025

Appendix P

CAR 406424_0581445 - Site Inspection 17.09.25

Appendix Q

CAR 406424_0587154 - Site Inspection 10.11.25

Appendix R

Notice - Regulation 37(5) - 10.12.2025

Appendix S

CAR 406424-0591025 - Site Inspection 19.01.26

Appendix T

Regulation 37(12) Notice

Appendix 1U

CAR 406424_0595048 - Site Inspection 25.02.26

Appendix V

CAR 406424-0597120 - Site Inspection on 25.03.2026

Appendix W

Regulation 37(5) Notice - Apr 2026

Appendix X

CAR 406424_0597769 - Site Inspection 20.04.2026

Appendix Y

CAR 406424_0602496 - Site Inspection on 30.06.2026

Appendix Z

CAR 406424_0605200 - Site Inspection 11.08.2026 (Amended)

Appendix AA

CAR 406424_0606900 - Site Inspection 10.09.2026

Appendix AB

Compliance Site Inspection Escrick Environmental Services CAR Form - 13.06.2025

Appendix AC

Compliance Site Inspection Escrick Treatment CAR Form - 04.09.2025

Appendix AD

Compliance Site Inspection Escrick Environmental Services Treatment CAR Form - 30.09.2025

Appendix AE

Compliance Site Inspection Escrick Environmental Services Treatment CAR Form - 24.11.2025

Appendix AF

Compliance Site Inspection Escrick Environmental Services CAR Form - 05.02.2026

Appendix AG

Reg 36 notice - BB3907LY

Appendix AH

Compliance Site Inspection EES Treatment CAR Form - 11.03.2026

Appendix AI

Compliance Site Inspection Escrick Environmental Services Treatment permit CAR Form - 07.04.2026

Appendix AJ

Compliance Site Inspection Escrick Environmental Services Treatment permit CAR Form - 11.05.2026

Appendix AK

Compliance Site Inspection Escrick Environmental Services Storage CAR Form - 13.06.2025

Appendix AL

Compliance Site Inspection Escrick Environmental Services - Storage permit CAR Form - 05.02.2026

Appendix AM

Reg 36 notice - DB3000UP

Appendix AN

Compliance Site Inspection EES Storage CAR Form - 11.03.2026

Appendix AO

Compliance Site Inspection EES Storage CAR Form - 11.03.2026

Appendix AP

Compliance site inspection UP3830NT-0447948

Appendix AQ

Compliance inspection UP3830NT-0455605

Appendix AR

Compliance inspection UP3830NT-0463923

Appendix AS

Compliance inspection UP3830NT-0470612

Appendix AT

Compliance inspection UP3830NT-0473418

Appendix AU

Compliance inspection UP3830NT-0477645

Appendix AV

Enforcement Security R36 Notice UP3830NT signed 13.10.23

Appendix AW

Compliance data review UP3830NT-0480902 overdue data

Appendix AX

Compliance inspection UP3830NT-0484288

Appendix AY

R36 Notice leachate signed UP3830NT

Environment Agency	**EPR Compliance Assessment Report**	Report ID: AB3908CZ/0567742

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

Site	Finmere Quarry MRF EPR/AB3908CZ			Permit Ref	AB3908CZ		
Operator/ Permit holder	Juno Recycling Limited						
Date	13/05/2025			Time in	09:00	Out	11:00
What parts of the permit were assessed	Site Inspection - C2						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Company Director						
Officer's name	Ben Peresson, Duncan Beaumont			Date issued	12/07/2025		

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	N		
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	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	C2		Permit Condition 1.1.1(a)
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	N		
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	N		
	2. Noise	N		
	3. Dust/fibres/particulates & litter	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
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	N		
	2. Energy	N		

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	1	**Total compliance score** (see section 5 for scoring scheme)	31

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.

EPR Compliance Assessment Report for Permit EPR/AB3908CZ – Juno Recycling Limited – Finmere Quarry Materials Recycling Facility (MRF)

INTRODUCTION

This was a routine unannounced site inspection to assess compliance with the permit.

ACTIVITITES

During our site inspection, officers observed that heavy machinery were operating at the time of the visit within the Finmere Quarry MRF building and surrounding permitted areas. Activities within the MRF building included screening waste material which looked predominantly like soils with inclusions of stones, brick, concrete and construction demolition type wastes. This included an excavator and a loader.

I introduced myself to the loader driver who directed us to DNT Contractors Limited's working area, located on land adjacent to the site.

After a brief walkover around DNT Contractors Limited's area, we were approached, by car, by a representative of DNT Contractors who introduced himself as the site supervisor. He described current activities and work arrangements between DNT Contractors Ltd, OPES MRF 2013 Limited and Juno Recycling Limited.

When asked, no records demonstrating compliance with Juno Recycling Limited's permit were available either digitally or physically at the time of the inspection.

Email dated 20 May 2025, from Mr Chris MORETON, Director of OPES MRF 2013 Limited, confirmed that OPES MRF 2013 Limited is providing Technical Competence cover to Juno Recycling Limited's MRF operations.

Further communications via email between Mr MORETON and the Environment Agency confirmed that DNT Contractors Ltd are producing 30mm waste material in Juno Recycling Limited's MRF area - on behalf of OPES MRF 2013 Limited - for use as landfill cover. This communication was provided in a CQA weekly summary report (week ending 01/06/2025) for works related to the landfill permit.

Regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016

Following our site visit, I emailed permit holder Ms Julie Todd, Director of Juno Recycling Limited, requesting information under Regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016. This Notice was dated 26 June 2025.

Ms TODD responded to our Notice within the required deadline, via email, on 04 July 2025, with the following:

EA - What is the legal arrangement between Juno Recycling Ltd and DNT Contractors Ltd

regarding activities including waste acceptance and waste treatment within the MRF permitted area (attached site plan as per permit)?

Answer: There is no arrangement (legal or otherwise) between Juno Recycling Ltd and DNT Contractors regarding activities undertaken within the MRF Permitted Area.

EA - Who is in day-to-day control of these activities?

Answer: Juno Recycling Limited has not, as yet, conducted any activities under the Permit. It does not know who has day to day control of activities being conducted on the land.

EA - Who has responsibility for ensuring permit compliance?

Answer: Juno Recycling Limited has not, as yet, conducted any activities under the Permit.

EA - Who makes financial decisions for activities within Juno Recycling Limited's permitted area?

Answer: Juno Recycling Limited has not, as yet, conducted any activities under the Permit and therefore the company has not made any financial decisions in relation to operations as they have not yet commenced or been undertaken by the company.

EA - Who site staff working within Juno Recycling Limited's permitted area are employed and paid by?

Answer: As Juno Recycling Limited has not conducted any activities under the permit it has not had any staff working on the site.

NON-COMPLIANCES

C2 General Management (Management system & operating procedures) – Permit Condition 1.1.1(a). Permit Condition 1.1.1(a) states that '*The operator shall manage and operate the activities: (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints'.*

Permit EPR/AB3908CZ was transferred to Juno Recycling Limited on 15 January 2025. However, in accordance with the response provided to the Regulation 61 Notice, Juno Recycling Limited is currently not conducting any activities under this permit.

During our inspection, we observed waste being processed by passing waste material through a trommel within the permitted area of Finmere Quarry MRF's building. Enquiries made during the inspection identified that operatives working within the MRF permit area were employed by DNT Contractors Ltd. This was confirmed by the DNT's supervisor at the time of the inspection. Further correspondence with OPES MRF 2013 Ltd as outlined in this report, suggests an arrangement with Juno Recycling Limited relevant to the operation of the Finmere Quarry MRF. However, this has not been confirmed by Juno Recycling Limited.

In response to the Regulation 61 Notice provided by June Recycling Ltd states that *"There is no arrangement (legal or otherwise) between Juno Recycling Ltd and DNT Contractors regarding activities undertaken within the MRF Permitted Area".* There are no waste exemptions registered to the address and therefore the waste activities observed during this inspection were not being undertaken or authorised by the permit holder.

Furthermore, in response to the Regulation 61 Notice, Juno Recycling Ltd confirmed that *"It does not know who has day to day control of activities being conducted on the land".*

A Management System document was provided by Juno Recycling Limited on the 14 November

2014, with the application to transfer the Environmental Permit from OPES MRF 2013 Limited. The supporting documents for the transfer show Ms Julie TODD as the sole director and the site's Technically Competent Manager (TCM). No other arrangements have been made nor agreed with the Environment Agency in regard to TCM cover.

Application documents, including the Management System, do not detail the operation of the site by any other party and how they would secure, manage and supervise the site to ensure that no one else operates illegally.

Significant deficiencies in your management system, including insufficient controls to secure your site from illegal activities, have allowed OPES MRF 2013 Limited and DNT Contractors Ltd to carry out waste activities without consent.

This failure to prevent illegal activities on your site can have a significant foreseeable impact in the environment and you have been scored **Category 2 non-compliance 31 CCS.**

ACTION1: To prevent further illegal activities at your site, you must ensure OPES MRF 2013 Limited and or DNT Contractors Ltd **STOP** operating with immediate effect.

Juno Recycling Limited must also secure and supervise the site to ensure that no further waste activities take place that are not in their control as permit holder.

Deadline: IMMEDIATELY

TOTAL NON-COMPLIANCE

The total non-compliance score for this inspection is 31 CCS points, and the total score for the year (2025) to date is 31 CCS points. This makes you a Band D operator and means that your subsistence fee is currently 125% of the baseline subsistence charge. Please see Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK for more information.

ENFORCEMENT RESPONSE

Under Regulation 37(1) & (2) of the Environmental Permitting (England and Wales) Regulations 2016, we may suspend an environmental permit if we consider that operation of the regulated facility involves a risk of serious pollution.

The Environment Agency considers that having no control of waste activities at your site could potentially have significant risk to pollution and will now consider what enforcement action is appropriate and notify you, referencing this form.

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.	X

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			
C2	C2	To prevent further illegal activities at your site, you must ensure OPES MRF 2013 Limited and or DNT Contractors Ltd STOP operating with immediate effect. Juno Recycling Limited must also secure and supervise the site to ensure that no further waste activities take place that are not in their control as permit holder	12/07/2025

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

To: c/o Director and/or the Company Secretary,
JUNO RECYCLING LIMITED (Company number 14736292)
Hentons, 24 Finkle Street,
Thirsk, England, YO7 1DA

Dear Ms Julie Adele TODD,

I am writing to enquiry about your operations, under Environmental Permit EPR/AB3908CZ, at Finmere Quarry MRF, Banbury Road, Finmere, Buckinghamshire, MK18 4AJ (the 'site').

On 13 May 2025, the Environment Agency conducted an unannounced site inspection to assess compliance with the permit.

Heavy machinery was operating at the time of the visit. This included an excavator and a loader. I introduced myself to the loader driver who directed us to DNT Contractors Limited's working area located on land adjacent to the site.

After a brief walkover around DNT Contractors Limited's area, we were approached, by car, by a representative of DNT Contractors who introduced himself as the site supervisor. He described current activities and work arrangements between DNT Contractors Ltd, OPES MRF 2013 Limited and Juno Recycling Limited.

When asked, no records demonstrating compliance with Juno Recycling Limited's permit were available either digitally or physically at the time of the inspection.

Communications via email to Mr Chris MORETON, Director of OPES MRF 2013 Limited, confirmed that OPES MRF 2013 Limited is providing Technical Competence cover to Juno Recycling Limited's MRF operations.

Further communications via email between Mr MORETON and the Environment Agency confirmed that DNT Contractors Limited is producing 30mm waste material in Juno Recycling Limited's MRF area - on behalf of OPES MRF 2013 Limited - for use as landfill cover. This communication was provided in a CQA weekly summary report (week ending 01/06/2025) for works related to the landfill permit.

I have attached a Notice Requiring Information under Regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016. The notice specifies the exact information needed and the timeframe for its submission. Please notice that failure to comply with a Regulation 61(1) notice may lead to legal action being taken against you.

Please do not hesitate to contact anglian-centraldata@environment-agency.gov.uk if you require further clarification.

Yours faithfully

Date: 25/06/2025 **Signed:** Ben Peresson

Ben Peresson (signed)
Installations Officer

Environment Agency - Brampton Office,
Bromholme Ln, Brampton, Huntingdon PE28 4NE

Environmental Permitting (England and Wales) Regulations 2016
Regulation 61(1)

NOTICE REQUIRING INFORMATION

To: JUNO RECYCLING LIMITED (Company number 14736292)
Hentons, 24 Finkle Street,
Thirsk, England, YO7 1DA

The Environment Agency requires you to provide the information specified in Schedule 1 by **Friday 04 July 2025**.

The information must be sent TO:

Ben Peresson
Installations Team – East Anglia
Environment Agency
Brampton Office, Bromholme Lane, Brampton, Huntingdon PE28 4NE

Or by email to ben.peresson@environment-agency.gov.uk

Date: 25 June 2025

Signed: Ben Peresson
Ben Peresson (signed)
Installations Officer

Environment Agency - Brampton Office,
Bromholme Ln, Brampton,
Huntingdon PE28 4NE

Please see over for notes.

Environmental Permitting (England and Wales) Regulations 2016
Regulation 61(1)

Notes:

1. For the purposes of discharging its functions under the Environmental Permitting (England and Wales) Regulations 2016, the Environment Agency may (by virtue of Regulation 61(1) of those Regulations), require any person to provide information.

2. Failure to comply with this notice without reasonable excuse is an offence under Regulation 38(4)(a) of the Environmental Permitting (England and Wales) Regulations 2016, and may lead to legal action being taken against you.

3. Making any statement in response to this notice that you know to be false or misleading in a material particular, or recklessly making any statement which is false or misleading in a material particular is an offence under Regulation 38(4)(b) of the Environmental Permitting (England and Wales) Regulations 2016, and may lead to legal action being taken against you.

4. There is no right to appeal against this notice.

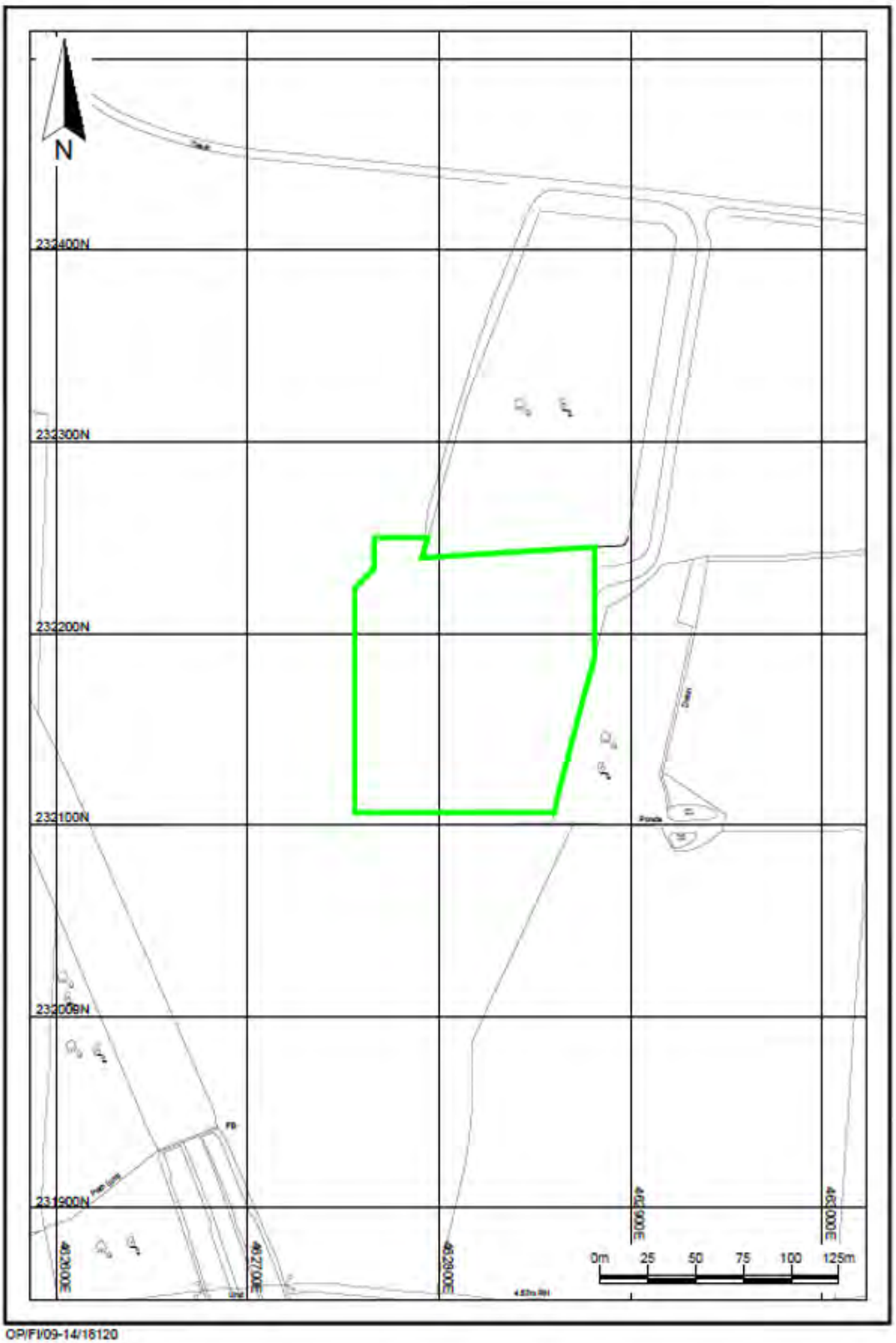
5. You may wish to seek independent legal advice.

Environmental Permitting (England and Wales) Regulations 2016
Regulation 61(1)

SCHEDULE 1
INFORMATION REQUIRED

Description of information	Form the information must take	Date required
Please explain: 1. What is the legal arrangement between Juno Recycling Ltd and DNT Contractors Ltd regarding activities including waste acceptance and waste treatment within the MRF permitted area (attached site plan as per permit). 2. Who is in day-to-day control of these activities. 3. Who has responsibility for ensuring permit compliance. 4. Who makes financial decisions for activities within Juno Recycling Limited's permitted area. 5. Who site staff working within Juno Recycling Limited's permitted area are employed and paid by.	Written or electronic	**Friday 04 July 2025**

SITE PLAN



OP/FI/09-14/16120

Environment Agency	**EPR Compliance Assessment Report**	Report ID: AB3908CZ/0572900

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

Site	Finmere Quarry MRF EPR/AB3908CZ			Permit Ref	AB3908CZ		
Operator/ Permit holder	Juno Recycling Limited						
Date	25/07/2025			Time in	11:25	Out	12:40
What parts of the permit were assessed	Site Inspection - A1						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Company Director						
Officer's name	Ben Peresson, Duncan Beaumont and James Pym			Date issued	08/08/2025		

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 2) and the Actions (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				**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	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	N		
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	N		
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	N		
	2. Noise	N		
	3. Dust/fibres/particulates & litter	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
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	N		
	2. Energy	N		

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.

EPR Compliance Assessment Report for Permit EPR/AB3908CZ – Juno Recycling Limited – Finmere Quarry Materials Recycling Facility (MRF)

This was a routine unannounced site inspection to assess compliance with the permit.

Permit Holder and Person with Significant Control (PSC)

JUNO RECYCLING LIMITED (Company number 14736292) is currently the legal permit holder of Finmere Quarry Materials Recycling Facility (MRF), Banbury Road, Finmere, Buckinghamshire, MK18 4AJ (Permit EPR/AB3908CZ).

The permit was transferred from OPES MRF 2013 LIMITED to JUNO RECYCLING LIMITED on 15 January 2025.

Since our previous site inspection, on 21 July 2025, Olivia Rose Bradshaw was appointed director of the company and person with significant control whilst Julie Adele Todd's directorship terminated on 22 July 2025.

INTRODUCTION

This inspection followed a recent request – from the Environment Agency to the operator – to ensure OPES MRF 2013 LIMITED and DNT Contractors Ltd **ceased** operating illegally on JUNO RECYCLING LIMITED's material recycling facility.

CAR Report ID: AB3908CZ/0567742, dated 12 July 2025, identified significant deficiencies in JUNO RECYLING LIMITED's management system. Deficiencies include lack of detail on how the operator would be controlling site operations.

CURRENT SITE ACTIVITITES

During our most recent site inspection, officers observed that no activities were taken place at the time of the inspection; however, large quantities of waste material remain stored within the MRF building and yard bay area.

The site has no site office nor temporary workspace.

INFRASTRUCTURE – Main Building

Main building was observed deteriorated, not properly maintained. General wear and tear beyond what would be considered normal.

INSTRASTRUCTURE – Storage outside main building (yard)

General housekeeping is extremely poor. A substantial oil spill, unsecured and unsafe 25l containers (unknown contents), and unknown state of repair of fuel container were found outside the main building (around Grid Reference SP 62861 32143). Stored containers are not compliant

with The Control of Pollution (Oil Storage) (England) Regulations 2001.

These issues were stressed in previous CAR reports to OPES MRF 2013 LIMITED and remain unresolved.

INFRASTRUCTURE – Drainage

The yard in front of the building was under water. The Environment Agency understands that infrastructure work took place during OPES MRF 2013 LIMITED's tenancy, with the drainage dug up and a new system installed. However, as stated in previous CAR forms, it appears that either the improvement to the drainage system was not adequate or the maintenance of the system was not in place or inadequate.

Issues of surface water remain evident, and any improvement made by OPES MRF 2013 LIMITED are not sufficiently effective.

IMPROVEMENT PROGRAMME REQUIREMENTS and OUTSTANDING ISSUES

In addition to issues mentioned above regarding appropriate storage and drainage systems, I carried out a further assessment of your Schedule 1 Table 1.3 improvement programme requirements against all outstanding issues OPES MRF 2013 LIMITED had on site prior to transferring the permit to JUNO RECYCLING LIMITED.

It is evident that – although documents were submitted – issues on site remain outstanding and JUNO RECYCLING LIMITED has inherited these outstanding problems with the permit.

DOCUMENTS required PRIOR TO FURTHER ACTIVITITES ON SITE

Before any works commenced on site, the Environment Agency requires the operator to provide the following:

1. As per permit condition 1.1.2, please explain what records you would provide to demonstrate how you, as operator, will comply with permit condition 1.1.1. As part of your response, please provide a revised EMS (Management System). Within your Management System, please provide a detailed explanation how you, as operator, will ensure full control of waste activities at your site.

2. As per permit condition 1.1.4, please explain how you will demonstrate compliance with the requirements of an approved competence scheme.

3. As per permit condition 2.3 (Operating techniques), provide a copy of your waste acceptance. Note that previous procedures provided by OPES MRF 2013 LIMITED fell woefully short of the requirement to provide a written system that identifies and minimises the risk of accepting, processing, and depositing waste. Previous documents offered by OPES MRF 2013 LIMITED did not clearly or adequately document the procedures to manage pre-acceptance, acceptance, sampling, and rejection of wastes.

4. Please provide a copy of your Dust Management Plan, Pest Management Plan, Noise and Vibration Management Plan.

5. Provide an action plan to resolve your drainage issues as explained in the previous section. As part of your plan, provide a copy of your Surface Water Management Plan.

6. Provide Fire Prevention Plan. Note that the Environment Agency has previously deemed OPES MRF 2013 LIMITED's Fire Prevention Plan, dated 29 March 2021, not sufficiently adequate. As part of your plan, provide an action plan to ensure your main building is fit for purpose.

TOTAL NON-COMPLIANCE

The total non-compliance score for this inspection is 31 CCS points, and the total score for the year (2025) to date is 31 CCS points. This makes you a Band D operator and means that your subsistence fee is currently 125% of the baseline subsistence charge. Please see Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK for more information.

ENFORCEMENT RESPONSE

The Environment Agency is considering what enforcement action(s) is/are appropriate to secure compliance.

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.	X

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

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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

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- 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
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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.

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- 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.

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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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: AB3908CZ/0572900

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

Site	Finmere Quarry MRF EPR/AB3908CZ			Permit Ref	AB3908CZ		
Operator/ Permit holder	Juno Recycling Limited						
Date	25/07/2025			Time in	11:25	Out	12:40
What parts of the permit were assessed	Site Inspection - A1						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Company Director						
Officer's name	Ben Peresson, Duncan Beaumont and James Pym			Date issued	08/08/2025		

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 2) and the Actions (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				**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	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	N		
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	N		
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	N		
	2. Noise	N		
	3. Dust/fibres/particulates & litter	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
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	N		
	2. Energy	N		

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.

EPR Compliance Assessment Report for Permit EPR/AB3908CZ – Juno Recycling Limited – Finmere Quarry Materials Recycling Facility (MRF)

This was a routine unannounced site inspection to assess compliance with the permit.

Permit Holder and Person with Significant Control (PSC)

JUNO RECYCLING LIMITED (Company number 14736292) is currently the legal permit holder of Finmere Quarry Materials Recycling Facility (MRF), Banbury Road, Finmere, Buckinghamshire, MK18 4AJ (Permit EPR/AB3908CZ).

The permit was transferred from OPES MRF 2013 LIMITED to JUNO RECYCLING LIMITED on 15 January 2025.

Since our previous site inspection, on 21 July 2025, Olivia Rose Bradshaw was appointed director of the company and person with significant control whilst Julie Adele Todd's directorship terminated on 22 July 2025.

INTRODUCTION

This inspection followed a recent request – from the Environment Agency to the operator – to ensure OPES MRF 2013 LIMITED and DNT Contractors Ltd **ceased** operating illegally on JUNO RECYCLING LIMITED's material recycling facility.

CAR Report ID: AB3908CZ/0567742, dated 12 July 2025, identified significant deficiencies in JUNO RECYLING LIMITED's management system. Deficiencies include lack of detail on how the operator would be controlling site operations.

CURRENT SITE ACTIVITITES

During our most recent site inspection, officers observed that no activities were taken place at the time of the inspection; however, large quantities of waste material remain stored within the MRF building and yard bay area.

The site has no site office nor temporary workspace.

INFRASTRUCTURE – Main Building

Main building was observed deteriorated, not properly maintained. General wear and tear beyond what would be considered normal.

INSTRASTRUCTURE – Storage outside main building (yard)

General housekeeping is extremely poor. A substantial oil spill, unsecured and unsafe 25l containers (unknown contents), and unknown state of repair of fuel container were found outside the main building (around Grid Reference SP 62861 32143). Stored containers are not compliant

with The Control of Pollution (Oil Storage) (England) Regulations 2001.

These issues were stressed in previous CAR reports to OPES MRF 2013 LIMITED and remain unresolved.

INFRASTRUCTURE – Drainage

The yard in front of the building was under water. The Environment Agency understands that infrastructure work took place during OPES MRF 2013 LIMITED's tenancy, with the drainage dug up and a new system installed. However, as stated in previous CAR forms, it appears that either the improvement to the drainage system was not adequate or the maintenance of the system was not in place or inadequate.

Issues of surface water remain evident, and any improvement made by OPES MRF 2013 LIMITED are not sufficiently effective.

IMPROVEMENT PROGRAMME REQUIREMENTS and OUTSTANDING ISSUES

In addition to issues mentioned above regarding appropriate storage and drainage systems, I carried out a further assessment of your Schedule 1 Table 1.3 improvement programme requirements against all outstanding issues OPES MRF 2013 LIMITED had on site prior to transferring the permit to JUNO RECYCLING LIMITED.

It is evident that – although documents were submitted – issues on site remain outstanding and JUNO RECYCLING LIMITED has inherited these outstanding problems with the permit.

DOCUMENTS required PRIOR TO FURTHER ACTIVITITES ON SITE

Before any works commenced on site, the Environment Agency requires the operator to provide the following:

1. As per permit condition 1.1.2, please explain what records you would provide to demonstrate how you, as operator, will comply with permit condition 1.1.1. As part of your response, please provide a revised EMS (Management System). Within your Management System, please provide a detailed explanation how you, as operator, will ensure full control of waste activities at your site.

2. As per permit condition 1.1.4, please explain how you will demonstrate compliance with the requirements of an approved competence scheme.

3. As per permit condition 2.3 (Operating techniques), provide a copy of your waste acceptance. Note that previous procedures provided by OPES MRF 2013 LIMITED fell woefully short of the requirement to provide a written system that identifies and minimises the risk of accepting, processing, and depositing waste. Previous documents offered by OPES MRF 2013 LIMITED did not clearly or adequately document the procedures to manage pre-acceptance, acceptance, sampling, and rejection of wastes.

4. Please provide a copy of your Dust Management Plan, Pest Management Plan, Noise and Vibration Management Plan.

5. Provide an action plan to resolve your drainage issues as explained in the previous section. As part of your plan, provide a copy of your Surface Water Management Plan.

6. Provide Fire Prevention Plan. Note that the Environment Agency has previously deemed OPES MRF 2013 LIMITED's Fire Prevention Plan, dated 29 March 2021, not sufficiently adequate. As part of your plan, provide an action plan to ensure your main building is fit for purpose.

TOTAL NON-COMPLIANCE

The total non-compliance score for this inspection is 31 CCS points, and the total score for the year (2025) to date is 31 CCS points. This makes you a Band D operator and means that your subsistence fee is currently 125% of the baseline subsistence charge. Please see Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK for more information.

ENFORCEMENT RESPONSE

The Environment Agency is considering what enforcement action(s) is/are appropriate to secure compliance.

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.	X

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: AB3908CZ/0578841

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

Site	Finmere Quarry MRF EPR/AB3908CZ			Permit Ref	AB3908CZ		
Operator/ Permit holder	Juno Recycling Limited						
Date	10/09/2025			Time in	10:12	Out	12:15
What parts of the permit were assessed	Site Inspection - C2						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Company Director						
Officer's name	Ben Peresson, James Pym and Duncan Beaumont			Date issued	13/09/2025		

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	N		
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	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	C2		Permit Condition 1.1.1(a)
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	N		
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	N		
	2. Noise	N		
	3. Dust/fibres/particulates & litter	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
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	N		
	2. Energy	N		

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	1	**Total compliance score** (see section 5 for scoring scheme)	31

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.

EPR Compliance Assessment Report for Permit EPR/AB3908CZ – Juno Recycling Limited – Finmere Quarry Materials Recycling Facility (MRF)

INTRODUCTION

This was a routine unannounced site inspection to assess compliance with the permit.

Permit Holder and Person with Significant Control (PSC)

JUNO RECYCLING LIMITED (Company number 14736292) is currently the legal permit holder of Finmere Quarry Materials Recycling Facility (MRF), Banbury Road, Finmere, Buckinghamshire, MK18 4AJ (Permit EPR/AB3908CZ).

The permit was transferred from OPES MRF 2013 LIMITED to JUNO RECYCLING LIMITED on 15 January 2025.

ACTIVITITES

During out site inspection, EA officers noticed that waste material has been transferred from the MRF building to the outside yard area (around the storage Bays 1 and 2) where waste material is being currently screened (photographic evidence has been provided in the covering email). This was later confirmed – on site – by an operative from DNT CONTRACTORS LTD.

A soil screener and an excavator were identified. Waste material looked predominantly like soils with inclusions of stones, brick, concrete and construction demolition type wastes (photographic evidence has been provided in the covering email).

Waste activities are taking place against EA's recent requests (please refer to CAR Report ID: AB3908CZ/0572900). CAR Report ID: AB3908CZ/0567742, dated 12 July 2025, identified significant deficiencies in JUNO RECYLING LIMITED's management system. Deficiencies include lack of detail on how the operator would be controlling site operations. Issues of lack of control remain evident.

INFRASTRUCTURE – Main Building

During our inspection, we observed works being completed to the main exterior of the MRF building (photographic evidence has been provided in the covering email).

INSTRASTRUCTURE – Storage outside main building (yard)

During our inspection, we observed that all storage containers have been moved to the corner of the yard area (around Grid Reference SP 62847 32118) (photographic evidence has been provided in the covering email).

INFRASTRUCTURE – Drainage

The yard in front of the building was under water (photographic evidence has been provided in the covering email). Issues of surface water remain evident.

IMPROVEMENT PROGRAMME REQUIREMENTS and OUTSTANDING ISSUES

Still pending. Please refer to CAR Report ID: AB3908CZ/0572900

DOCUMENTS required PRIOR TO FURTHER ACTIVITITES ON SITE

Still pending. Please refer to CAR Report ID: AB3908CZ/0572900

NON-COMPLIANCES

C2 General Management (Management system & operating procedures) – Permit Condition 1.1.1(a). Permit Condition 1.1.1(a) states that '*The operator shall manage and operate the activities: (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints'.*

Significant deficiencies in your management system, including lack of control, are allowing DNT CONTRACTORS LTD to carry out waste activities on your site.

This failure to control activities on your site can have a significant foreseeable impact in the environment and you have been scored **Category 2 non-compliance 31 CCS.**

ACTION: JUNO RECYCLING LIMITED must secure and supervise the site to ensure that no further waste activities take place that are not in their control as permit holder.

Deadline: IMMEDIATELY

TOTAL NON-COMPLIANCE

The total non-compliance score for this inspection is 31 CCS points, and the total score for the year (2025) to date is 62 CCS points. This makes you a Band E operator and means that your subsistence fee is currently 150% of the baseline subsistence charge. Please see Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK for more information.

ENFORCEMENT RESPONSE

Under Regulation 37(1) & (2) of the Environmental Permitting (England and Wales) Regulations 2016, we may suspend an environmental permit if we consider that operation of the regulated facility involves a risk of serious pollution.

The Environment Agency considers that having no control of waste activities at your site could potentially have significant risk to pollution and will now consider what enforcement action is appropriate and notify you, referencing this form.

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.	X

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			
C2	C2	JUNO RECYCLING LIMITED must secure and supervise the site to ensure that no further waste activities take place that are not in their control as permit holder.	Immediately

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: AB3908CZ/0590159

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

Site	Finmere Quarry MRF EPR/AB3908CZ			Permit Ref	AB3908CZ		
Operator/ Permit holder	Juno Recycling Limited						
Date	08/01/2026			Time in	12:30	Out	13:10
What parts of the permit were assessed	Site Inspection - A1, C2 and D1						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Director						
Officer's name	Ben Peresson, James Pym and Duncan Beaumont			Date issued	15/01/2026		

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 2) and the Actions (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				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	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	C2		Permit Condition 1.1.1(a)
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	N		
d) Incident management	**1**. Site security	C3		Permit Condition 1.1.1(b)
	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	N		
	2. Noise	N		
	3. Dust/fibres/particulates & litter	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
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	N		
	2. Energy	N		

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	2	**Total compliance score** (see section 5 for scoring scheme)	35

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.

EPR Compliance Assessment Report for Permit EPR/AB3908CZ – Juno Recycling Limited – Finmere Quarry Materials Recycling Facility (MRF)

INTRODUCTION

This was a routine unannounced site inspection to assess compliance with the permit.

During this visit, EA's officers captured both photographic and video recording evidence.

No representative from JUNO RECYCLING LIMITED was present at the time of this visit. A copy of our Notice of Powers and Rights was emailed to the operator after this inspection.

This CAR report will refer to the operator's lack of control over site operations.

COMMUNICATIONS WITH JUNO RECYCLING LIMITED

Following our email to JUNO RECYCLING LIMITED's director on 13 November 2025 – which included the compliance report from our 24 October 2025 visit and the Refusal Revocation Concern Letter – the EA has received only the following correspondence from the operator:

1. Email, dated 22 December 2025, providing certifications of the Technical Competence Manager. The director explained that the site had been operating and that the EMS and drainage plan had been in place, although minor updates were still being made. Regarding unfiled waste returns for Q2 and Q3 2025, the director explained that waste returns would be filed in the New Year.
2. Email, dated 23 December 2025, providing a copy of the Environmental Management System Report V1, issued on 01 October 2025. No drawings, appendices nor supporting documents were provided.

No further updates regarding waste activities nor other pending documents have been provided to date. No pending waste returns for Q2 and Q3 2025 have been filed to date.

CURRENT SITE ACTIVITITES

During this inspection, EA officers noticed several changes to the site, including new access to the yard, waste material being transferred inside the MRF building, and various items of plant and vehicles recently parked in the yard.

Waste activities had taken place against EA's multiple requests (please refer to CAR reports Report ID: AB3908CZ/0572900, Report ID: AB3908CZ/0578841, and Report ID: AB3908CZ/0587011). EA officers confirmed that, at the time of inspection, waste material had been transferred into the permitted area. This occurred despite the EA's instruction that specific documents, including revised operating techniques, be submitted prior to any further waste activities on-site.

During our visit, EA's officer met with representatives of HOBAN WASTE MANAGEMENT.

According to HOBAN's operations manager, the company allegedly assumed management of on-

site waste prior to the 2025 Christmas period. HOBAN's representatives noted that they have neither met nor liaised with JUNO RECYCLING LIMITED. Furthermore, it appears that HOBAN WASTE MANAGEMENT has communicated exclusively with the landowner, A T Contracting & Plant Hire Limited, regarding the purchase of the MRF.

EA officers noted that waste material had been deposited inside the MRF building. HOBAN's operations manager confirmed that approximately 400 tonnes of shredded waste were transferred by the company into the building on or around the 2025 Christmas and New Year break.

Site Access and Security

Site has a new access to the southeast of the yard (grid reference SP 62852 32111). Site access is entirely unrestricted due to the absence of barriers or gates; consequently, the site is not secured during or outside of operational hours.

Please explain how you are complying with Procedure 3.6 (Site Security) of your recently issued EMS? What security measures are in place to reduce the likelihood of unauthorised access on to the site during operational and non-operational hours?

CCTV system

According to HOBAN's representative, the CCTV system is currently non-operational due to damaged cabling.

Please provide clear evidence that cables connecting the CCTV systems are working and that you, as operator, are able to view the CCTV system at any time.

Weighbridge

The EA has no evidence that the weighbridge has ever been operational.

IMPROVEMENT PROGRAMME REQUIREMENTS (SITE INFRASTRUCTURE)

Formal response from operator is still pending in regard to providing details of all works already completed to date, and all further works to be carried out – as part of your improvement programme – to the site's infrastructure (i.e. main building, storage units outside main building, yard area, concrete bays, drainage system) outlining tasks and timelines.

DOCUMENTS required PRIOR TO FURTHER ACTIVITITES ON SITE

As per CAR Report ID: AB3908CZ/0572900 issued on 08 August 2025, before any works commenced on site, the Environment Agency requires the operator to provide a number of documents, including Operating Techniques and Fire Prevention Plan, prior to any waste activities commencing on site.

All requested documents, excluding your Environmental Management System, are still pending.

NON-COMPLIANCES

D1 Incident Management (Site Security) – Permit Condition 1.1.1(b). Permit Condition 1.1.1(b) states that *'The operator shall manage and operate the activities: (b) using sufficient competent persons and resources'.*

Lack of site security, resulting from the absence of a competent person from JUNO RECYCLING LIMITED on the premises, is permitting HOBAN WASTE MANAGEMENT to conduct waste activities on your site.

This failure to comply with Permit Condition 1.1.1(b) constitutes a permit non-compliance and you have been issued a **Category 3 Non-Compliance 4 CCS points**. The environmental impact at the time of this inspection was considered minor. However, please note that in accordance with Principle 6 of Environment Agency Guidance: Waste Operations and Installations: assessing and scoring environmental permit compliance, we must consider duration and severity of impact and sensitivity of receptors, therefore we can take into account the length of a continuing non-compliance when we determine the risk category and score and assess the breach of Permit Condition 1.1.1 as significant CCS Category 2 score.

ROOT CAUSE

C2 General Management (Management System & Operating Procedures) – Permit Condition 1.1.1(a). Permit Condition 1.1.1(a) states that '*The operator shall manage and operate the activities: (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints'.*

Significant deficiencies in the implementation of your revised management system, including lack of control, are allowing HOBAN WASTE MANAGEMENT to carry out waste activities on your site.

This failure to control activities on your site can have a significant foreseeable impact in the environment and you have been scored **Category 2 non-compliance 31 CCS.**

ACTION1: JUNO RECYCLING LIMITED must secure and supervise the site to ensure that no further waste activities take place that are not in their control as permit holder.

Deadline: IMMEDIATELY

TOTAL NON-COMPLIANCE

The total non-compliance score for this inspection is 35 CCS points, and the total score for the year (2026) to date is 35 CCS points. This makes you a Band D operator and means that your subsistence fee is currently 125% of the baseline subsistence charge. Please see Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK for more information.

ENFORCEMENT RESPONSE

The Environment Agency considers that having no control of waste activities at your site could potentially have significant risk to pollution and will now consider what enforcement action is appropriate and notify you, referencing this form.

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.	X

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			
C2	C2	JUNO RECYCLING LIMITED must secure and supervise the site to ensure that no further waste activities take place that are not in their control as permit holder.	15/01/2026
D1	C3	JUNO RECYCLING LIMITED must secure and supervise the site to ensure that no further waste activities take place that are not in their control as permit holder.	15/01/2026

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: AB3908CZ/0593702

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

Site	Finmere Quarry MRF EPR/AB3908CZ			Permit Ref	AB3908CZ		
Operator/ Permit holder	Juno Recycling Limited						
Date	11/02/2026			Time in	10:15	Out	12:15
What parts of the permit were assessed	Site Inspection - C2, C3 and E3						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Director						
Officer's name	Ben Peresson, James Pym			Date issued	25/02/2026		

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	N		
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	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	C2		Permit Condition 1.1.1
	3. Materials acceptance	C2		Permit Condition 3.6.1
	4. Storage handling, labelling, segregation	N		
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	C3		Permit Condition 2.2.1
	4. Sewer	N		
	5. Waste	N		
f) Amenity	**1**. Odour	N		
	2. Noise	N		
	3. Dust/fibres/particulates & litter	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
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	N		
	2. Energy	N		

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	3	**Total compliance score** (see section 5 for scoring scheme)	66

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.

EPR Compliance Assessment Report for Permit EPR/AB3908CZ – Juno Recycling Limited – Finmere Quarry Materials Recycling Facility (MRF)

INTRODUCTION

The Environment Agency conducted an unannounced site inspection at Finmere Quarry Materials Recycling Facility (MRF) to assess permit compliance. This followed a contractual agreement – provided by JUNO RECYCLING LIMITED via email on 30 January 2026 – between JUNO RECYCLING LIMITED (JUNO) and HOBAN WASTE MANAGEMENT LTD (HOBAN)

During the inspection, Environment Agency officers secured photographic and video evidence. A Notice of Powers and Rights was duly served by leaving a copy at the weighbridge office.

This assessment comprises seven (7) sections:

- Section 1 – Outstanding Actions.
- Section 2 – Failure to Comply with Section 34(5) Notice under the Environmental Protection Act 1990
- Section 3 – Site Inspection and Assessment of Site Activities
- Section 4 – Surface Water Discharge
- Section 5 – Assessment of Fire Risk
- Section 6 – Non-compliances.
- Section 7 – Enforcement Response.

ASSESSMENT REPORT

SECTION 1 – Outstanding Actions

<u>Improvement to Site Infrastructure</u>

The Environment Agency has repeatedly asked the operator (please see CAR Report ID: AB3908CZ/0572900, Report ID: AB3908CZ/0578841, Report ID: AB3908CZ/0587011 and Report ID: AB3908CZ/0590159) to provide a formal response with regard to providing details of all works already completed to date, and all further works to be carried out to the site's infrastructure (i.e. main building, storage units outside the main building, yard area, concrete bays, and drainage system), outlining tasks and timelines.

JUNO has not submitted an update on infrastructure works to satisfy the Environment Agency that the site is fit for purpose.

Recently, the Environment Agency has concerns that the contractor agreement between JUNO and HOBAN fails to specify which parties are responsible for investment and financial decisions affecting the facility's activities and performance.

Documents required prior to further activities on site

Contrary to the Environment Agency's multiple requests (please see CAR Report ID: AB3908CZ/0572900, Report ID: AB3908CZ/0578841, Report ID: AB3908CZ/0587011 and Report ID: AB3908CZ/0590159) that no waste activities take place until several key documents (i.e. a revised Fire Prevention Plan (FFP), a revised Surface Water Management Plan) have been submitted and agreed, JUNO has commenced operations on-site including accepting waste.

On 29 January 2026, the Environment Agency emailed JUNO, noting that in your correspondence dated 23 December 2025, you provided a copy of the Environmental Management System (EMS) Report V1. This report, produced by Westbury Environmental on behalf of JUNO RECYCLING LIMITED, was issued on 1 October 2025 and submitted following an Environment Agency request (please see CAR Report ID: AB3908CZ/0572900, Report ID: AB3908CZ/0578841, Report ID: AB3908CZ/0587011 and Report ID: AB3908CZ/0590159) to revise your EMS after the permit transfer from OPES MRF 2013 LTD. However, the Agency observed that this document is incomplete, contains errors, and was submitted without the necessary appendices or supporting documentation.

SECTION 2 – Failure to Comply with Section 34(5) Notice under the Environmental Protection Act 1990

In an email dated 29 January 2026, the Environment Agency, exercising its powers under Section 34(5) of the Environmental Protection Act 1990, required you to provide copies of all Waste Transfer Notes for waste material received at and removed from your site between 10 September 2025 and 8 January 2026. The Environment Agency required you to produce the documents specified in this Notice within seven days of the date of service.

To date, you have not provided a response and have failed to comply with this requirement. This constitutes a criminal offence under Section 34(6) of the Environmental Protection Act 1990.

The Environment Agency is now considering further enforcement action and will notify the operator separately.

SECTION 3 – SITE INSPECTION and ASSESSMENT of SITE ACTIVITITES

During the site visit on 11 February 2026, Environment Agency officers met with a representative of HOBAN. This individual was a plant operator, and no other members of HOBAN staff were present on-site at the time.

When questioned, the operator was unable to confirm the frequency of site visits by the supervisor or any other HOBAN representative. The absence of TCM attendance records at the time of inspection indicates a failure to provide the technical supervision required under both the site’s management system and its environmental permit.

During our inspection, Environment Agency officers found no evidence of the provision of health and safety inductions, nor was there evidence of a site diary. When asked, the HOBAN representative stated that his training was completed at a different location and he lacked knowledge of the specific induction procedures for the Finmere site.

When requested to provide copies of Waste Transfer Notes (WTNs), the HOBAN representative stated that HOBAN vehicles would not bring them and that third-party hauliers may do so. Despite the site receiving waste on a daily basis, the representative was unable to produce any WTNs for inspection. During our inspection, Environment Agency officers found no evidence of WTN being kept on site.

When questioned regarding operational procedures, the HOBAN representative stated they had no knowledge of them. During our inspection, Environment Agency officers found no evidence that

copy of the Environmental Permit, site procedures, site's accident management plan, site's emergency management plan, copy of the Fire Prevention Plan produced by AECOM on behalf of OPES MRF 2013 LTD issued on 29 March 2021, any records for daily, weekly, and monthly monitoring, any records for daily, weekly, monthly environmental checks, nor was any other documentation required by the Permit to support site operations were maintained on-site These documents were accessible neither in hard copy nor electronic format on site. Consequently, Environment Agency officers concluded there was no evidence that any required documentation had been maintained.

Finally, the HOBAN representative explained that the site has primarily been receiving waste, with little to no waste being removed from the facility. Environment Agency officers determined that the site is being used as a holding facility for significant quantities of trommel fines combustible waste. Environment Agency officers estimated that, by the time of our visit, between 7,000 tonnes and 10,000 tonnes of trommel fines have been stored inside the building. This exceeds the storage limits specified in the Fire Prevention Plan, dated 29 March 2021, and consequently, officers have concluded that the site presents an increased risk of fire as you are not in compliance with your Fire Prevention Plan.

WEIGHBRIDGE

The weighbridge is non-operational and has remained so since it was moved to its current location sometime between 10 September and 24 October 2025.

SITE ACCESS AND SECURITY

As stated in Report ID: AB3908CZ/0590159 after our visit on 08 January 2026, the site has a new access to the south-east of the yard (grid reference SP 62852 32111). Site access is entirely unrestricted due to the absence of barriers or gates; consequently, the site is not secured during or outside of operational hours.

During this visit, Environment Agency officers confirmed that access to the south-east of the yard remains unsecured.

According to a representative from HOBAN, the CCTV system is currently non-operational due to damaged cabling. This was confirmed, during our recent visit, when Environment Agency officers entered the weighbridge office and observed that the CCTV monitors were inactive.

The CCTV system is a control measure of your current Fire Prevention Plan for the out-of-hours monitoring of combustible waste material. The failure of this system constitutes a breach of Permit Condition 3.6.1.

Environment Agency officers have determined that the site is currently unsecured. This is primarily due to a failure to adhere to the requirements of the EMS Report V1 dated 1 October 2025, Fire Prevention Plan dated 29 March 2021, and contractor agreement between JUNO and HOBAN, none of which has been fully implemented on-site.

OUTSIDE BAYS

Environment Agency officers noticed that new waste material was deposited in external bays.

SECTION 4 – Surface Water Discharge

A copy of the Surface Water Management Plan, produced by AECOM on behalf of OPES MRF 2013 Limited and dated June 2021, was available neither in hard copy nor electronically on site.

A few extracts from your environment permit and existing procedures are provided below:

Permit Condition 2.2.1 states that *'The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit'.*

Permit Condition 3.2.1 states that *'Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions'*.

The Surface Water Management Plan, produced by AECOM on behalf of OPES MRF 2013 Limited - dated June 2021- states, in Section 3.2.1, that: *'Water within the underground tank will be removed by bowser to the leachate tanks at the landfill prior to export from site'.*

Your EMS Report V1 dated 1 October 2025 Procedure No. 4.5 (Surface Water Management), point 5, states that '*Water from the sealed tank is removed from the Site and sent to a suitably licensed facility or used on site to suppress dust'.*

Your newly signed Contractor's Agreement between JUNO and HOBAN states that '*The Contractor will ensure compliance with all conditions of the above-mentioned Permit on behalf of the Permit Holder'.*

Site Observations

During this visit, Environment Agency officers confirmed surface water being consciously pumped from the yard's sump to an off-site lagoon outside of your environmental permit's boundary, as defined in schedule 7 of your permit (EPR/AB3908CZ), without a discharge consent. It is evident that permanent pipework has been installed under the yard area, which is currently connected to flexible hoses outside the site's perimeter.

The Environment Agency has previously questioned the operator regarding this unauthorised discharge of surface water into the environment. Prior communications with JUNO indicated that JUNO did not have control over these operations, and JUNO has specifically stated that it does not own any of the equipment.

We have concluded that you are in breach of Permit Condition 2.2.1 as a result of the above action. JUNO is the legal permit holder and is responsible for ensuring compliance with its conditions.

Discharging water without an environmental permit is a criminal offence under Regulation 38(2) of The Environmental Permitting (England and Wales) Regulations 2016.

SECTION 5 – Assessment of Fire Risk

A copy of the Fire Prevention Plan, produced by AECOM on behalf of OPES MRF 2013 Limited and dated March 2021, was available neither in hard copy nor electronically on site.

The Environment Agency has repeatedly requested (please see CAR Report ID: AB3908CZ/0572900, Report ID: AB3908CZ/0578841, Report ID: AB3908CZ/0587011 and Report ID: AB3908CZ/0590159) that JUNO provide a revised Fire Prevention Plan following site activities conducted since JUNO took over the permit.

A few extracts from your environmental permit and existing procedures are provided below:

Permit Condition 3.6.1 states that *'The operator shall take all appropriate measures to prevent fires on site and minimise the risk of pollution from them including, but not limited to, those specified in any approved fire prevention plan.*'

EMS Procedure No. 6.6 (Fire Prevention), states that *'Implementation of EMS procedures will*

minimise the occurrence of fire on Site'.

EMS Procedure No. 6.7 (Reducing the Impact of a Fire), point 1, states that '*This procedure and the following procedures have been produced in accordance with the requirements of Environment Agency Guidance, Fire Prevention Plans: Environmental Permits, Updated 11th January 2021.'*

Your newly signed Contractor's Agreement states that '*The Contractor will ensure compliance with all conditions of the above-mentioned Permit on behalf of the Permit Holder'.*

Site Observations

During this visit, Environment Agency officers estimated that, by the time of our visit, between 7,000 tonnes and 10,000 tonnes (5,500m3 and 7,500m3) of trommel fines combustible waste material have been stored inside the building, which exceed the storage limits – specified in your fire prevention plan – of: 750m3 in reception area, 750m3 in Bay A (mixed paper, card, textile), 750m3 in Bay B (residuals) and 750m3 in Bay C (residuals) and provision for a quarantine area with a capacity of 750m3.

Environment Agency officers found no evidence of designated reception, quarantine, or material recovery areas. Furthermore, the volume of combustible trommel fines exceeded the total combined area stipulated within the Fire Prevention Plan.

The Fire Prevention Plan dated March 2021, Section 2.3.3, states that *'Waste stored temporarily in the waste reception pile will generally be cleared at the end of each working day, where possible, although it may periodically be stored for up to 5 working days in the event of equipment maintenance or breakdown. This material, and the fines from the trommel, are likely to represent the highest risk of self-combustion if they were to be retained on site for a long period of time (i.e. over 3 months). This retention times on site are significantly shorter than the nominal 3-month period specific in the EA FPP, after which organic-rich wastes are at risk from self-combustion'.*

Environment Agency officers found no evidence that retention times have been adhered to. According to the HOBAN representative, the site has primarily been receiving waste, with little to no waste being removed from the facility.

The Fire Prevention Plan dated March 2021, Section 5.15.2, states that *'In all cases stockpile maximum height will be no more than 4m and maximum stockpile volume will be less than or equal to the 750m3 which are the maximum dimensions indicated by the EA – appropriate fire-breaks will also be employed, whether by separation and / or barrier use'*.

Environment Agency officers estimated the trommel fines stockpile to be approximately 7 metres high at its centre. No evidence was found of any firebreaks or firewalls to mitigate the risk of fire spread.

The Fire Prevention Plan dated March 2021, Section 6.1.2 (MRF Building), states that *'Within the MRF building, a separation distance of at least 6m will be maintained between the waste reception stockpile, and processed fractions'.*

Environment Agency officers found no evidence of any separation of waste materials or segregated fractions.

Environment Agency officers have determined that the current state of the facility presents an increased risk of fire due to failure to follow the requirements of your Fire Prevention Plan and own EMS Procedures.

The storage of quantities of combustible trommel fines waste material greater than those stated in the site's Fire Prevention Plan is a non-compliance with permit condition 3.6.1. As permit holders JUNO are ultimately responsible for permit compliance and should ensure that their contractor

HOBAN is compliant with all permit conditions and EMS procedures.

Failure to comply with or to contravene with the above permit condition is a criminal offence under Regulation 38(2) of The Environmental Permitting (England and Wales) Regulations 2016.

SECTION 6 – NON-COMPLIANCES

E3 Emissions (Surface Water) – Permit Condition 2.2.1. Permit Condition 2.2.1 states that *'The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit'.*

Environment Agency officers confirmed an unauthorised discharge of surface water to an off-site lagoon. The permanent sub-surface pipework, connected via flexible hoses to a point beyond the permitted boundary, indicates a deliberate and engineered bypass of the site's regulated drainage system.

This activity was conducted without the required Environmental Permit, representing a failure of the operator's management system and potential risk of pollution to controlled waters. The presence of permanent infrastructure suggests this is a routine, rather than accidental, occurrence.

This unauthorised discharge of surface water could have a reasonably foreseeable impact on the environment, and you have been scored **Category 3 non-compliance 4 CCS.**

ACTION: You must ensure that no further surface water is discharged beyond the permitted boundary and is dealt with as per Surface Water Management Plan.

DEADLINE: Date of issue of CAR report.

C3 General Management (Materials Acceptance) – Permit Condition 3.6.1. Permit Condition 3.6.1 states that *'The operator shall take all appropriate measures to prevent fires on site and minimise the risk of pollution from them including, but not limited to, those specified in any approved fire prevention plan.*'

It has been confirmed that operations on-site have focused on waste receipt with negligible outward movement. Environment Agency officers observed that the facility is currently being used to stockpile substantial volumes of combustible trommel fines waste. These volumes exceed the maximum storage capacities defined in your Fire Prevention Plan, leading officers to conclude that the site poses a significant fire risk.

Failure to follow the requirements of your Fire Prevention Plan and own EMS Procedures could have a significant foreseeable impact on the environment, and you have been scored **Category 2 non-compliance 31 CCS.**

ACTION: You must ensure your Fire Prevention Plan and EMS procedures are followed. You must remove waste from the site until the remaining volumes adhere to the storage limits defined in your Fire Prevention Plan.

DEADLINE: 27 March 2026

ROOT CAUSE

C2 General Management (Management System & Operating Procedures) – Permit Condition 1.1.1(a). Permit Condition 1.1.1(a) states that '*The operator shall manage and operate the activities: (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints'.*

There is no evidence to demonstrate that the operator has taken the steps required to achieve regulatory compliance in terms of waste acceptance, site procedures and management.

The HOBAN representative was unable to provide any information regarding site procedures. Furthermore, the inspection confirmed a total absence of essential documentation at the weighbridge, including the Environmental Permit and all mandatory training and monitoring records. These documents were accessible neither in hard copy nor electronic format on site. No evidence was found to suggest that the operator is maintaining the records required by the permit conditions.

Failure to implement your EMS Report V1 dated 1 October 2025 and HOBAN's failure to comply with your contractual agreement has resulted in a loss of operational control. Whether these activities are occurring via HOBAN, without your knowledge or with your consent, as the permit holder you are operating in breach of your environmental permit.

Significant deficiencies in the management of site operations, occurring either without your knowledge or with your consent, can have a significant foreseeable impact on the environment and you have been scored **Category 2 non-compliance 31 CCS**.

ACTION: JUNO RECYCLING LIMITED must ensure operations are carried out in compliance with the permit.

DEADLINE: Date of issue of CAR report.

TOTAL NON-COMPLIANCE

The total non-compliance score for this inspection is **66 CCS points**, and the total score for the year (2026) to date is **101 CCS points**. This makes you a **Band E operator** and means that your subsistence fee is currently 150% of the baseline subsistence charge. Please see Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK for more information.

SECTION 7 – ENFORCEMENT RESPONSE

The Environment Agency considers that having no control of waste activities at your site could potentially have significant risk to pollution and will now consider what enforcement action is appropriate and notify you, referencing this form.

The Environment Agency is **Minded to Revoke** your Environment Permit under Regulation 22 of The Environmental Permitting (England and Wales) Regulations 2016.

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.	X

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			
C2	C2	JUNO RECYCLING LIMITED must ensure operations are carried out in compliance with the permit.	Date of issue of CAR report.
C3	C2	You must ensure your Fire Prevention Plan and EMS procedures are followed. You must remove waste from the site until the remaining volumes adhere to the storage limits defined in your Fire Prevention Plan.	27/03/2026
E3	C3	You must ensure that no further surface water is discharged beyond the permitted boundary and is dealt with as per Surface Water Management Plan.	Date of issue of CAR report.

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: AB3908CZ/0597860

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

Site	Finmere Quarry MRF EPR/AB3908CZ			Permit Ref	AB3908CZ		
Operator/ Permit holder	Juno Recycling Limited						
Date	16/04/2026			Time in	10:00	Out	13:00
What parts of the permit were assessed	Site Inspection - C2 and C3						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Director / Compliance Team						
Officer's name	Ben Peresson, James Pym and Chris Lowe			Date issued	22/04/2026		

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1.** Specified by permit	N		
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	N		
	5. Plant and equipment	N		
c) General management	**1.** Staff competency/ training	N		
	2. Management system & operating procedures	C2		Permit Condition 1.1.1
	3. Materials acceptance	C2		Permit Condition 3.6.1
	4. Storage handling, labelling, segregation	N		
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	N		
	2. Noise	N		
	3. Dust/fibres/particulates & litter	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
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	N		
	2. Energy	N		

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	2	**Total compliance score** (see section 5 for scoring scheme)	62

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.

EPR Compliance Assessment Report for Permit EPR/AB3908CZ – Juno Recycling Limited – Finmere Quarry Materials Recycling Facility (MRF)

INTRODUCTION

The Environment Agency has previously identified matters relating to arrangements for the control of site operations (see CAR Report IDs: AB3908CZ/0572900, AB3908CZ/0578841, AB3908CZ/0587011, AB3908CZ/0590159, and AB3908CZ/0593702). As a result, an unannounced site inspection was carried out at Finmere Quarry (MRF) to obtain further evidence of non-compliances, assess the effectiveness of site control arrangements and further evidence management and operational issues, with enforcement action under consideration. This inspection followed a very recent statement from Westbury Environmental Limited, acting on behalf of the operator, which confirmed that Juno Recycling Limited (JUNO) had advised there is currently no contractual agreement in place between JUNO and Hoban Waste Management Ltd (HOBAN).

During the inspection, Environment Agency officers secured photographic and video evidence. Officers also obtained video footage through the use of drones. A Notice of Powers and Rights was duly served by leaving a copy at the weighbridge office.

This assessment comprises six (6) sections:

- Section 1 – Outstanding Actions
- Section 2 – Failure to Comply with Section 34(5) Notice under the Environmental Protection Act 1990
- Section 3 – Site Inspection and Assessment of Site Activities
- Section 4 – Assessment of Fire Risk
- Section 5 – Non-compliances.
- Section 6 – Enforcement Response.

ASSESSMENT REPORT

SECTION 1 – Outstanding Actions

Improvement to Site Infrastructure

The Environment Agency has repeatedly asked the operator (please see CAR Report ID: AB3908CZ/0572900, Report ID: AB3908CZ/0578841, Report ID: AB3908CZ/0587011, Report ID: AB3908CZ/0590159 and Report ID: AB3908CZ/0593702) to provide a formal response with regard to providing details of all works already completed to date, and all further works to be carried out to the site's infrastructure (i.e. main building, storage units outside the main building, yard area, concrete bays, and drainage system), outlining tasks and timelines.

JUNO has not provided any update on the infrastructure works needed to demonstrate that the site is fit for purpose. As a result, the Environment Agency has not been able to confirm whether the

necessary improvements or repairs have been identified, completed, or are being managed appropriately. This includes infrastructure relevant to waste storage, site layout, fire prevention measures, and environmental protection.

Without this information, the Agency is unable to assess whether the site can operate in line with the requirements of the environmental permit, which raises ongoing concerns about the operator's ability to manage risks effectively.

Documents Required prior to Further Activities on Site

Revised documents were submitted on 1 April 2026. However, the Agency was advised that the revised Fire Prevention Plan (FPP) remains outstanding and is expected to be issued at the end of April 2026.

It should be noted that Westbury Environmental Limited, which is responsible for preparing and submitting the revised documentation on behalf of the operator, has not attended the site. As a result, the revised documents have not been informed by first-hand site observations or checks against actual site conditions or day-to-day operations. This raises concerns about how accurate and appropriate the information provided is, and whether it properly reflects what is happening on site. It also brings into question the operator's ability to ensure that the documentation used to demonstrate compliance is site-specific, meaningful, and based on the real risks and activities at the facility.

Waste Returns

Despite repeated requests to the operator, the outstanding waste returns for Q2, Q3, and Q4 2025 have not been submitted to date.

Pollution Inventory

The Environment Agency requires operators to submit their pollution inventory at the end of each year so it can obtain a complete and consistent record of emissions over a full reporting period, check compliance with environmental permit conditions, and assess the overall impact of activities on air, water, and land; this enables the Agency to monitor trends, compare data fairly between operators and sectors, meet national reporting obligations, provide transparency through public reporting, and encourage continuous improvement in environmental performance.

The operator has not submitted the pollution inventory to date.

SECTION 2 – Failure to Comply with Section 34(5) Notice under the Environmental Protection Act 1990

The Environment Agency issued a Notice dated 29 January 2026, exercising its powers under Section 34(5) of the Environmental Protection Act 1990, requiring you to provide copies of all Waste Transfer Notes for waste material received at, and removed from, your site between 10 September 2025 and 8 January 2026.

The Environment Agency subsequently issued a further Notice dated 4 March 2026, again exercising its powers under Section 34(5) of the Environmental Protection Act 1990, requiring you to provide copies of all Waste Transfer Notes for waste material received at, and removed from, your site between 9 January 2026 and 11 February 2026.

A third Notice was issued by the Environment Agency dated 7 April 2026, exercising the same statutory powers, requiring you to provide copies of all Waste Transfer Notes for waste material received at, and removed from, your site between 12 February 2026 and 6 March 2026.

Each Notice required the specified documents to be produced within seven days of the date of

service.

JUNO has failed to comply with each Notice. This failure constitutes a criminal offence under Section 34(6) of the Environmental Protection Act 1990. The Environment Agency is now considering further enforcement action and will notify the operator separately.

SECTION 3 – SITE INSPECTION and ASSESSMENT of SITE ACTIVITITES

During the site visit on 16 April 2026, Environment Agency officers found no persons present on site. The observations made during this visit confirmed and reinforced concerns previously identified in earlier compliance assessment reports, and more recently in Report ID: AB3908CZ/0593702, that the operator is not exercising effective control over the management and operations of the site.

3.1. Day-to-day control of the facility or activity, including the manner and rate of operation.

During the inspection, the Environment Agency identified that the operator was not exercising effective day-to-day control over the facility or the regulated activity.

There was no evidence of a competent management presence on site, and no responsible person was available to oversee operations or demonstrate control over waste acceptance, handling, storage, or processing activities. The absence of on-site personnel indicated a lack of operational oversight and accountability.

There was no evidence of adequate supervision or control mechanisms to regulate the manner or rate of operation. There was no one available to demonstrate the existence of any systems, procedures, or records to monitor site activities, ensure compliance with permit conditions, or manage waste operations safely and lawfully. This lack of effective control materially increases the risk of uncontrolled waste activities, non-compliance with statutory requirements, and potential environmental harm.

This lack of effective control and accountability has allowed HOBAN to store a substantial quantity of waste without appropriate oversight or control. Environment Agency officers estimated that, at the time of the site visit, between 7,000 tonnes and 10,000 tonnes of trommel waste were being stored within the building. This significantly exceeds the storage limits specified in the currently available Fire Prevention Plan dated 29 March 2021, and officers have therefore concluded that the site presents an increased risk of fire and potential environmental harm.

3.2 You cannot ensure day-to-day compliance with every condition specified in your environmental permit.

The Environment Agency determined that the operator is unable to ensure day-to-day compliance with every condition specified in the environmental permit.

During the inspection, there was a clear absence of documented procedures, monitoring records, legal documentation relating to the control of waste, records of daily, weekly, and monthly monitoring, and records of daily, weekly, and monthly environmental checks. Additionally, no other documentation required by the Permit to support site operations was maintained on site, nor was there any effective operational oversight to demonstrate how permit requirements are routinely met and maintained. No systems were in place to verify compliance on a daily basis, and no responsible person was available to explain how permit conditions are managed, monitored, or enforced in practice.

These documents were accessible in neither hard-copy nor electronic format on site. Consequently, Environment Agency officers concluded that there was no evidence that any required documentation had been maintained.

This lack of effective control and authority significantly increases the risk of non-compliant waste activities, undermines the operator's ability to prevent environmental harm, and constitutes a failure to discharge statutory duties under relevant environmental legislation.

3.3 You have no authority to decide who holds key staff positions nor have the authority to remove incompetent staff.

As evidenced during previous site visits (please see CAR Report ID: AB3908CZ/0572900, Report ID: AB3908CZ/0578841, Report ID: AB3908CZ/0587011, Report ID: AB3908CZ/0590159 and Report ID: AB3908CZ/0593702), the Environment Agency has not been provided with any evidence to demonstrate that the operator has effective authority or control over staffing arrangements at the site.

During the inspection, Environment Agency officers found no persons present on site. During past inspections, no persons employed by the operator have been present on site. Where site activities have historically been observed, they have been undertaken by third-party personnel rather than by the operator's own employees, indicating a reliance on external parties to carry out day-to-day operations, without effective operator's oversight.

The operator has never demonstrated that it has the authority to determine who occupies key staff positions or to appoint personnel responsible for the management and compliance of the facility. Furthermore, the operator has not demonstrated that it has the authority or capability to address poor performance or to remove incompetent personnel where deficiencies in site management or regulatory compliance have been identified.

This reliance on third-party personnel, when coupled with the absence of demonstrable managerial authority, further evidences a lack of effective day-to-day control over the facility and materially undermines the operator's ability to ensure compliance with the conditions of the environmental permit.

3.4 You do not make investment or financial decisions that directly affect the facility's performance.

The operator has not demonstrated that it has control over investment or financial decisions that directly affect the performance, management, or regulatory compliance of the facility.

A clear example of this is set out in Report ID: AB3908CZ/0587011, where Environment Agency officers witnessed operatives pumping surface water from the yard sump to a wooded area to the east of the site without consent. Following the visit, officers requested that the operator confirm who had commissioned the dewatering works. The operator subsequently responded via email, dated 03/11/2025, stating that the works had not been commissioned by JUNO, and that JUNO does not own the property (in reference to the pump). To date, the operator has not confirmed who commissioned or paid for these works.

This apparent lack of financial and decision-making authority further indicates that the operator does not exercise effective managerial control over the site, limiting its ability to address non-compliance, implement necessary improvements, or ensure that the facility is operated in accordance with the conditions of the environmental permit

3.5 You cannot ensure regulated activities are properly managed during an emergency.

Based on the findings from this visit and previous site inspections, the Environment Agency considers that the operator cannot ensure that regulated activities would be properly managed during an emergency.

The absence of any on-site presence, the lack of competent management, and the reliance on

unauthorised third-party personnel mean that there are no effective arrangements in place to respond to incidents such as fires, pollution events, infrastructure failures, or unauthorised waste activities.

The operator has not demonstrated the existence of trained personnel, decision-making authority, or systems to implement immediate control measures, nor the ability to liaise effectively with emergency services and the regulator.

This absence of preparedness, authority, and operational control significantly increases the risk that an emergency situation would not be identified, managed, or mitigated in a timely or effective manner, potentially resulting in serious environmental harm and further breaches of the conditions of the environmental permit.

WEIGHBRIDGE

The weighbridge is non-operational and has remained so since it was moved to its current location sometime between 10 September and 24 October 2025.

SITE ACCESS AND SECURITY

As stated in Report ID: AB3908CZ/0590159 and Report ID: AB3908CZ/0593702, the site has a new access to the south-east of the yard (grid reference SP 62852 32111). Site access is entirely unrestricted due to the absence of barriers or gates; consequently, the site is not secured during or outside of operational hours.

During this visit, Environment Agency officers confirmed that access to the south-east of the yard remains unsecured.

The CCTV system is currently non-operational due to damaged cabling. This was confirmed, during our recent visit, when Environment Agency officers entered the weighbridge office and observed that the CCTV monitors were inactive.

Environment Agency officers have determined that the site remains unsecured.

OUTSIDE BAYS

Environment Agency officers noticed that new waste material was deposited in external bays.

SECTION 4 – ASSESSMENT OF FIRE RISK

As fully detailed in Report ID: AB3908CZ/0593702, and following the most recent site inspection, Environment Agency officers have confirmed that the current state of the facility presents an increased risk of fire due to failures to comply with the requirements of the current Fire Prevention Plan and the operator's own Environmental Management System procedures.

During this inspection, a Senior Air Quality Advisor from the Environment Agency's National Odour Team undertook a temperature assessment of waste stockpiles using an Agreto 16 mm × 1.5 m stainless-steel temperature probe (accuracy ±1 °C). The probe was inserted into the waste body at various locations to a depth of approximately 1.2 metres and left in place for five minutes to allow the temperature reading to stabilise, in line with the manufacturer's recommendations. After five minutes, the temperature was recorded along with an approximate location (within a 3 m² area), after which the probe was removed and the location marked with yellow spray paint. While this method enabled sub-surface temperatures to be measured at approximately 1.2 metres depth, no information was available on temperatures below this level. The ambient air temperature recorded on the probe prior to sampling was 12.3 °C, and the temperatures recorded during the exercise ranged from 18.5 °C to 62.5 °C, with an average temperature of approximately 50 °C. The current Fire Prevention Plan (March 2021) defines 60 °C as the intervention threshold beyond which

immediate management action is required to prevent self-heating and potential ignition. The presence of stockpile temperatures exceeding this threshold demonstrates a failure to adequately control and manage combustible waste in accordance with the Fire Prevention Plan and indicates that effective preventative measures were either not in place or not sufficiently implemented at the time of the inspection. As a result, the site was considered to be operating with an elevated and unacceptable risk of fire, posing a significant risk to the environment, site infrastructure, and personnel.

Environment Agency officers further observed that additional waste had been deposited since the previous visit in February. However, at the time of the inspection, officers estimated that between 7,000 tonnes and 10,000 tonnes of combustible trommel waste remain stored within the building.

The storage of combustible trommel waste in quantities exceeding those specified in the site's Fire Prevention Plan, together with the failure to intervene when temperature thresholds are reached – at which point immediate management action is required to prevent self-heating and potential ignition – constitutes a failure to adequately control and manage combustible waste and represents a non-compliance with permit condition 3.6.1.

Failure to comply with, or contravention of, this permit condition is a criminal offence under Regulation 38(2) of the Environmental Permitting (England and Wales) Regulations 2016.

SECTION 5 – NON-COMPLIANCES

C3 General Management (Materials Acceptance) – Permit Condition 3.6.1. Permit Condition 3.6.1 states that *'The operator shall take all appropriate measures to prevent fires on site and minimise the risk of pollution from them including, but not limited to, those specified in any approved fire prevention plan.'*

During the recent Environment Agency compliance visit, officers confirmed that the facility was being used to stockpile substantial quantities of combustible trommel waste, either without the operator's knowledge or with the operator's consent and without appropriate control measures. Officers also noted that the site appears to have been effectively abandoned following the termination of the contractual agreement between the operator and HOBAN, with limited evidence of ongoing active management, monitoring, or compliance oversight.

The volumes of combustible waste present significantly exceed the maximum storage limits specified within the current Fire Prevention Plan. The exceedance of permitted storage thresholds, combined with inadequate site management and apparent abandonment, materially increases the likelihood of an uncontrolled fire event. Trommel waste are known to present a heightened fire risk due to their particle size, organic content, and potential for self-heating. The absence of adequate fire breaks, reduced access for firefighting, and lack of routine inspection further exacerbate this risk.

The failure to implement and maintain the control measures set out within the Fire Prevention Plan and EMS has the potential to result in the following significant foreseeable impacts:

- **Air quality and human health impacts:** A fire involving large quantities of trommel waste would be likely to generate dense smoke, particulate matter (PM10 and PM2.5), and toxic combustion by-products. These emissions have the potential to cause off-site pollution, affecting nearby receptors such as Finmere and Tingewick to the north and north-east, which include a school, residential properties, and other sensitive land uses. Other nearby receptors include critical infrastructure projects, such as construction hubs associated with the HS2 project.
- **Land and water pollution:** Firefighting activities, including the use of large volumes of water or foam, would generate contaminated firewater runoff. In the absence of effective

containment measures, this polluted runoff could enter surface water drains, watercourses, or infiltrate underlying soils, leading to contamination of land and controlled waters. This presents a risk of long-term environmental harm and potential breaches of water quality standards.

- **Soil contamination and site degradation:** Combustion residues, ash, and partially burned waste may introduce hazardous substances into the soil matrix. This could compromise land quality and increase remediation requirements, particularly if materials are dispersed by wind or surface water.
- **Amenity and nuisance effects:** A prolonged or poorly controlled fire would be likely to cause significant odour, smoke, and visual impacts over an extended period. These impacts could generate justified complaints from local communities and other stakeholders and undermine confidence in the operator's ability to manage the site responsibly.
- **Emergency response and escalation risk:** The apparent lack of site management and non-compliance with the Fire Prevention Plan increases reliance on emergency services to manage incidents that should otherwise be prevented or controlled by the operator. This places unnecessary strain on emergency responders and increases the potential for an incident to escalate beyond the site boundary.

Taken together, these factors demonstrate a clear failure to take appropriate measures to prevent fires and minimise pollution risks, as required by Permit Condition 3.6.1. The nature, scale, and duration of the waste deposited on site mean that the risk of a significant pollution incident is significant and foreseeable.

The significant risk to the environment arising from poor management and failure to adhere to approved operational controls could have a foreseeable environmental impact; therefore, you have been scored **Category 2 non-compliance 31 CCS.**

ACTION: The operator must remove all waste currently stored on site without delay.

The quantity, nature, and duration of waste storage present an unacceptable and increased risk of fire, including the risk of self-combustion. Continued storage is not compliant with permit conditions relating to fire prevention, safe waste storage, and environmental protection.

The operator must ensure that:

- All combustible and non-combustible waste materials are removed from the site and transferred to suitably authorised facilities;
- Waste removal is carried out using registered waste carriers and accompanied by the appropriate waste transfer documentation; and
- No further waste is stored on site until compliance with the Fire Prevention Plan and permit conditions can be demonstrated to the satisfaction of the Environment Agency.

Failure to complete this action may result in further enforcement action.

DEADLINE: Monday 1 June 2026

ROOT CAUSE

C2 General Management (Management System & Operating Procedures) – Permit Condition 1.1.1(a). Permit Condition 1.1.1(a) states that '*The operator shall manage and operate the activities: (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints'.*

There is no evidence to demonstrate that the operator has taken the necessary steps to achieve regulatory compliance in respect of waste acceptance, site procedures, or the management and control of site operations. In particular, there is an absence of effective systems to monitor incoming waste, enforce site rules, or ensure adherence to approved plans and procedures.

The operator is not exercising effective day-to-day control over the facility or the regulated activities, including control over the manner and rate of operation. Responsibilities for site management appear to have been poorly defined or relinquished, resulting in a failure to maintain oversight of site conditions and activities. As a result, the operator cannot ensure day-to-day compliance with the conditions of the environmental permit and is unable to demonstrate that regulated activities would be properly managed or controlled in the event of an emergency.

Significant deficiencies in the management of site operations, occurring either without the operator's knowledge or with the operator's consent, indicate a systemic failure of control and authority. This lack of effective oversight could have a significant foreseeable impact on the environment; accordingly, you have been scored **Category 2 non-compliance 31 CCS**.

ACTION: JUNO RECYCLING LIMITED must ensure operations are carried out in compliance with the permit.

DEADLINE: Date of issue of CAR report.

TOTAL NON-COMPLIANCE

The total non-compliance score for this inspection is **62 CCS points**, and the total score for the year (2026) to date is **163 CCS points**. This makes you a **Band F operator** and means that your subsistence fee is currently 300% of the baseline subsistence charge. Please see Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK for more information.

SECTION 6 – ENFORCEMENT RESPONSE

The deadline of 1 June 2026 referenced in this CAR form relates to Section 4, as the current state of the facility presents an increased risk of fire due to failures to comply with the requirements of the current Fire Prevention Plan and the operator's own Environmental Management System procedures.

Compliance with the actions required by this CAR form by the deadline of 1 June 2026 will address the immediate fire risk only; it does not mean that the operator has returned to full compliance. Compliance with this CAR form will not preclude the Environment Agency from continuing to consider what enforcement action is appropriate in relation to the failures referenced in Section 3.

The Environment Agency considers that the lack of effective control of waste activities at your site – as comprehensively explained in Section 3 of this CAR form – could potentially pose a significant risk of pollution. The Agency will now consider what enforcement action is appropriate and will notify you, accordingly, referring to this form. This may include revocation of your Environmental Permit under Regulation 22 of the Environmental Permitting (England and Wales) Regulations 2016.

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.	X

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			
C2	C2	The operator must ensure operations are carried out in compliance with the permit.	Date of issue of CAR report.
C3	C2	The operator must remove all waste currently stored on site.	01/06/2026

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

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.

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

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Environment Agency	**EPR Compliance Assessment Report**	Report ID: AB3908CZ/0600291

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

Site	Finmere Quarry MRF EPR/AB3908CZ			Permit Ref	AB3908CZ		
Operator/ Permit holder	Juno Recycling Limited						
Date	01/06/2026			Time in	10:00	Out	13:30
What parts of the permit were assessed	Emergency Fire Incident Response - C2 and D2						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Director						
Officer's name	Ben Peresson, Dave Shaw and James Pym			Date issued	04/06/2026		

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1.** Specified by permit	N		
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	N		
	5. Plant and equipment	N		
c) General management	**1.** Staff competency/ training	N		
	2. Management system & operating procedures	C2		Permit Condition 1.1.1
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	N		
d) Incident management	**1.** Site security	N		
	2. Accident, emergency & incident planning	C2		Permit Condition 3.6.1
e) Emissions	**1.** Air	N		
	2. Land & Groundwater	N		
	3. Surface water	N		
	4. Sewer	N		
	5. Waste	N		
f) Amenity	**1.** Odour	N		
	2. Noise	N		
	3. Dust/fibres/particulates & litter	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
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	N		
	2. Energy	N		

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	2	**Total compliance score** (see section 5 for scoring scheme)	62

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.

EPR Compliance Assessment Report for Permit EPR/AB3908CZ – Juno Recycling Limited – Finmere Quarry Materials Recycling Facility (MRF)

INTRODUCTION

On 1 and 2 June 2026, the Environment Agency attended site operating under permit EPR/AB3908CZ, Juno Recycling Limited – Finmere Quarry Materials Recycling Facility (MRF), following reports of a fire at the facility. The attendance was undertaken to assess the situation, ensure compliance with the permit, and determine any potential impact on the environment and surrounding area.

During the inspection, Environment Agency officers secured photographic evidence to document the conditions observed and any potential breaches of permit requirements. A Notice of Powers and Rights was duly served, with a copy left at the site's weighbridge office to ensure proper notification to the operator.

OVERARCHING FAILURE (including prior warnings)

As detailed in Report ID: AB3908CZ/0593702 (issued 25/02/2026) and recently reiterated in Report ID: AB3908CZ/0597860 (issued 22/04/2026), Environment Agency officers warned the operator that the facility posed a fire risk due to non-compliance with the requirements of the current Fire Prevention Plan (FPP) and the operator's Environmental Management System (EMS).

In Report ID: AB3908CZ/0597860, the Environment Agency stated that recorded temperatures during our inspection on 16/04/2026 ranged from 18.5°C to 62.5°C, with an average of approximately 50°C. These readings exceeded the intervention threshold of 60°C set out in the current Fire Prevention Plan. Immediate management action was identified as necessary to prevent further self-heating and potential ignition.

The operator lacks effective site control, management presence, and monitoring systems, resulting in an inability to adequately identify and mitigate risks. This fire incident demonstrates a failure by the operator to implement, maintain, and adhere to:

The FPP required under the Environmental Permit

- The Environmental Management System (EMS), including:
  - Environmental Accident Management Plan
  - Emergency procedures
  - Supporting procedures and inspection systems

These deficiencies have persisted despite repeated warnings from the Environment Agency regarding fire risk and inadequate site management and control.

Previous regulatory activities also consistently identified concerns relating to:

- Inadequate infrastructure for fire prevention
- Failure to comply with Fire Prevention Plan requirements
- Lack of effective management systems and operational control

Despite these repeated warnings, the operator failed to take corrective action. This resulted in the fire incident and demonstrates a sustained and systemic failure in fire risk management and emergency preparedness.

ASSESSMENT REPORT

Section 1 – Fire Prevention Plan (FPP) Non-Compliance

The operator demonstrated significant failures in implementing fundamental fire prevention measures prior to the incident. Basic preventative practices — such as managing waste material accumulation and mitigating self-combustion risks — were not carried out. Waste storage controls were also disregarded, with stockpile size, volume, and layout restrictions ignored. The absence of waste rotation practices, and the failure to limit storage durations contributed to increased heating within stockpiles. These issues were exacerbated by poor segregation of waste materials and inadequate stockpile management overall.

Deficiencies extended to site layout and operational controls. Required separation distances between stockpiles were not maintained, and critical infrastructure such as fire breaks, fire walls, and quarantine areas was not effectively utilised. Monitoring and detection arrangements were ineffective, with insufficient inspection and a failure to undertake routine temperature monitoring or act when thresholds were exceeded. Firefighting preparedness was also inadequate, with no extinguishers or non-compliant and unfit for use, no on-site water supply, and a lack of suppression systems. There were no JUNO staff on site with appropriate fire prevention or emergency response training, leaving the site poorly prepared to manage the fire when it occurred.

Section 2 – EMS and Environmental Accident Management Non-Compliance

During and following the fire, the operator failed to implement the Environmental Accident Management Plan and associated emergency procedures. The plan was not activated, and reasonable steps were not taken to protect the environment. Required procedures covering emergency response, fire containment, and recovery, were not followed, demonstrating a breakdown in site management systems. Incident response actions were inadequate, with failures to raise the alarm promptly, initiate emergency procedures, follow fire response protocols, or coordinate effectively with Fire and Rescue Services. As a result, there was no structured emergency control during the incident.

Environmental protection measures were also insufficient. There were no effective arrangements for handling or disposing of contaminated water through authorised routes. Inspection and monitoring regimes had not been adhered to prior to the incident, with required checks — such as fire watch inspections, temperature monitoring, and equipment assessments — either not completed or not recorded. Record-keeping failures were extensive, with no documented logs for incidents, inspections, fire checks, or staff training.

There was no evidence of JUNO personnel on site. In addition, the operator failed to meet notification and reporting requirements following the incident, including notifying the Environment Agency and other stakeholders, submitting incident reports, and reporting permit breaches within the required timeframes. No formal investigation or root cause analysis has been undertaken, and there has been no review or update of procedures. The contingency plan was not implemented, and no alternative mitigation measures were deployed, resulting in a failure to protect people and the environment.

Section 3 – Systemic Failure of EMS Implementation

The events leading up to and during the fire highlighted a broader systemic failure in the implementation of the Environmental Management System (EMS). Core commitments — including pollution prevention, regulatory compliance, and continuous improvement — were not achieved. Essential elements of the EMS, such as risk assessments, monitoring programmes, and operational control measures, were either not implemented or were ineffective in practice. This demonstrated that the EMS was not functioning as required under the environmental permit but existed only in principle, without meaningful operational application. The absence of effective management oversight and control allowed non-compliances to persist, directly contributing to the incident and its consequences.

MANAGEMENT OVERSIGHT – TCM

On 09 June 2026, the Environment Agency attended the site following a request from Oxfordshire Fire and Rescue Service, at the direction of a Senior Fire Safety Inspector, to carry out a joint inspection after the recent fire. The purpose of the visit was to assess the condition of the site, review fire risk controls, and check compliance with the Environmental Permit, with a focus on site management and fire prevention measures.

This inspection formed part of a coordinated regulatory response, recognising the risks that fires at waste sites pose to the environment and public safety. Particular attention was given to management oversight, including the role of the Technically Competent Manager (TCM), and the operator's ability to control site activities, manage risks, and remain compliant following the incident. The Environment Agency requires permitted waste sites to demonstrate operator competence, including appointing a suitably qualified TCM who is actively involved in site operations and present for a sufficient proportion of operating hours. The evidence from the visit indicates that these requirements were not met in practice.

During this visit, we met a person acting as the TCM for the first time. A Notice of Powers and Rights was duly served, and a copy was provided to the TCM.

The TCM stated that she had been appointed since October 2025, which was confirmed by the operator via email on 22 December 2025. Based on discussions during the visit, she demonstrated a clear lack of involvement in site activities. She stated that she had not acted in the TCM role during the period HOBAN was operating on site and was unable to confirm when those operations took place. This indicates that the TCM has not been providing the level of oversight or site presence required, including maintaining awareness of site operations and ensuring regular attendance.

The TCM also showed a lack of knowledge of key site controls and systems. They were unable to provide information on the current Fire Prevention Plan, did not know whether there was an active electricity supply, and could not confirm whether CCTV was operational. These are basic elements of site management and environmental protection, and a TCM is expected to understand and oversee them.

In addition, the TCM confirmed they had not read any of the Compliance Assessment Reports (CARs) issued to the operator and did not hold any site documentation. This is not consistent with the role, which requires familiarity with site management systems, regulatory history, and compliance issues. The TCM was also unable to answer several questions from the Fire Service inspector, further demonstrating a lack of knowledge and control over site operations.

Overall, while a TCM has been formally appointed, the evidence shows that they are not carrying out the required duties. The lack of involvement, knowledge, and oversight means the operator is not meeting the Environment Agency's requirements for technical competence and is therefore failing to demonstrate operator competence.

NON-COMPLIANCES

D2 Incident Management (Accident, emergency & incident planning) – Permit Condition 3.6.1. Permit Condition 3.6.1 states that *'The operator shall take all appropriate measures to prevent fires on site and minimise the risk of pollution from them including, but not limited to, those specified in any approved fire prevention plan.'*

The operator is required to take all appropriate measures to prevent fires on site and to minimise the risk of pollution, including full implementation of their current FPP. Following the recent fire incident, the Environment Agency has determined that the operator failed to comply with this condition.

Evidence gathered during compliance activities confirms that the facility was used to store substantial volumes of combustible trommel waste, significantly exceeding the maximum storage limits specified in the FPP. These materials were accepted without appropriate control measures. The site appears effectively unmanaged, with limited monitoring, oversight, or operational control in place.

The excessive volumes of waste, combined with poor stockpile management, materially increased the likelihood of a fire. Trommel waste is inherently high-risk due to its composition, including fine particle size and organic content, which can promote self-heating and combustion. This risk was further exacerbated by the absence of essential fire prevention measures, including adequate fire breaks, routine inspections, and maintained access for firefighting.

The lack of effective management and emergency preparedness increased reliance on emergency services to control the incident, highlighting the operator's failure to prevent or manage risks that should have been addressed through routine operational controls. This represents a clear failure to minimise the risk of pollution arising from a fire, as required by the permit.

Taken together, the evidence demonstrates that the operator did not take all appropriate measures to prevent the fire or to minimise its consequences. The scale and duration of waste storage, combined with the absence of effective controls, meant that the fire risk was both significant and foreseeable. You have been scored **Category 2 non-compliance 31 CCS.**

Required Actions

The operator is required to take immediate steps to address this non-compliance. All waste currently stored on site must be removed without delay, as its continued presence represents an unacceptable fire risk and is not compliant with permit requirements. Waste must be transferred to appropriately authorised facilities using registered carriers and accompanied by the correct documentation.

Deadline: Monday 22 June 2026.

ROOT CAUSE

C2 General Management (Management System & Operating Procedures) – Permit Condition 1.1.1. Permit Condition 1.1.1(a) states that '*The operator shall manage and operate the activities: (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and (b) using sufficient competent persons and resources'*

Following the fire at the site, it is evident that the operator has failed to maintain adequate management and control of the facility, directly contributing to the circumstances that allowed the incident to occur and escalate. There is no evidence to demonstrate that the operator had

implemented effective systems to ensure regulatory compliance in relation to waste acceptance, operational procedures, or the overall management of site activities. In particular, the absence of controls to monitor incoming waste, enforce site rules, and ensure adherence to approved management plans significantly increased the risk profile of the site in the lead-up to the fire.

At the time of the incident, the operator was not exercising effective day-to-day control over the facility or the regulated activities carried out on site. This included a failure to control how operations were undertaken and the rate at which waste was handled. Responsibilities for site management appear to have been absent, resulting in a lack of oversight of site conditions. Consequently, once the fire occurred, the operator was not in a position to demonstrate that appropriate systems were in place to manage the incident effectively or to mitigate its environmental impact.

The fire itself highlights the consequences of these systemic failures. Without effective monitoring, operational control, and adherence to site procedures, the operator was unable to prevent the escalation of risks associated with waste storage and site conditions. The lack of preparedness and control further indicates that the operator would be unable to manage regulated activities safely in the event of an emergency, as required under the permit.

These deficiencies, whether arising from actions taken without the operator's knowledge or with their consent, demonstrate a fundamental breakdown in control, authority, and environmental management. This level of failure presents a significant and further foreseeable risk to the environment, as evidenced by the fire incident and the conditions that led to it. Accordingly, you have been scored **Category 2 non-compliance 31 CCS**.

Required Action

Juno Recycling Limited must immediately ensure that all site operations are brought into full compliance with the conditions of the environmental permit. This includes re-establishing effective management systems, implementing control measures, and maintaining clear oversight of all regulated activities to prevent any recurrence of incidents such as the recent fire.

Deadline: Date of issue of CAR report.

TOTAL NON-COMPLIANCE

The total non-compliance score for this inspection is **62 CCS points**, and the total score for the year (2026) to date is **225 CCS points**. This makes you a **Band F operator** and means that your subsistence fee is currently 300% of the baseline subsistence charge. Please see Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK for more information.

ENFORCEMENT RESPONSE

The operator had previously been formally warned of increasing fire risk, including excessive waste volumes and rising stockpile temperatures, but failed to take corrective action. The subsequent fire occurred in the context of ongoing non-compliance with both the current Fire Prevention Plan and the Environmental Management System emergency arrangements. These failures represent a prolonged and systemic breakdown of fire prevention, environmental protection, and emergency response measures. Consequently, the incident gave rise to a significant and foreseeable risk of fire escalation and environmental pollution, constituting a serious breach of environmental permit conditions, particularly those relating to fire prevention, pollution control, and emergency preparedness.

The Agency will now consider what enforcement action is appropriate and will notify you, accordingly, referring to this form. This may include revocation of your Environmental Permit under Regulation 22 of the Environmental Permitting (England and Wales) Regulations 2016.

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.*	
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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			
C2	C2	Juno Recycling Limited must immediately ensure that all site operations are brought into full compliance with the conditions of the environmental permit. This includes re-establishing effective management systems, implementing control measures, and maintaining clear oversight of all regulated activities to prevent any recurrence of incidents such as the recent fire.	Date of issue of CAR report.
D2	C2	The operator is required to take immediate steps to address this non-compliance. All waste currently stored on site must be removed without delay, as its continued presence represents an unacceptable fire risk and is not compliant with permit requirements. Waste must be transferred to appropriately authorised facilities using registered carriers and accompanied by the correct documentation.	22/06/2026

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- advise on corrective actions verbally or in writing
- require you to take specific actions in writing
- issue a notice
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- ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
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Non-compliance scores and categories

CCS category	Description	Score
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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.

Environmental Permitting (England and Wales) Regulations 2016
Regulation 22 / Regulation 23

NOTICE OF REVOCATION OF ENVIRONMENTAL PERMIT

To: JUNO RECYCLING LIMITED (Company Number:14736292)
Hentons,
24 Finkle Street,
Thirsk, England, YO7 1DA

Environmental permit number: EPR/AB3908CZ
Regulated Facility: Finmere Quarry Material Recycling Facility (MRF), Banbury Road, Finmere, Buckinghamshire, MK18 4AJ

Under Regulation 22 of the Environmental Permitting (England and Wales) Regulations 2016 we may revoke an environmental permit.

The Environment Agency has decided to revoke the environmental permit for the regulated facility **with effect from Friday 10 July 2026.**

The reasons for this decision are:

1. The Environment Agency considers that you do not have sufficient control of the Regulated Facility to be considered the legal operator for the following reasons:

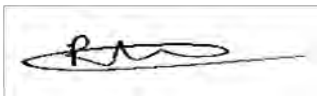
    a. There has been no evidence of a Technically Competent Manager (TCM) present at the Regulated Facility, or of any responsible person from Juno Recycling Limited overseeing operations or demonstrating control over waste acceptance, handling, storage, or processing. In particular, there have been no personnel from Juno Recycling Limited at the Regulated Facility on the following occasions:

        i. 16 April 2026
        ii. 11 February 2026
        iii. 8 January 2026
        iv. 24 October 2025
        v. 10 September 2025
        vi. 25 July 2025
        vii. 13 May 2025

    b. The legal entities which appeared to be operating the Regulated Facility are DNT Contractors Ltd (Company Number 13461727) and Hoban Waste Management Ltd (Company Number 08219298).

2. The Environment Agency also considers that there are repeated failures to comply with permit conditions 1.1.1, and 3.6.1, which are recorded in the following Compliance Assessment Report (CAR) Forms:

   i. AB3908CZ/0600291, dated 10 June 2026, for site inspection on 01, 02 and 09 June 2026.
   ii. AB3908CZ/0597860, dated 22 April 2026, for site inspection on 16 April 2026.
   iii. AB3908CZ/0593702, dated 25 February 2026, for site inspection on 11 February 2026.
   iv. AB3908CZ/0590159, dated 15 January 2026, for site inspection on 8 January 2026.
   v. AB3908CZ/0578841, dated 13 September 2026, for site inspection on 10 September 2025
   vi. AB3908CZ/0567742, dated 12 July 2025, for site inspection on 13 May 2025

Date: 12/06/26 **Signed:** 

Ross McIntyre
Team Leader – Cambs and Beds

Environment Agency
Address: Bromholme Lane, Brampton, Huntingdon PE28 4NE

Please see over for notes.

Environmental Permitting (England and Wales) Regulations 2016
Regulation 22 / Regulation 23

Notes:

General

1. This notice revokes your environmental permit entirely save that where this notice requires you to take specified steps that you are already required to take under your environmental permit. Your environmental permit continues to have effect to the extent that it requires the steps to be taken until we issue a certificate stating that we are satisfied that all such steps have been taken.

2. Where this notice requires you to take steps that you are not already required to take under your environmental permit then the steps will be treated as if they were conditions of your environmental permit for the purposes of Regulations 20 and 36 and the offence in Regulation 38(2) of the Environmental Permitting (England and Wales) Regulations 2016, unless we issue a certificate stating that we are satisfied that all such steps have been taken.

3. Unless you have appealed against this notice, carrying on the activities, which this notice has revoked, or failing to carry out the required steps, is an offence and legal action may be taken against you.

4. You may wish to seek independent legal advice.

Appeal provisions

You are entitled to appeal against this notice under Regulation 31(1)(f) of the Environmental Permitting (England and Wales) Regulations 2016. Notice of appeal must be given before the date on which this notice takes effect. Where an appeal is brought, the revocation will not take effect until the final determination or withdrawal of the appeal.

You must send written notice of the appeal and the documents listed below to:

Secretary of State
The Planning Inspectorate
Room 3A Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

At the same time, you must send a copy of the appeal notice and documents to us.

The required documents are:

- a statement of the grounds of appeal;
- a copy of any relevant application;
- a copy of any relevant environmental permit;
- a copy of any relevant correspondence between the appellant and the regulator;
- a copy of any decision or notice which is the subject matter of the appeal; and
- a statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying the Secretary of State in writing and sending a copy of that notification to us.

Further information about making an appeal and the forms that you will need are available from the Planning Inspectorate.

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Environment Agency

FAO Mr. Gavin REID

c/o
DNT CONTRACTORS LTD.
Enterprise House,
Ocean Village Marina,
Southampton,
Hampshire
SO14 3XB

Ref: NPR 21156
Date: 11/04/2024

OPERATION OF A SUSPECTED ILLEGAL SITE
ENVIRONMENTAL PERMITTING (ENGLAND & WALES) REGULATIONS 2016

Dear Sir,

Following an inspection of your land at FINMERE QUARRY, BANBURY RD, FINMERE, BUCKINGHAM, MK18 4AJ on 14/03/2024, we consider that you or a tenant on your land are operating a site in contravention of Regulation 12 & 38 of the above legislation, in that you or they do not have an Environmental Permit.

It is an offence to knowingly cause or knowingly permit the import and storage of waste on your land.

As landowner you must ensure the following actions are completed by the tenant, or yourself, to ensure compliance with environmental legislation.

I ask that this area is cleared by 14/05/2024 and waste transfer notes are submitted to me by 14/06/2024.

Operation of this site without an Environmental Permit is illegal and may lead to prosecution.

As you do not have an Environmental Permit for your site, you must:

- **STOP operating with immediate effect and remove all waste.**
- **AND, if you intend to conduct a waste related activity in the future, you must:**

1. **Apply for a relevant Environmental Permit or, if you meet the applicable criterion, register to operate an Exempt Facility for the activity; AND**
2. **Wait until it is granted before commencing the activity; AND**
3. **Operate in accordance with that permission.**

The grant of a permit is not automatic - for information on what you will need to do and whether it is likely that you can obtain an Environmental Permit or register to operate an Exempt Facility, you should contact the Environment Agency on;

Telephone: 03708 506 506 (Mon-Fri, 8am - 6pm)
Email: enquiries@environment-agency.gov.uk
Website: www.gov.uk/environment-agency

You may also wish to seek the advice of a suitably qualified consultant.

We will continue to monitor your site to check progress, this may include the use of Unmanned Air Systems (Drones).

Yours Sincerely,



David HADDOWAY

Enforcement Team East Anglia (West)
Environment Agency,
Brampton Office, Bromholme Lane, Huntingdon, PE28 4NE

Email: david.haddoway@environment-agency.gov.uk

EA Incident reporting hotline: 0800 807060
National Customer Contact Centre (general enquiries): 03708 506506

Inc. Advice and Guidance for Landowners Leaflet

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Environment Agency

To: Director / Company Secretary
DNT CONTRACTORS LTD.
Enterprise House,
Ocean Village Marina,
Southampton,
Hampshire
SO14 3XB

Date: 18 June 2024
Our Reference: LDQ/2271885
Your Reference:

On 7 June 2024 officers from the Environment Agency undertook an inspection of the unpermitted soil washing facility to the rear of Finmere Landfill, Banbury Road, Finmere, Oxfordshire, MK18 4AJ.

During this inspection officers observed a large pile of fines material and a separate pile of crushed concrete on the northwestern boundary of the site (highlighted on appendix 1 of this letter, overleaf).

Gavin Reid, who accompanied us on the inspection, informed officers that the crushed concrete and road planings originated from a deconstructed road on the landfill and that the fines material observed also belongs to the landfill operators.

For clarity as to what waste is related to the wash plant activities, and to ensure we are with liaising with the correct holders of all waste, we request that any material not associated with the wash plant activities be removed from the area immediately.
We will also write to the landfill operators to advise them of the same.

As a reminder, the soil wash is not a permitted activity and waste should not be imported or treated without an environmental permit.

Officers will attend the site again in the coming weeks, please ensure that all wastes, not associated with the wash plant activities are removed from the site on the next inspection.

Please get in touch if you wish to discuss.

Sincerely,

Louis de Quincey

Environment Agency,
Bromholme Lane,
Brampton, PE28 4NE.

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Environment Agency



INVESTOR IN PEOPLE

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for people and wildlife

Environment Agency

c/o Director and/or the Company Secretary,
DNT CONTRACTORS LTD (Company number 13461727)
Enterprise House,
Ocean Village Marina,
Southampton, Hampshire,
England, SO14 3XB

Dear Ms Becky Louise REFFOLD,

On 13 May 2025, the Environment Agency conducted an unannounced site inspection at Juno Recycling Limited (Permit EPR/AB3908CZ), Finmere Quarry Materials Recycling Facility (MRF), Banbury Road, Finmere, Buckinghamshire, MK18 4AJ (the 'site').

Heavy machinery was operating at the time of the visit. This included an excavator and a loader. Activities within the MRF building included screening waste material which looked predominantly like soils with inclusions of stones, brick, concrete and construction demolition type wastes. I introduced myself to the loader driver who directed us to DNT Contractors Ltd's working area, located on land adjacent to the site.

After a brief walkover around DNT Contractors Ltd's area, we were approached, by car, by a representative of DNT Contractors who introduced himself as the site supervisor. He described current activities and work arrangements between DNT Contractors Ltd, OPES MRF 2013 Limited and Juno Recycling Limited.

When asked, no records demonstrating compliance with Juno Recycling Limited's permit were available either digitally or physically at the time of the inspection.

The Environment Agency believes that DNT CONTRACTORS LTD is operating illegally at Juno Recycling Limited permitted site and will ask you to comply with the letter attached.

The Environment Agency will be re-visiting the site in due course to confirm that the actions required in the letter are being undertaken.

Please do not hesitate to contact anglian-centraldata@environment-agency.gov.uk if you require further clarification.

Yours faithfully

Date: 10/07/2025 Signed: Ben Peresson
Ben Peresson (signed)

Installations Officer
Environment Agency - Brampton Office,
Bromholme Ln, Brampton, Huntingdon PE28 4NE

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Environment Agency

DNT CONTRACTORS LTD (13461727)
Enterprise House,
Ocean Village Marina,
Southampton, Hampshire,
England, SO14 3XB

Ref: BP/DNT/EPR-AB3908CZ
Date: 10 July 2025

OPERATION OF a Permitted Facility where you are not the legal operator.
ENVIRONMENTAL PERMITTING (ENGLAND & WALES) REGULATIONS 2016.

Dear Sir/Madam,

Following an inspection at Juno Recycling Limited (Permit EPR/AB3908CZ), Finmere Quarry Materials Recycling Facility (MRF), on 13 May 2025, we consider that you are operating a site in contravention of Regulation 12 & 38 of the above legislation, in that you do not have an Environmental Permit.

Operation of this site without an Environmental Permit is illegal and may lead to prosecution.

As you do not have an Environmental Permit for your site, you must:

- **STOP operating with immediate effect and remove all waste;**
- **AND, if you intend to conduct a waste related activity in the future, you must:**
    1. **apply for a relevant Environmental Permit or, if you meet the applicable criterion, register to operate an Exempt Facility for the activity; AND**
    2. **wait until it is granted before commencing the activity; AND**
    3. **operate in accordance with that permission.**

The grant of a permit is not automatic - for information on what you will need to do and whether it is likely that you can obtain an Environmental Permit or register to operate an Exempt Facility, you should contact the Environment Agency on;

Telephone: 03708 506 506 (Mon-Fri, 8am - 6pm)
Email: enquiries@environment-agency.gov.uk
Website: www.gov.uk/environment-agency

You may also wish to seek the advice of a suitably qualified consultant.

Yours Sincerely,

Ben Peresson
Ben Peresson (signed)

Installations Regulatory Officer | East Anglia – Cambs and Beds
Environment Agency | Brampton Office,
Bromholme Lane, Brampton, Huntingdon PE28 4NE

Environment Agency	**EPR Compliance Assessment Report**	Report ID: AB3908CZ/0572900

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

Site	Finmere Quarry MRF EPR/AB3908CZ			Permit Ref	AB3908CZ		
Operator/ Permit holder	Juno Recycling Limited						
Date	25/07/2025			Time in	11:25	Out	12:40
What parts of the permit were assessed	Site Inspection - A1						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Company Director						
Officer's name	Ben Peresson, Duncan Beaumont and James Pym			Date issued	08/08/2025		

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 2) and the Actions (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				**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	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	N		
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	N		
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	N		
	2. Noise	N		
	3. Dust/fibres/particulates & litter	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
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	N		
	2. Energy	N		

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.

EPR Compliance Assessment Report for Permit EPR/AB3908CZ – Juno Recycling Limited – Finmere Quarry Materials Recycling Facility (MRF)

This was a routine unannounced site inspection to assess compliance with the permit.

Permit Holder and Person with Significant Control (PSC)

JUNO RECYCLING LIMITED (Company number 14736292) is currently the legal permit holder of Finmere Quarry Materials Recycling Facility (MRF), Banbury Road, Finmere, Buckinghamshire, MK18 4AJ (Permit EPR/AB3908CZ).

The permit was transferred from OPES MRF 2013 LIMITED to JUNO RECYCLING LIMITED on 15 January 2025.

Since our previous site inspection, on 21 July 2025, Olivia Rose Bradshaw was appointed director of the company and person with significant control whilst Julie Adele Todd's directorship terminated on 22 July 2025.

INTRODUCTION

This inspection followed a recent request – from the Environment Agency to the operator – to ensure OPES MRF 2013 LIMITED and DNT Contractors Ltd **ceased** operating illegally on JUNO RECYCLING LIMITED's material recycling facility.

CAR Report ID: AB3908CZ/0567742, dated 12 July 2025, identified significant deficiencies in JUNO RECYLING LIMITED's management system. Deficiencies include lack of detail on how the operator would be controlling site operations.

CURRENT SITE ACTIVITITES

During our most recent site inspection, officers observed that no activities were taken place at the time of the inspection; however, large quantities of waste material remain stored within the MRF building and yard bay area.

The site has no site office nor temporary workspace.

INFRASTRUCTURE – Main Building

Main building was observed deteriorated, not properly maintained. General wear and tear beyond what would be considered normal.

INSTRASTRUCTURE – Storage outside main building (yard)

General housekeeping is extremely poor. A substantial oil spill, unsecured and unsafe 25l containers (unknown contents), and unknown state of repair of fuel container were found outside the main building (around Grid Reference SP 62861 32143). Stored containers are not compliant

with The Control of Pollution (Oil Storage) (England) Regulations 2001.

These issues were stressed in previous CAR reports to OPES MRF 2013 LIMITED and remain unresolved.

INFRASTRUCTURE – Drainage

The yard in front of the building was under water. The Environment Agency understands that infrastructure work took place during OPES MRF 2013 LIMITED's tenancy, with the drainage dug up and a new system installed. However, as stated in previous CAR forms, it appears that either the improvement to the drainage system was not adequate or the maintenance of the system was not in place or inadequate.

Issues of surface water remain evident, and any improvement made by OPES MRF 2013 LIMITED are not sufficiently effective.

IMPROVEMENT PROGRAMME REQUIREMENTS and OUTSTANDING ISSUES

In addition to issues mentioned above regarding appropriate storage and drainage systems, I carried out a further assessment of your Schedule 1 Table 1.3 improvement programme requirements against all outstanding issues OPES MRF 2013 LIMITED had on site prior to transferring the permit to JUNO RECYCLING LIMITED.

It is evident that – although documents were submitted – issues on site remain outstanding and JUNO RECYCLING LIMITED has inherited these outstanding problems with the permit.

DOCUMENTS required PRIOR TO FURTHER ACTIVITITES ON SITE

Before any works commenced on site, the Environment Agency requires the operator to provide the following:

1. As per permit condition 1.1.2, please explain what records you would provide to demonstrate how you, as operator, will comply with permit condition 1.1.1. As part of your response, please provide a revised EMS (Management System). Within your Management System, please provide a detailed explanation how you, as operator, will ensure full control of waste activities at your site.

2. As per permit condition 1.1.4, please explain how you will demonstrate compliance with the requirements of an approved competence scheme.

3. As per permit condition 2.3 (Operating techniques), provide a copy of your waste acceptance. Note that previous procedures provided by OPES MRF 2013 LIMITED fell woefully short of the requirement to provide a written system that identifies and minimises the risk of accepting, processing, and depositing waste. Previous documents offered by OPES MRF 2013 LIMITED did not clearly or adequately document the procedures to manage pre-acceptance, acceptance, sampling, and rejection of wastes.

4. Please provide a copy of your Dust Management Plan, Pest Management Plan, Noise and Vibration Management Plan.

5. Provide an action plan to resolve your drainage issues as explained in the previous section. As part of your plan, provide a copy of your Surface Water Management Plan.

6. Provide Fire Prevention Plan. Note that the Environment Agency has previously deemed OPES MRF 2013 LIMITED's Fire Prevention Plan, dated 29 March 2021, not sufficiently adequate. As part of your plan, provide an action plan to ensure your main building is fit for purpose.

TOTAL NON-COMPLIANCE

The total non-compliance score for this inspection is 31 CCS points, and the total score for the year (2025) to date is 31 CCS points. This makes you a Band D operator and means that your subsistence fee is currently 125% of the baseline subsistence charge. Please see Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK for more information.

ENFORCEMENT RESPONSE

The Environment Agency is considering what enforcement action(s) is/are appropriate to secure compliance.

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.	X

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: AB3908CZ/0578841

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

Site	Finmere Quarry MRF EPR/AB3908CZ			Permit Ref	AB3908CZ	
Operator/ Permit holder	Juno Recycling Limited					
Date	10/09/2025			Time in	10:12	Out 12:15
What parts of the permit were assessed	Site Inspection - C2					
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge
Recipient's name/position	Company Director					
Officer's name	Ben Peresson, James Pym and Duncan Beaumont			Date issued	13/09/2025	

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 2) and the Actions (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				Condition(s) breached
a) Permitted activities	**1.** Specified by permit	N		
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	N		
	5. Plant and equipment	N		
c) General management	**1.** Staff competency/ training	N		
	2. Management system & operating procedures	C2		Permit Condition 1.1.1(a)
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	N		
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	N		
	2. Noise	N		
	3. Dust/fibres/particulates & litter	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
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	N		
	2. Energy	N		

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	1	**Total compliance score** (see section 5 for scoring scheme)	31

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.

EPR Compliance Assessment Report for Permit EPR/AB3908CZ – Juno Recycling Limited – Finmere Quarry Materials Recycling Facility (MRF)

INTRODUCTION

This was a routine unannounced site inspection to assess compliance with the permit.

Permit Holder and Person with Significant Control (PSC)

JUNO RECYCLING LIMITED (Company number 14736292) is currently the legal permit holder of Finmere Quarry Materials Recycling Facility (MRF), Banbury Road, Finmere, Buckinghamshire, MK18 4AJ (Permit EPR/AB3908CZ).

The permit was transferred from OPES MRF 2013 LIMITED to JUNO RECYCLING LIMITED on 15 January 2025.

ACTIVITITES

During out site inspection, EA officers noticed that waste material has been transferred from the MRF building to the outside yard area (around the storage Bays 1 and 2) where waste material is being currently screened (photographic evidence has been provided in the covering email). This was later confirmed – on site – by an operative from DNT CONTRACTORS LTD.

A soil screener and an excavator were identified. Waste material looked predominantly like soils with inclusions of stones, brick, concrete and construction demolition type wastes (photographic evidence has been provided in the covering email).

Waste activities are taking place against EA's recent requests (please refer to CAR Report ID: AB3908CZ/0572900). CAR Report ID: AB3908CZ/0567742, dated 12 July 2025, identified significant deficiencies in JUNO RECYLING LIMITED's management system. Deficiencies include lack of detail on how the operator would be controlling site operations. Issues of lack of control remain evident.

INFRASTRUCTURE – Main Building

During our inspection, we observed works being completed to the main exterior of the MRF building (photographic evidence has been provided in the covering email).

INSTRASTRUCTURE – Storage outside main building (yard)

During our inspection, we observed that all storage containers have been moved to the corner of the yard area (around Grid Reference SP 62847 32118) (photographic evidence has been provided in the covering email).

INFRASTRUCTURE – Drainage

The yard in front of the building was under water (photographic evidence has been provided in the covering email). Issues of surface water remain evident.

IMPROVEMENT PROGRAMME REQUIREMENTS and OUTSTANDING ISSUES

Still pending. Please refer to CAR Report ID: AB3908CZ/0572900

DOCUMENTS required PRIOR TO FURTHER ACTIVITITES ON SITE

Still pending. Please refer to CAR Report ID: AB3908CZ/0572900

NON-COMPLIANCES

C2 General Management (Management system & operating procedures) – Permit Condition 1.1.1(a). Permit Condition 1.1.1(a) states that '*The operator shall manage and operate the activities: (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints'.*

Significant deficiencies in your management system, including lack of control, are allowing DNT CONTRACTORS LTD to carry out waste activities on your site.

This failure to control activities on your site can have a significant foreseeable impact in the environment and you have been scored **Category 2 non-compliance 31 CCS.**

ACTION: JUNO RECYCLING LIMITED must secure and supervise the site to ensure that no further waste activities take place that are not in their control as permit holder.

Deadline: IMMEDIATELY

TOTAL NON-COMPLIANCE

The total non-compliance score for this inspection is 31 CCS points, and the total score for the year (2025) to date is 62 CCS points. This makes you a Band E operator and means that your subsistence fee is currently 150% of the baseline subsistence charge. Please see Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK for more information.

ENFORCEMENT RESPONSE

Under Regulation 37(1) & (2) of the Environmental Permitting (England and Wales) Regulations 2016, we may suspend an environmental permit if we consider that operation of the regulated facility involves a risk of serious pollution.

The Environment Agency considers that having no control of waste activities at your site could potentially have significant risk to pollution and will now consider what enforcement action is appropriate and notify you, referencing this form.

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.	X

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			
C2	C2	JUNO RECYCLING LIMITED must secure and supervise the site to ensure that no further waste activities take place that are not in their control as permit holder.	Immediately

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

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.

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
- 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.

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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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 406424/0581445

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

Site	Escrick Soil Landfill Site EPR/ZP3835JD			Permit Ref	406424	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	17/09/2025			Time in	11:00	Out 13:45
What parts of the permit were assessed	General Management, Permitted Activities, Operating Techniques, Waste Acceptance, Amenity & Records					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	Company Director and TCM					
Officer's name	Elsa Heppell, Lisa Johnson, Henry McGregor & Andy O'Hare			Date issued	01/10/2025	

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	A		
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	N		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	A		
c) General management	**1**. Staff competency/ training	C2		1.1.1 (b)
	2. Management system & operating procedures	A		
	3. Materials acceptance	C2		2.7.1 (b)
	4. Storage handling, labelling, segregation	N		
d) Incident management	**1**. Site security	A		
	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	A		
	3. Maintenance records	N		
	4. Reporting & notification	N		
h) Resource efficiency	**1**. Efficient use of raw materials	N		
	2. Energy	N		

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	2	**Total compliance score** (see section 5 for scoring scheme)	62

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.

Introduction

This Compliance Assessment Report (CAR) has been prepared following an unannounced site inspection which was conducted on Wednesday 17th September 2025, between 11:00 and 13:45.

The inspection was attended by myself (Regulatory Specialist for Landfil), and the below representatives from the Environment Agency and Escrick Environmental Services (EES).

- Regulatory Specialist – Landfill waste classification
- Waste Regulatory Specialist and waste classification lead (WRS)
- Regulatory Officer – Waste (Waste Officer)
- 2x Field Intelligence Officers (FIO – Observers)
- EES Technically Competent Manager (TCM)
- Company Director (Arrived following the completion of the site walk-around)

Weather conditions at the time of inspection were overcast with light intermittent rain and the temperature was approximately 13°C. Ground conditions were wet.

The purpose of the inspection was to assess compliance with the permit. The current permit is EPR/ZP3835JD/V002.

Two Notice of Powers and Rights were issued to the TCM. They are as follows:

- Reference **EA59384** (Routine – inspection/examination (Home Office Powers of Entry Code of Practice applies)
- Reference **EA59385** (Offence suspected – gathering evidence (Police and Criminal Evidence Act 1984 Code B applies)

Two Category 2 non-compliance have been identified as part of this inspection. Category 2 non-compliances are associated with a significant impact on human health, quality of life or the environment. Please see below for further details and actions.

Inspection

Restoration Material

The TCM advised that the restoration material that was being stored in the 'information area' on top of Cell 1 had been spread over Cell 1 and that only one round of testing was carried out on the material as it was only less than one thousand tonnes.

It has clearly been stated in CAR Report ID 406424_0546342, dated 05/03/2025, CAR Report ID

406424_0562176, dated 16/06/2025 and CAR Report ID 406424_0568859, dated 17/07/2025 that there were approximately 19,800 tonnes of processed street sweepings being stored on top of Cell 1 that had come from Escrick Waste Treatment Facility (BB3907LY).

It was noted that a noticeable colour difference was observed between the restoration material and the infill of Cell 1. During a previous site inspection, the TCM conducted a walkover of the entire area. It was stated in the previous CAR that prior to commencing any restoration activities, the operator must undertake an analytical and benefit assessment to determine the suitability of the proposed waste types for use in the final restoration layer. This assessment was to include up-to-date analysis carried out within the past 12 months, details of material sources, and proposed mixing ratios. You were advised that this information must be submitted to the Environment Agency (EA) for written approval before any material is placed. Additionally, it was advised that the EA must be satisfied that all required sampling has been completed and that the total volume of waste accepted for restoration at the site does not exceed 130,000 m³. The TCM was also verbally reminded during the previous inspection of relevant guidance and the importance of knowing the intended dimensions (length, width, and depth) of the restoration layer to develop an appropriate sampling plan.

The TCM was unable to confirm the volume of restoration material that had been spread over Cell 1. As a result, the extent of the area within Cell 1 that may have been contaminated by the unauthorised placement of restoration material remains unknown.

The volume of restoration material applied and the categorisation of that waste that has been spread, needs to be determined as this could be a breach of permit condition 2.7.2 which states that waste shall only be accepted for restoration where:
(a) they are listed in schedule 2, table S2.2; and
(b) they are accepted in accordance with a restoration plan approved in writing by the Environment Agency.

For reference purposes, the Restoration Plan documented in the permit is Document Reference 3156/R/28/03, dated July 2019. The Agricultural Benefit and Ecological Statement documented in the permit is Document Reference ETL890/2024, dated 14/02/2025.

<u>Cell 1 and Cell 1 Extension</u>

What looked like mechanically treated waste was observed to be deposited over a large area of Cell 1, this includes over the top of where the restoration material mentioned above had been stored. The waste could also be seen in parts of Cell 1 Extension.

The waste observed resembles waste fines from the mechanical treatment of wet mixed waste. The particle size of the waste is uniformed given the appearance it has through a mechanical treatment such as a trommel or a screen. It is a mixture of inclusions such as soils, wood, concrete, brick, tiles, glass, metal, plastics circuit boards, and batteries. It is fluffy in nature and quite warm on the surface. The waste was not inert waste and therefore non-compliant with the permit.

Odour like landfill gas was detected whilst on the site and was very concentrated on the Northeast corner of Cell 1 at the time of the inspection. An officer on site also noticed flies on the waste mass. This a strong indication that non-inert (biodegradable or organic) waste has been deposited there.

The TCM confirmed where the waste had originated from but did not seem to be aware of why the waste had been deposited on site and could not confirm the exact tipping areas of this waste.

The TCM advised that the waste had been brought onto site under waste code 19 12 12. The permit states that waste code 19 12 12 can be accepted onto site under the following description ‘other wastes (including mixtures of materials) from mechanical treatment of wastes other than those mentioned in 19 12 11 (residue from waste processing and treated bottom ash including IBA

and slag other than that containing dangerous substances)'.

It has previously stated in previous CAR that Cell 1 was complete and should not have had any more material deposited. It was awaiting to have the restoration material only.

Whilst on site there were tipper trucks from one company actively tipping into Cell 1 extension. Paperwork in the office indicated that the vehicles were carrying loads of waste categorised as 17 05 04 - Soils and stones. On closer inspection of the two loads witnessed being tipped onto cell 1 extension, contained materials that were not just soils and stones. What was seen was heterogenous mixtures of soil looking material which also contained distinct broken fractions of bricks, paving slabs, tiles (similar to roof tiles), roots or branches, concrete, and Tarmac. The tarmac was seen in smaller quantities on the surface of the pile but seen in larger chunks as it was being tipped.

The volume of non-compliant waste and the categorisation of that waste that has been deposited onto Cell 1 and Cel 1 Extension needs to be determined.

Photographs were taken of the site along with waste transfer notes which were observed during the inspection. Eight of those photographs have been provided in 'Section 2 – Photographic Evidence' of this CAR. This is to show the non-compliant waste seen on site.

Permit Breach

Permit condition 2.7.1 states that wastes shall only be accepted for disposal if:
(a) they are listed in schedule 2, table S2.1; and
(b) they are inert waste; and
(c) they are not liquid waste (including waste waters but excluding sludge); and
(d) all the relevant waste acceptance procedures have been completed; and
(e) they fulfil the relevant waste acceptance criteria; and
(f) they have not been diluted or mixed solely to meet the relevant waste acceptance criteria; and
(g) they are wastes which have been treated, except for wastes for which treatment is not technically feasible.

Non-inert waste has been deposited across a large area of Cell 1 and Cell 1 Extension as mentioned above.

This has been recorded as **a category 2 breach of permit condition 2.7.1 (b).** under CCS category C3 (General Management - Materials acceptance).

The waste types on site pose a risk of polluting emissions in the form of odour, leachate, and gas. There is a significant risk to the environment through risk of pollution to underlying Sherwood Sandstone Principal Aquifer. Principal Aquifers are strategically important rock units that have high permeability, water storage capacity, and represent areas and groundwater resources that are critical to future public water supplies.
We are also concerned about the potential environmental impact associated with the apparent gas generation / emissions that we observed during this inspection.

Root Cause

When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK

Permit condition 1.1.1 states that the operator shall manage and operate the activities:

(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure, and those drawn to the attention of the operator as a result of complaints; and
(b) using sufficient competent persons and resources.

Observations made during the inspection suggests that the operations on site are not being managed in line with a suitable management system that identifies and minimises the risk of pollution and that there is a lack of technical competency.

Inadequacies of the environment management system and/or failure to provide sufficient competent persons and resources has been considered to be the root cause of the breach of condition 2.7.1 (b).

This has been recorded as a **category 2 breach of permit condition 1.1.1(b).** under CCS category C1 (General Management - Staff competency/ training).

Total non-compliance score

The total non-compliance score for this form is 62 CCS points. The total CCS score for the year 2025 to date is 82.2 CCS points, placing you currently in compliance band E.

Sites in compliance bands E and F must significantly improve in order to achieve permit compliance. These sites are more likely to have their permit revoked unless there is substantial evidence that they are working towards achieving compliance in a timely manner.

Band E operators pay 150% of their subsistence charge. Your subsistence charge could increase if you score any permit breaches before the 31st of December 2025.

Enforcement Action

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

The following notices will follow this CAR via email:

- Section 34(5) / Waste Regs, Regulation 35 - Requirement to furnish written descriptions.
- Reg 61(1) - Notice requiring information.

Please note that the Section 34(5) notice will also be sent to you in the post to the registered address.

Enforcement and Sanctions Policy. A copy of which can be found here: Environment Agency enforcement and sanctions policy - GOV.UK

Actions

1. Cease accepting non-permitted waste immediately.
2. All non-permitted waste will need to be removed from site.
3. Comply with legal notice Section 34(5) / Waste Regs, Regulation 35 - Requirement to furnish written descriptions and legal notice Reg 61(1) - Notice requiring information, which have been served along with this CAR. The notices will state actions and deadlines.

Next Steps

The operator must complete all actions within this CAR.

The Environment Agency will carry out inspections to check progress.

The operator will also receive a Waste Audit Report (WAR) as a result of the inspection. The WAR will be sent to you within the same email as the CAR. The operator will need to respond to any actions set out within that report too.
The WAR refers to the overall documentation that a permitted waste site used to verify and record that incoming waste meets the requirements of their Duty of Care and environmental permit, ensuring it's suitable for the intended treatment or disposal activity and that the correct classification and origin information is captured and submitted.

Any queries about or response to this Compliance Assessment Report should be directed to Yorkshire-landfill@environment-agency.gov.uk and your allocated area officer.

Photograph 1



Photograph 2



Photograph 3



Photograph 4



Photograph 5



Photograph 6



Photograph 7



Photograph 8



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

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			
C1	C2	See actions listed in section 2	01/10/2025
C3	C2	See actions listed in section 2	01/10/2025

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
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- issue a notice
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Non-compliance scores and categories

CCS category	Description	Score
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- investigating possible breaches of environmental law and taking any resulting action
- preventing breaches of environmental law
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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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 406424/0587154

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

Site	Escrick Soil Landfill Site EPR/ZP3835JD			Permit Ref	406424	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	10/11/2025			Time in	10:10	Out 12:00
What parts of the permit were assessed	General Management, Permitted Activities, Operating Techniques, Waste Acceptance, Amenity & Records					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	Director					
Officer's name	Elsa Heppell, Henry McGregor			Date issued	17/11/2025	

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	A		
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	N		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	A		
c) General management	**1**. Staff competency/ training	C2		1.1.1(b)
	2. Management system & operating procedures	A		
	3. Materials acceptance	C2		2.7.1(b)
	4. Storage handling, labelling, segregation	N		
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	N		
	2. Energy	N		

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	2	**Total compliance score** (see section 5 for scoring scheme)	62

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.

Introduction

This Compliance Assessment Report (CAR) has been prepared following an unannounced site inspection which was conducted on Monday 10th November 2025, between 10:10 and 12:00.

The inspection was attended by me (Regulatory Specialist for Landfill) and the below representatives from the Environment Agency and Escrick Environmental Services (EES).

- Regulatory Officer – Waste (Waste Officer).
- EES Technically Competent Manager (TCM).
- EES Site Operative.

Weather conditions at the time of inspection were sunny and the temperature was approximately 12°C. Ground conditions were wet.

The purpose of the inspection was to assess progress with bringing the site back into compliance following the permit non-compliances detailed in CAR Report ID: 406424/0581445, dated 17/09/2025. The current permit is EPR/ZP3835JD/V002.

One Notice of Powers and Rights was issued to the TCM. Details as follows:

- Reference EA59386 (Offence suspected – gathering evidence (Police and Criminal Evidence Act 1984 Code B applies).

Two Category 2 non-compliance have been identified as part of this inspection. Category 2 non-compliances are associated with a significant impact on human health, quality of life or the environment. Please see below for further details and actions.

Previous non-compliances

The non compliances that progress was being assessed for are recorded in CAR Report ID: 406424/0581445, dated 17/09/2025. They are as follows:

- Category 2 breach of permit condition 2.7.1 (b) due to non-inert waste being deposited across a large area of Cell 1 and Cell 1 Extension.
- Category 2 breach of permit condition 1.1.1(b) for the root cause being staff competency/training.

Please refer to the previous CAR for full detail of those non-compliances.

Previous Inspection Summary

Non-compliant waste was observed during the 17/09/2025 inspection. During that inspection the TCM confirmed the origin of the non-compliant waste observed but was unable to provide details regarding the reason for its deposition or the precise tipping locations. The TCM further reported that approximately 1,000 tonnes of stored restoration material had been spread across Cell 1 without prior Environment Agency consent and was unable to confirm the specific placement areas within the cell. As a result, the extent of the area within Cell 1 that may have been contaminated by the unauthorised placement of restoration material and acceptance of non-permitted waste remained unknown.

Instructions were issued for the operator to determine the amount of non-compliant waste accepted to the landfill and to remove all the non-compliant waste identified during the 17/09/2025 inspection. Compliance notices were also served requiring submission of documentation for waste consignments received on site, to facilitate verification of waste descriptions and quantities.

Please refer to CAR Report ID: 406424/0581445, dated 17/09/2025 for full details.

Inspection

Cell 1

Upon arrival at the starting point of Cell 1, it was observed that a small section had been cordoned off by the operator. The TCM explained that this area contains non-compliant waste identified by the operator for removal from the landfill cell. The TCM advised that the cordoned off material would be transferred to the Escrick Waste Treatment Facility (EPR BB3907LY) area for reworking.
It was discussed that the limited cordoned-off section does not accurately represent the non-compliant material previously identified across the wider area of Cell 1, the Cell 1 Extension, and the zone where restoration materials had been stockpiled. The area of contamination was made clear during the inspection that was carried out on 17/09/2025 and in CAR Report ID: 406424/0581445, dated 17/09/2025. *(See Photograph 1 and Photograph 2 in Section 2 - Photographic Evidence).*

During this inspection, the TCM wanted to clarify that the non-compliant waste identified during the 17/09/2025 inspection did not solely originate from the previously referenced waste provider. The majority was produced on the Escrick Waste Treatment Facility (EPR BB3907LY) and moved to the landfill as restoration material following compliance testing against the topsoil specification for restoration materials.

While walking the area of Cell 1 and the Cell 1 Extension, a noticeable landfill gas odour was detected at various points across the cell, particularly when surface areas were disturbed. It was also evident that the non-compliant waste previously identified during the inspection on 17/09/2025 remained present.

Cell 2

Upon arrival at the commencement point of the Cell 2 area, the TCM confirmed that tipping operations had begun in Cell 2A. The TCM further identified two waste providers associated with the deposited material.

A pile of recently deposited fines, awaiting spreading into Cell 2A, was observed and noted to have an organic odour and did not visually appear compliant with the permit. The TCM was instructed to remove this pile. The TCM indicated that the material would be relocated to the Escrick Waste Treatment Facility (EPR BB3907LY). *(See Photograph 3 in Section 2 - Photographic Evidence).*

Puddles of water were observed within the deposited waste. The surface of the water was covered in a dense, irregular pattern of light brown foam/bubbles. The foam formed interconnected, organic shapes that resembled a marbled pattern, suggesting a mixture of water and some other substance, possibly a contaminant residue or organic matter causing the frothing. This is a strong indication that non-inert (biodegradable or organic) waste has been deposited there. *(See Photograph 4 in Section 2 - Photographic Evidence)*.

What looked like mechanically treated waste was observed to be deposited in Cell 2A. The waste observed resembles waste fines from the mechanical treatment of wet mixed waste. The particle size of the waste is uniformed given the appearance it has through a mechanical treatment such as a trommel or a screen. It is a mixture of inclusions such as soils, gravel, small stones, wood, construction debris, glass, and plastics. It is fluffy in nature. The waste was not inert waste and therefore non-compliant with the permit. *(See Photograph 5 and Photograph 6 in Section 2 - Photographic Evidence).*

Odour like landfill gas was detected whilst in the area of Cell 2A.

The TCM was verbally instructed to cease accepting the waste fines from the named waste provider onto the landfill.

The TCM advised that waste assessment is carried out for WM3 to determine if waste accepted is hazardous or non-hazardous along with stage 1 WAC and then LOI testing if appropriate.

Permit Breach Permit

Permit condition 2.7.1 states that wastes shall only be accepted for disposal if:

(a) they are listed in schedule 2, table S2.1; and
(b) they are inert waste; and
(c) they are not liquid waste (including waste waters but excluding sludge); and
(d) all the relevant waste acceptance procedures have been completed; and
(e) they fulfil the relevant waste acceptance criteria; and
(f) they have not been diluted or mixed solely to meet the relevant waste acceptance criteria; and
(g) they are wastes which have been treated, except for wastes for which treatment is not technically feasible.

Non-inert waste has been deposited into Cell 2A as mentioned above.

This has been recorded as a **category 2 breach of permit condition 2.7.1 (b).** under CCS category C3 (General Management - Materials acceptance).

The waste types on site pose a risk of polluting emissions in the form of odour, leachate, and gas. There is a significant risk to the environment through risk of pollution to underlying Sherwood Sandstone Principal Aquifer. Principal Aquifers are strategically important rock units that have high permeability, water storage capacity, and represent areas and groundwater resources that are critical to future public water supplies. We are also concerned about the potential environmental impact associated with the apparent gas generation / emissions that we observed during this inspection.

Root Cause

When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance

available here: Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK

Permit condition 1.1.1 states that the operator shall manage and operate the activities:

(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure, and those drawn to the attention of the operator as a result of complaints; and
(b) using sufficient competent persons and resources. Observations made during the inspection suggests that the operations on site are not being managed in line with a suitable management system that identifies and minimises the risk of pollution and that there is a lack of technical competency.

Inadequacies of the environment management system and/or failure to provide sufficient competent persons and resources has been considered to be the root cause of the breach of condition 2.7.1 (b).

This has been recorded as a **category 2 breach of permit condition 1.1.1(b)**. under CCS category C1 (General Management - Staff competency/ training).

Total non-compliance score

The total non-compliance score for this form is 62 CCS points. The total CCS score for the year 2025 to date is 144.2 CCS points, placing you currently in compliance band E.

Sites in compliance bands E and F must significantly improve in order to achieve permit compliance. These sites are more likely to have their permit revoked unless there is substantial evidence that they are working towards achieving compliance in a timely manner.

Band E operators pay 150% of their subsistence charge. Your subsistence charge could increase if you score any permit breaches before the 31st of December 2025.

Enforcement Action

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

A copy of the Enforcement and Sanctions Policy can be found here: Environment Agency enforcement and sanctions policy - GOV.UK

Actions

1. Cease accepting non-permitted waste immediately.

2. All non-permitted waste will need to be removed from site.

Next Steps

The operator must complete all actions within this CAR.

The Environment Agency will carry out inspections to check progress.

Any queries about or response to this Compliance Assessment Report should be directed to

Yorkshire-landfill@environment-agency.gov.uk and your allocated area officer.

Photograph 1



Photograph 2



Photograph 3



Photograph 4



Photograph 5



Photograph 6



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.	X

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			
C1	C2	Root Cause - TCM Competency needs reviewing by the operator.	17/11/2025
C3	C2	Cease accepting non permitted waste and all non permitted waste needs removing.	17/11/2025

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

SUSPENSION NOTICE AND REQUIREMENT TO TAKE STEPS

To: Escrick Environmental Services Limited
The Old Brick and Tile Works
Riccall Road
Escrick
York
North Yorkshire
YO19 6ED

Company number: 06019667

Environmental permit number: EPR/ZP3835JD
Regulated facility: Escrick Soil Landfill Site, The Old Brick and Tile Works, Riccall Road, Escrick, York, North Yorkshire, YO19 6ED

Under Regulation 37(1) & (5) of the Environmental Permitting (England and Wales) Regulations 2016, we may suspend an environmental permit if we consider that the manner of operating a regulated facility contravenes an environmental permit condition and that such contravention involves a risk of pollution.

We consider the operation of the regulated facility involves a contravention of a permit condition, namely:

Condition 2.7.1

'Wastes shall only be accepted for disposal if:
(a) they are listed in schedule 2, table S2.1; and
(b) they are inert waste;...'

Because non-permitted waste was accepted and deposited within Cell 1, Cell 1 Extension and Cell 2A. The waste was described as waste code 19 12 12, however on inspection the waste resembled waste fines from the mechanical treatment of wet mixed waste. It is fluffy in nature and warm on the surface, therefore you accepted a waste type which is not inert and it is not listed in table S2.1.

The above contravention involves a risk of pollution, namely:

1. Offence to human senses by impairing or interfering with amenities or other legitimate uses of the environment due to the risk of odour from the wastes deposited at the regulated facility.

2. Leachate entering ground waters, namely the Sherwood Sandstone Principal Aquifer. Once in the ground water, leachate can spread and potentially enter wells, springs, or public water systems causing damage to the quality of the ground water.

The Environment Agency has decided to suspend the environmental permit to the extent specified in Schedule 1 with effect from 09:00am on 17.12.2025, until this notice is withdrawn.

In addition:

- you are required to take the steps specified in Schedule 2 to remedy the contravention of your permit and remove the risk of pollution.

- as this notice has the effect of preventing waste of a specified description, namely waste code 19 12 12 being accepted at the above named regulated facility, you are required to display appropriate signs, namely weatherproof signs of at least size A4 size, which are clearly visible and legible at the entrance to regulated facility and on any company websites informing the public that no further waste of that description may be accepted.

Date 10/12/2025 **Signed** 

Steven Gordon
Team Leader

Environment Agency
Foss House
York
YO1 7PX

Please see over for notes.

General

1. This notice suspends the environmental permit to the extent specified in Schedule 1 because we consider that the manner of operating the regulated facility contravenes an environmental permit condition and that contravention involves a risk of pollution.

2. It is an offence to contravene any requirements of this notice.

3. You remain bound by any conditions of the environmental permit that are not specified in Schedule 1. Failure to comply with these conditions is an offence and legal action may be taken against you.

4. Under the Environmental Permitting Charging Scheme, you must pay additional subsistence charges relating to the work we undertake in connection with the suspension notice from the time we decide to issue the notice. For further details on these charges, see:
https://www.gov.uk/government/publications/environmental-permits-and-abstraction-licences-tables-of-charges
You will now be invoiced for the additional regulatory work to be undertaken.

5. You may wish to seek independent legal advice.

Appeal provisions

You are entitled to appeal against this notice under Regulation 31(1)(f) of the Environmental Permitting (England and Wales) Regulations 2016. Notice of appeal must be made within two months of the date of this notice. An appeal does not affect the requirements of this notice.

You must send written notice of the appeal and the documents listed below to:

Secretary of State
The Planning Inspectorate
Room 3A Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

At the same time, you must send a copy of the appeal notice and documents to us.

The required documents are:

- a statement of the grounds of appeal;
- a copy of any relevant application;
- a copy of any relevant environmental permit;
- a copy of any relevant correspondence between the appellant and the regulator;
- a copy of any decision or notice which is the subject matter of the appeal; and
- a statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying the Secretary of State in writing and sending a copy of that notification to us.

Further information about making an appeal and the forms that you will need are available from the Planning Inspectorate.

SCHEDULE 1
EXTENT TO WHICH THE ENVIRONMENTAL PERMIT IS SUSPENDED

The Environmental Permit is partially suspended to the extent that it authorises the acceptance of waste code 19 12 12 at the regulated facility.

SCHEDULE 2 **STEPS TO BE TAKEN**	
Steps to be taken to remove risk of pollution	**By date**
1. Remove all the waste fines from: • Cell 1 (including the zone where restoration materials had been stockpiled), total to be removed: 4,665 tonnes • Cell 1 Extension, total to be removed: 3,896 tonnes • Cell 2A, total to be removed:186 tonnes.	17.05.2026
Steps to be taken to remedy the permit contravention	**By date**
As above.	

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 406424/0591025

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

Site	Escrick Soil Landfill Site EPR/ZP3835JD			Permit Ref	406424	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	19/01/2026			Time in	10:00	Out 12:25
What parts of the permit were assessed	General Management, Permitted Activities, Operating Techniques, Waste Acceptance & Amenity					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X		Water Discharge
Recipient's name/position	The Director					
Officer's name	Elsa Heppell			Date issued	30/01/2026	

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 2) and the Actions (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				Condition(s) breached
a) Permitted activities	**1**. Specified by permit	A		
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	N		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	C2		1.1.1(b)
	2. Management system & operating procedures	N		
	3. Materials acceptance	*C2		2.7.1 (b)
	3. Materials acceptance (2)	C3		2.7.2 (b)
	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	A		
	2. Records of activity, site diary, journal & events	N		
	3. Maintenance records	N		
	4. Reporting & notification	A		
h) Resource efficiency	**1**. Efficient use of raw materials	N		
	2. Energy	N		

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	2	**Total compliance score** (see section 5 for scoring scheme)	31

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.

Introduction

This Compliance Assessment Report (CAR) has been prepared following an announced site inspection and meeting which was conducted on Monday 19th January 2026, between 10:00 and 12:25.

The purpose of the inspection was to assess progress with bringing the site back into compliance following the permit non-compliances detailed in CAR Report ID: 406424/0581445, dated 17/09/2025 and CAR Report ID: 406424_0587154, dated 10/11/2025.

Weather conditions at the time of inspection were overcast and the temperature was approximately 6°C. Ground conditions were wet.

The inspection was attended by me (Regulatory Specialist for Landfill) and the below representatives from the Environment Agency and Escrick Environmental Services (EES):

- Regulatory Officer – Waste (Waste Officer)
- Team Leader – Waste
- EES Director

A meeting was held after the inspection; the purpose of the meeting was to discuss the current situation across the whole of the site for all permits at the location. Present in the meeting were:

- Regulatory Specialist for Landfill
- Regulatory Officer – Waste (Waste Officer)
- Team Leader – Waste
- EES Director
- EES Director (Virtually)
- EES Technically Competent Manager (TCM)

The permits currently held by EES at the location are as follows:

- ZP3835JD – Inert Landfill
- LB3005TW – Screening Bund
- BB3907LY – Waste Treatment Facility
- DB3000UP – Storage SRno.17

One Notice of Powers and Rights was issued to the TCM. Details as follows:

- Reference EA59388 (Offence suspected – gathering evidence (Police and Criminal Evidence Act 1984 Code B applies).

Two Category 2 non-compliance have been identified as part of this inspection. Category 2 non-compliances are associated with a significant impact on human health, quality of life or the environment. Please see below for further details and actions.

One Category 3 non-compliance have been identified as part of this inspection. Category 3 non-compliances are associated with a minor impact on human health, quality of life or the environment.

All required actions mentioned throughout this CAR have been summarised in deadline date order under the header 'Actions Summary'.

Previous non-compliances
The non compliances that progress was being assessed for are recorded in the following CAR:

CAR Report ID: 406424/0581445, dated 17/09/2025.

- Category 2 breach of permit condition 2.7.1 (b) due to non-inert waste being deposited across a large area of Cell 1 and Cell 1 Extension.
- Category 2 breach of permit condition 1.1.1(b) for the root cause being staff competency/training.

CAR Report ID: 406424_0587154, dated 10/11/2025.

- Category 2 breach of permit condition 2.7.1 (b) due to non-inert waste being deposited into Cell 2A.
- Category 2 breach of permit condition 1.1.1(b) for the root cause being staff competency/training.

Please refer to the previous CAR for full detail of those non-compliances.

Inspection

Waste Treatment Facility (EPR BB3907LY)

A stockpile of waste was present within a designated bay. The Director advised that the material had been removed from the landfill and transferred for re-processing in compliance with the requirements of an active Regulation 37(5) notice.

Black leachate was observed in proximity to the stockpile. The leachate appeared to be migrating through the intervening separation wall. Untreated wet road sweepings were identified in the adjacent bay and are considered the likely source of the leachate.

Information was requested regarding the specific location within the landfill from which the waste originated, together with the total weight of the material. This information was not provided by the Director.

ACTION: The operator is to provide the waste transfer note for the waste seen in the bay. Information on the specific location within the landfill from which the waste originated, together with the total weight of the material is also required.
ACTION DEADLINE: 13/02/2026

Cell 1, Cell 1 Extension and Stored Restoration Material
Ground conditions within Cell 1 and Cell 1 extension were deemed as unsafe for entry, therefore a full cell walkover could not be completed.

We were able to walk over the area of Cell 1 in which the approximate 19,800 tonnes of potential restoration material is being stored. As previously recorded in earlier CAR's, this area has been grass-seeded by the current operator.

A visual inspection indicated that the restoration material is contaminated with wood, plastics, and metal fragments.

Ponded black and red liquid was observed across the surface of the stored restoration material and down the flanks. The liquid exhibited gas bubbling. Areas of dead and dying vegetation were present, with affected plants coated in a black, sludge-like substance. The ponded black and red liquid observed is in contact with treated waste. No evidence of off-cell migration or widespread leachate breakout was observed at the time of inspection. *(See photographs 1, 2, 3 & 4).*

A sulphurous odour was also detected, which was not detectable beyond the site boundary.

It was briefly discussed again with the Director that this whole area and amount of restoration material was not intended to be stored for this amount of time and requires testing to prove if it passes the required standards to be used as restoration material. It was agreed to discuss this further in the meeting.

There was no evidence that any of the non-compliant waste identified in previous inspections has been removed from this cell.

Storage Permit (EPR DB3000UP)

Non-compliant waste was observed within the area covered by the storage permit. Regulation of this permit falls under the Waste Team, and the presence of non-compliant waste has been discussed with them and the operator. During the inspection, it was necessary to traverse this permitted area in order to reach a safe vantage point for Cell 2A. A sulphurous odour was detected immediately upon entering the area.

Tyre tracks were evident across the area, and no physical boundary or marker was in place to segregate the non-compliant waste. The generation of leachate, vehicle movements across the area, and the topography of the site indicate a significant potential risk of cross-contamination to the waste deposited within Cell 2A, as well as to rainwater present within Cell 2A. *(See photographs 5 & 6).*

Cell 2A

Ground conditions within Cell 2A were assessed as unsafe for entry. However, access was gained to a location from which a clear view of Cell 2A could be obtained.

Cell 2A was observed to be filled with rainwater. From the viewing location, two discrete areas of continuous bubbling were observed rising to the surface of the water. This shows a possibility that the trapped rainwater could now contaminated.

Recently deposited waste was visible from the viewing location. Some small areas of the waste appeared to contain potential contaminants; however, it was not possible to approach the deposits closely enough to undertake further inspection.

During the period of observation, an additional load of waste was deposited. This material was visually assessed when exiting the site via the access road and appeared to be compliant with the conditions of the permit.
A video of the bubbles and waste was taken during the inspection.

Cell 2B

This cell has not yet been engineered and therefore no waste has been deposited in it. The Cell

was filled with rainwater.

Non-Compliances for this CAR

Non-compliant material deposited

Permit condition 2.7.1 states that *wastes shall only be accepted for disposal if:*
(a) they are listed in schedule 2, table S2.1; and
(b) they are inert waste; and
(c) they are not liquid waste (including waste waters but excluding sludge); and
(d) all the relevant waste acceptance procedures have been completed; and
(e) they fulfil the relevant waste acceptance criteria; and
(f) they have not been diluted or mixed solely to meet the relevant waste acceptance criteria; and
(g) they are wastes which have been treated, except for wastes for which treatment is not technically feasible.

It has previously been identified that non-inert waste has been deposited into Cell 1, Cell 1 Extension and Cell 2A. The waste types on site pose a risk of polluting emissions in the form of odour, leachate, and gas. There is a significant risk to the environment through risk of pollution to underlying Sherwood Sandstone Principal Aquifer. Principal Aquifers are strategically important rock units that have high permeability, water storage capacity, and represent areas and groundwater resources that are critical to future public water supplies. We are also concerned about the potential environmental impact associated with the apparent gas generation / emissions that we observed during this inspection.

The non-inert waste deposited into Cell 1, Cell 1 Extension and Cell 2A have been consolidated and recorded as a **category 2 breach of permit condition 2.7.1 (b).** under CCS category C3 (General Management - Materials acceptance).

An action has not been set for this breach in this CAR due to an active Regulation 37(5) Notice being in place which requires the removal of this waste. The waste is currently still in situ. The score will be suspended and assessed against compliance with the notice once the deadline date has expired.

Spreading of Restoration Material

It was previously stated by the sites TCM, 1000 tonnes of the stored restoration material had been spread across landfill cell 1.
We have advised on numerous occasions that this particular waste was stored as part of an agreement with the previous operator for the site due to an ongoing action plan with the waste treatment facility being dealt with by the Waste Team.

The agreement was that the operator must undertake an analytical and benefit assessment to determine the suitability of the proposed waste types for use in the final restoration layer. This assessment was to include up-to-date analysis carried out within the past 12 months, details of material sources, and proposed mixing ratios. You were advised that this information must be submitted to the Environment Agency (EA) for written approval before any material is placed. Additionally, it was advised that the EA must be satisfied that all required sampling has been completed and that the total volume of waste accepted for restoration. The sites TCM was also verbally reminded on a previous site inspection of relevant guidance and the importance of knowing the intended dimensions (length, width, and depth) of the restoration layer to develop an appropriate sampling plan.

Permit condition 2.7.2 states that waste shall only be accepted for restoration where:
(a) they are listed in schedule 2, table S2.2; and

(b) they are accepted in accordance with a restoration plan approved in writing by the Environment Agency.

1000 tonnes of the restoration material have been spread over Cell 1 without the operator undertaking appropriate analytical and benefit assessment to determine the suitability of the proposed waste types for use in the final restoration layer or not providing the Environment Agency with the results and without written approval from the Environment Agency as mentioned above.

This has been recorded as a **category 3 breach of permit condition 2.7.2 (b).** under CCS category C3 (General Management - Materials acceptance).

The operator is unable to locate this spread material on site. The operator has been instructed to not spread anymore of this material. Further actions for this material are detailed below under the header **'**Restoration Material'.

Root Cause

When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK

Permit condition 1.1.1 states that *the operator shall manage and operate the activities:*
(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure, and those drawn to the attention of the operator as a result of complaints; and
(b) using sufficient competent persons and resources. Observations made during the inspection suggests that the operations on site are not being managed in line with a suitable management system that identifies and minimises the risk of pollution and that there is a lack of technical competency.

Inadequacies of the environment management system and/or failure to provide sufficient competent persons and resources has been considered to be the root cause of the breach of condition 2.7.1 (b).

This has been recorded as a **category 2 breach of permit condition 1.1.1(b).** under CCS category C1 (General Management - Staff competency/training).

Meeting

Regulation 37(5) Notice

The notice was issued on 10/12/2025 with the start date being 17/12/2025. The deadline for the notice is 17/05/2026.
The notice partially suspended the acceptance of waste code 19 12 12 at the regulated facility along with requiring the removal of the following non-compliant waste from Cell 1, Cell 1 Extension and Cell 2A.

It was confirmed that the cover letter accompanying the notice specified a requirement for weekly updates. These updates are required to include the dates on which waste is removed from the site and the destination of the waste. Waste Transfer Notes are required to be submitted as part of each update.

Since the commencement date of the notice to the inspection date, only one update had been received. This was provided by email on 14/01/2026. One Waste Transfer Note was also submitted.

The date period of the Waste Transfer Note was 10.11.25 to 13.12.25. The Waste Transfer Note recorded an internal movement of waste from Permit ZP3835JD to Permit BB3907LY; however, it did not specify the landfill cell from which the waste was removed. In addition, the weight of the waste was not accurately recorded, with the description limited to “dumper”.

In order for the Environment Agency to confirm that waste is being removed in compliance with the requirements of the notice, sufficient information must be provided to clearly identify the location from which the waste has been removed and the accurate weight of the waste.

Full and compliant weekly updates are expected to be submitted going forward.

ACTION: The operator is to provide further details of the waste removed that was specified in the Waste Transfer Note with the date period of 10.11.25 to 13.12.25. The information must include the specific location within the landfill from which the waste originated, together with the total weight of the material.ACTION DEADLINE: 13/02/2026

Restoration Material

We discussed what we had seen on the inspection which is laid out above under the header ‘Cell 1, Cell 1 Extension and Stored Restoration Material’.

The Director advised during the meeting that the status of restoration activities at the site was unknown. However, in an email issued by the Director on 15/01/2026, a drawing was provided identifying areas of the landfill that the operator asserts have been restored, together with areas proposed for restoration following completion of infilling.

The drawing depicts a green-hatched area which is stated to have been restored by the previous operator and subsequently seeded by the current operator. You further stated that the area was levelled and tidied prior to seeding. While you acknowledged the existence of approximately 19,800 tonnes of stored restoration material, and confirmed receipt of the information provided to you in CAR Report ID 406424/0588343 dated 03/12/2025, you appear to have disregarded this information on the basis of your assertion that the 19,800 tonnes of material must already have been utilised to form the restoration layer in this area.

You have been advised on multiple occasions that this is not the case. It has been clearly documented that no restoration activities have taken place on the site and that the stockpiled restoration material remains in situ and is required to be tested to determine its suitability for use in restoration.

The following CAR’s have been sent to you and clearly explained the situation regarding the stored restoration material:

- CAR Report ID: 406424/0546342, dated 05/03/2025 which was the last inspection with the previous operator, this CAR was also sent to you for information.
- CAR Report ID: 406424/0562176, dated 16/06/2025.
- CAR Report ID: 406424/0568859, dated 17/07/2025, this also had an action for you to provide the testing results.
- CAR Report ID: 406424/0581445, dated 17/09/2025.
- CAR Report ID: 406424/0588343, dated 03/12/2025.

The approximately 19,800 tonnes of restoration material were not intended to be stored for this duration and are now exhibiting indications of anaerobic degradation of biodegradable constituents.

ACTION: The operator is required to cordon off the green-hatched area identified on the drawing provided in the email DATED 15/01/26 and to undertake an investigation to determine length, width, and depth of the stored restoration material to develop an

appropriate sampling plan. ACTION DEADLINE: 30/03/2026

ACTION: The operator must undertake an analytical and benefit assessment to determine the suitability of the proposed waste types for use in the final restoration layer. This assessment must include up-to-date analysis carried out within the past 12 months, details of material sources, and proposed mixing ratios. ACTION DEADLINE: 30/03/2026

ACTION: The operator is required to provide weekly updates on progress. Should sufficient progress not be demonstrated, removal of the stored material may be required. ACTION DEADLINE: 30/03/2026

Environmental Monitoring Results

It was noted that the 2025 Q3 environmental monitoring data was not submitted to the Environment Agency until January 2026. Monitoring results must be submitted in accordance with the reporting schedules set out in the environmental permit. Compliance with these requirements is expected going forward.

A review of the 2025 Q3 monitoring results identified five permit limit exceedances. Recorded breaches related to elevated concentrations of Suspended Solids, Chloride, Ammoniacal Nitrogen, Sulphate, and Nickel. Full details are provided in CAR Report ID: 406424/0590171 (dated 30/09/2025).

It was discussed that the exceedances for chloride and sulphate are indicative of leachate influence, suggesting the presence of non-inert waste materials. The elevated concentration of ammoniacal nitrogen further challenges the site's inert classification. These indicators collectively suggest that non-inert waste may have been accepted, with associated biodegradation and leachate generation processes occurring.

I requested clarification on the actions being taken to investigate the root causes of these exceedances and the measures planned to bring the site back into compliance. The TCM advised that guidance is being sought from external consultants and that the Environment Agency will be updated once further information is available.

Restoration Material Ponded Liquid

The ponded black and red liquid observed on site were discussed. You advised that you did not know about this. If the site is being managed in line with the environmental permit, then these liquids should have been observed during daily checks. These liquids are not liquids you would expect to see on an inert landfill.

This was not discussed in the meeting but I would like to add my concerns. Site observations indicate the presence of anaerobic decomposition and potential leachate generation. These findings cannot be attributed solely to biogenic surface water. The liquid observed appears consistent with leachate, or water impacted by leachate.

Black and red leachate accompanied by vegetation die-off is typically associated with highly contaminated, anaerobic conditions. Such conditions may arise from combined chemical, biological, and physical processes.

Black leachate is commonly produced under anaerobic conditions where sulphate-reducing bacteria generate hydrogen sulphide and other reduced sulphur compounds. This results in characteristic black coloration and a sulphurous odour. The observed gas bubbling is consistent with these processes.

Red or reddish-brown leachate often indicates elevated dissolved iron. Under oxygen-depleted conditions, iron is mobilised in its ferrous form and subsequently oxidises to ferric iron when exposed to air, producing red/orange staining. Metal content within the waste mass may intensify this effect.

Leachate can contain ammonia, metals, hydrocarbons, or organic acids is phytotoxic and can cause vegetation die-off, root damage, and necrosis, consistent with the conditions observed.

Based on the on-site observations and the reviewed 2025 Q3 monitoring results, there is significant concern that the site is not operating in accordance with the requirements and environmental performance expected of an inert landfill facility.

ACTION: Produce a leachate management plan for how the site intends to ensure leachate is not permitted to cause pollution, especially whilst the investigation works mentioned above under header 'Restoration Material' are carried out. ACTION DEADLINE: 16/02/2026

Improvement Condition

It was discussed that the due date for Improvement Condition '1C1' in the permit is 04/04/2026. The TCM for the site advised that plans are being made to complete this by the deadline.

For reference the requirement is as follows: The operator shall submit a Construction Quality Assurance (CQA) plan to the Environment Agency for approval detailing the location and design for an additional borehole along the western boundary to replace borehole E1. On approval in writing from the Environment Agency, the operator shall install the borehole proposed to the specification and timescales approved, provide the completed borehole logs and commence monitoring in accordance with Table S3.2 & Tables S3.4.

On site boundaries and cross contamination

The risk of cross contamination between permits on site as mentioned in the above header 'Storage Permit (EPR DB3000UP)' were discussed along with the potential need for further enforcement action.

Operator Action Plan

An email sent by the Director on 28/01/26 contained an action plan. An updated version was then sent on 29/01/26. This plan is to be reviewed separately.

Actions Summary

1. By 13/02/2026 the operator is to provide the waste transfer note for the waste seen in the bay. Information on the specific location within the landfill from which the waste originated, together with the total weight of the material is also required.

2. By 13/02/2026 the operator is to provide further details of the waste removed that was specified in the Waste Transfer Note with the date period of 10.11.25 to 13.12.25. The information must include the specific location within the landfill from which the waste originated, together with the total weight of the material.

3. By 16/02/2026 the operator is to produce a leachate management plan for how the site intends to ensure leachate is not permitted to cause pollution, especially whilst the

investigation works mentioned above under header ‘Restoration Material’ are carried out.

4. By 30/03/2026 the operator is required to cordon off the green-hatched area identified on the drawing provided in the email dated 15/01/26 and to undertake an investigation to determine length, width, and depth of the stored restoration material to develop an appropriate sampling plan.

5. By 30/03/2026 the operator must undertake an analytical and benefit assessment to determine the suitability of the proposed waste types for use in the final restoration layer. This assessment must include up-to-date analysis carried out within the past 12 months, details of material sources, and proposed mixing ratios.

6. By 30/03/2026 the operator is required to provide weekly updates on progress. Should sufficient progress not be demonstrated, removal of the stored material may be required.

2025 total non-compliance score

Your 2025 compliance band was F. Sites in compliance bands E and F must significantly improve in order to achieve permit compliance. These sites are more likely to have their permit revoked unless there is substantial evidence that they are working towards achieving compliance in a timely manner. Band F operators pay 300% of their subsistence charge.

Total non-compliance score

The total non-compliance score for this form is 35 CCS points. The total CCS score for the year 2026 to date is 35 CCS points. Placing you in compliance band D.

Please note that 31 points on this CAR are suspended and could be re-instated as explained above under the header ‘Non-Compliances for this CAR’.

Compliance band D operators must improve in order to achieve permit compliance.Band D operators pay 125% of their subsistence charge. Your subsistence charge could increase if you score any permit breaches before the 31st of December 2026.

Enforcement Action

There is currently an active Regulation 37(5) Notice. The deadline for this notice is 17/05/2026.

We are considering what further enforcement action is appropriate. Further details will be provided soon.

A copy of the Enforcement and Sanctions Policy can be found here: Environment Agency enforcement and sanctions policy - GOV.UK

Next Steps
The operator must complete all actions within this CAR.

The Environment Agency will carry out inspections to check progress.

Any queries about or response to this Compliance Assessment Report should be directed to Yorkshire-landfill@environment-agency.gov.uk and your allocated area officer.

Photograph 1



Photograph 2



Photograph 3



Photograph 4



Photograph 5



Photograph 6



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.	X

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			
C1	C2	See 'Actions Summary' above and active Regulation 37(5) Notice.	17/05/2026
C3	C2	See active Regulation 37(5) Notice.	17/05/2026
C3	C2	See 'Actions Summary'	30/03/2026

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

Environmental Permitting (England and Wales) Regulations 2016
Regulation 37(12)

WITHDRAWAL OF SUSPENSION NOTICE

To: Escrick Environmental Services Limited
The Old Brick and Tile Works
Riccall Road
Escrick
York
North Yorkshire
YO19 6ED

Company number: 06019667

Facility: Escrick Soil Landfill Site, The Old Brick and Tile Works, Riccall Road, Escrick, York, North Yorkshire, YO19 6ED

With effect from on 18 February 2026 the suspension notice dated 10 December 2025 served under regulation 37 of the Environmental Permitting (England and Wales) Regulations 2016 relating to the above environmental permit, is withdrawn.

Date 11/02/2026 **Signed** 

Steve Gordon
Team Leader

Environment Agency
Foss House
York
YO1 7PX

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 406424/0595048

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

Site	Escrick Soil Landfill Site EPR/ZP3835JD			Permit Ref	406424	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	25/02/2026			Time in	10:20	Out 12:00
What parts of the permit were assessed	General Management, Permitted Activities, Operating Techniques, Waste Acceptance & Amenity					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	The Director					
Officer's name	Elsa Heppell			Date issued	09/03/2026	

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	A		
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	N		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	A		
	5. Plant and equipment	A		
c) General management	**1**. Staff competency/ training	*C2		1.1.1(b)
	2. Management system & operating procedures	N		
	3. Materials acceptance	*C2		2.7.1 (b)
	4. Storage handling, labelling, segregation	N		
d) Incident management	**1**. Site security	A		
	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	N		
	2. Energy	N		

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	2	**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.

Introduction

This Compliance Assessment Report (CAR) has been prepared following an announced site inspection and meeting which was conducted on Wednesday 25th February 2026, between 10:20 and 12:00.

The purpose of the inspection was to assess compliance with the Regulation 37(5) Notice, dated 11/02/2026.

Weather conditions at the time of inspection were sunny and the temperature was approximately 11°C. Ground conditions were wet.

The inspection was attended by me (Regulatory Specialist for Landfill) and the below representatives from the Environment Agency (EA), HM Revenue and Customs (HMRC) and Escrick Environmental Services (EES):

- EA Regulatory Officer – Waste (Waste Officer)
- HMRC Environmental Taxes Compliance Higher Officer
- EES Technically Competent Manager (TCM)
- EES Site Manager

One Notice of Powers and Rights was issued to the TCM. Details as follows:

- Reference EA59389 (Offence suspected – gathering evidence (Police and Criminal Evidence Act 1984 Code B applies).

Previous non-compliances

The non compliances that progress was being assessed for are recorded in the following CAR:

CAR Report ID: 406424/0581445, dated 17/09/2025, issued 01/10/2025.

- Category 2 breach of permit condition 2.7.1 (b) due to non-inert waste being deposited across a large area of Cell 1 and Cell 1 Extension.
- Category 2 breach of permit condition 1.1.1(b) for the root cause being staff competency/training.

CAR Report ID: 406424_0587154, dated 10/11/2025, issued 17/11/2025.

- Category 2 breach of permit condition 2.7.1 (b) due to non-inert waste being deposited into Cell 2A.

- Category 2 breach of permit condition 1.1.1(b) for the root cause being staff competency/training.

CAR Report ID: 406424/0591025, dated 19/01/2026. Issued 30/01/2026.

- Category 2 breach of permit condition 2.7.1 (b) due to non-inert waste being deposited into Cell 2A. (Suspended).
- Category 3 breach of permit condition 2.7.2(b) due to 1000 tonnes of stockpiled restoration material being spread over Cell 1 without the operator undertaking appropriate analytical and benefit assessment to determine the suitability of the proposed waste types for use in the final restoration layer or not providing the EA with the results and without written approval from the EA.
- Category 2 breach of permit condition 1.1.1(b) for the root cause being staff competency/training.

Please refer to the previous CAR for full detail of those non-compliances.

Outstanding Actions from Previous CAR

Action 3

By 16/02/2026 the operator was to produce a leachate management plan for how the site intends to ensure leachate is not permitted to cause pollution, especially whilst the investigation works mentioned above under header ‘Restoration Material’ are carried out.

This has not been received.

ACTION: Provide an update on the completion of this action by 23/03/2026.

Inspection

Waste Treatment Facility (EPR BB3907LY)

A stockpile of waste that was observed on the previous site inspection which was carried out on 19/01/2026 was still present within a designated bay. We were previously advised that the material had been removed from the landfill and transferred for re-processing in compliance with the requirements of an active Regulation 37(5) notice.

Cell 1, Cell 1 Extension

The ground was not as saturated as it was on previous inspections carried out over the winter period.

As we walked across Cell 1 it was evident that a large part of the surface of the tipped waste was contaminated with wood, concrete, brick, tiles, glass, metal, plastics circuit boards, and batteries. The waste observed resembled waste fines from the mechanical treatment of wet mixed waste. The particle size of the waste is uniformed given the appearance it has been through a mechanical treatment such as a trommel or a screen. The waste observed across cell 1 had areas of grey coloured waste that was fluffy in nature which appeared to be treated municipal waste along with brown material which appeared to be treated construction and demolition waste.

I believe this is the waste that was observed on the inspection which was carried out on

17/09/2025. This waste is part of the waste that is to be removed from the site as per the active Regulation 37(5) Notice.

There was a section of non-compliant waste that was still cordoned off. It is an area of waste identified by the operator to be removed from site in line with the current Regulation 37(5) Notice.

A pale grey/white liquid was observed on the ground surface within the inert landfill area. The liquid appeared to be pooling in shallow depressions and forming a thin run-off trail. The liquid displayed a milky or cloudy appearance, with no visible surface sheen, no rainbow patterns, and no indicators of hydrocarbons or oils. This is concerning due to the non-inert material that we have seen across Cell 1. This liquid is not something that we would expect to observe on an inert landfill site.

This liquid could be a symptom of specific chemical, biological, or operational issues. It is commonly associated with high concentrations of specific materials, such as suspended solids, or in some cases, specific types of industrial or construction waste that have been disposed of.

There was no evidence that any of the non-compliant waste identified in previous inspections has been removed from this cell.

See photographs 1, 2, 3, 4 and 5.

ACTION: Any pale grey/white, black or red liquid ponding on top of the landfill cell needs to be pumped into an Intermediate Bulk Container (IBC) tank and removed from the landfill as and when the liquid is noticed.

Stored Restoration Material on Cell 1

We walked over the area of Cell 1 in which the approximate 19,800 tonnes of potential restoration material is being stored. As previously recorded in earlier CAR's, this area has been grass-seeded by the current operator.

A visual inspection indicated that the restoration material is contaminated with wood, plastics, and metal fragments.

Ponded black and red liquid was observed across the surface of the stored restoration material. The liquid exhibited gas bubbling. The ponded black and red liquid observed is in contact with treated waste. No evidence of off-cell migration or widespread leachate breakout was observed at the time of inspection. This liquid was noted and described in CAR Report ID: 406424/0591025, dated 19/01/2026, along with our concerns.

Trail pits had been dug at various points on the stored material. These trial pits as been filled in at the time of our inspection. The TCM stated that the trial pits show that the material passes the benefit statement for us as topsoil. Exact depth of the trial pits could not be given at the time of the inspection.

A sulphurous odour was also detected, which was not detectable beyond the site boundary.

It has previously discussed that testing needs to be carried out on this store material to ensure it appropriate for use as restoration material. It was discussed in this inspection with the TCM that if testing results show that this material is appropriate then we can agree for the material to be spread, however, due to the contamination observed on top of this stored material we would require all contamination to be removed before use. The material would need to stay in situ until the non-compliant material on cell 1 has been removed in line with the current Regulation 37(5) Notice. Should testing show that this material is not appropriate we will require the material to be removed from the site.

See photographs 6, 7 and 8.

Cell 2A

Due to the uncertainty of ground conditions within Cell 2A I observed this cell from Cell 1.

Cell 2A was still filled with rainwater as it was on the previous inspection.

I could see no signs of recent tipping from my observation point.

Cell 2B

This cell has not yet been engineered and therefore no waste has been deposited in it. The Cell was filled with rainwater.

Non-Compliances for this CAR

Non-compliant material deposited

Permit condition 2.7.1 states that *wastes shall only be accepted for disposal if:*
(a) they are listed in schedule 2, table S2.1; and
(b) they are inert waste; and
(c) they are not liquid waste (including waste waters but excluding sludge); and
(d) all the relevant waste acceptance procedures have been completed; and
(e) they fulfil the relevant waste acceptance criteria; and
(f) they have not been diluted or mixed solely to meet the relevant waste acceptance criteria; and
(g) they are wastes which have been treated, except for wastes for which treatment is not technically feasible.

It has previously been identified that non-inert waste has been deposited into Cell 1, Cell 1 Extension and Cell 2A. The waste types on site pose a risk of polluting emissions in the form of odour, leachate, and gas. There is a significant risk to the environment through risk of pollution to underlying Sherwood Sandstone Principal Aquifer. Principal Aquifers are strategically important rock units that have high permeability, water storage capacity, and represent areas and groundwater resources that are critical to future public water supplies. We are also concerned about the potential environmental impact associated with the apparent gas generation / emissions that we observed during this inspection.

The non-inert waste deposited into Cell 1, Cell 1 Extension and Cell 2A have been consolidated and recorded as a **category 2 breach of permit condition 2.7.1 (b)**. under CCS category C3 (General Management - Materials acceptance).

An action has not been set for this breach in this CAR due to an active Regulation 37(5) Notice being in place which requires the removal of this waste. The waste is currently still in situ. The score will be suspended and assessed against compliance with the notice once the deadline date has expired.

Root Cause

When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK

Permit condition 1.1.1 states that *the operator shall manage and operate the activities:*
(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure, and those drawn to the attention of the operator as a result of complaints; and
(b) using sufficient competent persons and resources.

Observations made during the inspection suggests that the operations on site are not being managed in line with a suitable management system that identifies and minimises the risk of pollution and that there is a lack of technical competency. Inadequacies of the environment management system and/or failure to provide sufficient competent persons and resources has been considered to be the root cause of the breach of condition 2.7.1 (b).

This has been recorded as a **category 2 breach of permit condition 1.1.1(b).** under CCS category C1 (General Management - Staff competency/training).

An action has not been set for this breach in this CAR due to an active Regulation 37(5) Notice being in place. The score will be suspended and assessed against compliance with the notice once the deadline date has expired

Regulation 37(5) Notice

The notice was issued on 11/02/2026 with the start date being 18/02/2026. The deadline for the notice is 08/07/2026. The notice means that the Environmental Permit ceases to have effect to the extent that it authorises the acceptance of waste at the regulated facility along with requiring the removal of the following non-compliant waste from Cell 1, Cell 1 Extension and Cell 2A.

It was discussed again on site that in order for the Environment Agency to confirm that waste is being removed in compliance with the requirements of the notice, sufficient information must be provided to clearly identify the location from which the waste has been removed, accurate weight of the waste and the destination the waste has been removed to.

Total non-compliance score

The total non-compliance score for this form is 62 CCS points (suspended).

Please note that 93 points are currently suspended and could be re-instated as previously explained.

Without including the currently suspended points the total CCS score for the year 2026 to date is 35.2 CCS points. Placing you in compliance band D.

Compliance band D operators must improve in order to achieve permit compliance. Band D operators pay 125% of their subsistence charge. Your subsistence charge could increase if you score any permit breaches before the 31st of December 2026.

Enforcement Action

There is currently an active Regulation 37(5) Notice. The deadline for this notice is 08/07/2026.

A copy of the Enforcement and Sanctions Policy can be found here: Environment Agency enforcement and sanctions policy - GOV.UK

Next Steps

The operator must complete all actions within this CAR.

The Environment Agency will carry out inspections to check progress.

Any queries about or response to this Compliance Assessment Report should be directed to Yorkshire-landfill@environment-agency.gov.uk and your allocated area officer.

Photograph 1



Photograph 2



Photograph 3



Photograph 4



Photograph 5



Photograph 6



Photograph 7



Photograph 8



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.	X

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			
C1	C2	See Regulation 37(5) Notice	08/07/2026
C3	C2	See Regulation 37(5) Notice	08/07/2026

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 406424/0597120

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

Site	Escrick Soil Landfill Site EPR/ZP3835JD			Permit Ref	406424	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	25/03/2026			Time in	10:10	Out 13:15
What parts of the permit were assessed	General Management, Permitted Activities, Operating Techniques, Waste Acceptance & Amenity					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X		Water Discharge
Recipient's name/position	The Director					
Officer's name	Elsa Heppell, Anthony Sorrell			Date issued	09/04/2026	

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	A		
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	N		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	A		
c) General management	**1**. Staff competency/ training	*C2		1.1.1(b).
	2. Management system & operating procedures	A		
	3. Materials acceptance	*C2		2.7.1 (b)
	4. Storage handling, labelling, segregation	N		
d) Incident management	**1**. Site security	A		
	2. Accident, emergency & incident planning	N		
e) Emissions	**1.** Air	A		
	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	N		
	2. Energy	N		

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	2	**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.

Introduction

This Compliance Assessment Report (CAR) has been prepared following an announced site inspection and meeting which was conducted on Wednesday 25th March 2026, between 10:10 and 13:15.

The purpose of the inspection was to assess compliance with the Regulation 37(5) Notice, dated 11/02/2026. Whilst on site we also carried out gas surveys for Hydrogen Sulphide (H2S) and Methane (CH4) using the following:

- Jerome 605 H2S monitor, S/N 60500687 (Jerome)
- Geotech Inspectra BLE TDL 500 methane detector, S/N 2110911 (TDL), coupled to the Gazosurvey mobile phone application, developed and administered by NG Mesh.

The Geotech Inspectra BLE TDL 500 methane detector survey will be documented under its own header within this CAR.
Weather conditions during the inspection were sunny, overcast with showers of hail. The temperature was approximately 8°C. The wind direction was north-westerly. Ground conditions were reasonably dry.

The inspection was attended by me (Regulatory Specialist for Landfill) and the below representatives from the Environment Agency (EA) and Escrick Environmental Services (EES):

- EA Regulatory Officer – Waste
- EA Regulatory Specialist - Landfill
- EES Technically Competent Manager (TCM)

One Notice of Powers and Rights was issued to the TCM. Details as follows:

- Reference EA59390 (Offence suspected – gathering evidence (Police and Criminal Evidence Act 1984 Code B applies).

Inspection

<u>Waste Treatment Facility (EPR BB3907LY)</u>

A stockpile of waste that was observed on a previous site inspection which was carried out on 19/01/2026 was still present within a designated bay. We were previously advised that the material had been removed from the landfill and transferred for re-processing in compliance with the requirements of an active Regulation 37(5) notice.

Cell 1, Cell 1 Extension

The situation on Cell 1 is unchanged from the previous site inspections which was carried out on 25/02/2026. See Report ID: 406424/0595048 for reference.

Pale grey/white and black liquid was still pooled on the ground surface (*see photographs 1, 2, 3*). The liquid omitted a sulphurous odour. Measurements taken with the Jerome instrument recorded a H2S concentration of 7.05ppb at NGR SE 62171 40459 (see photograph 4).

Methane was detected by the TDL at a manhole on the drainage system at the NE corner, outside the bund. This is detailed below under header 'Methane walkover survey'.

There was no evidence that any of the non-compliant waste identified in previous inspections has been removed from this cell.

Stored Restoration Material on Cell 1

The situation on Cell 1 is unchanged from the previous site inspections which was carried out on 25/02/2026. See Report ID: 406424/0595048 for reference.

No testing results had been received at the time of the inspection.

Cell 2A

We were unable to undertake close proximity observations of this cell during the previous two inspections due to poor ground conditions. However, during this inspection we were able to access the area and examine the tipped waste directly.

Our assessment identified a significantly larger volume of non-compliant waste within the Cell 2A area than previously anticipated. Site observations confirmed that material consistent with street cleaning residues and fines originating from municipal waste processing had been mixed throughout the otherwise compliant waste. This cross contamination has rendered the entire tipped area non-compliant (*see Photographs 5, 6, 7, and 8*).

We also noted areas of pooled black liquid and rainwater present at various points within the tipped waste. The liquid showed evidence of gas bubbling, for which video recordings were taken.

Cracking was observed across sections of the dried waste. The cracks exhibited dark staining around their edges, indicative of gas related discolouration (*see Photographs 9 and 10*).

A strong sulphurous odour was detected within the vicinity of Cell 2A. Measurements taken with the Jerome instrument recorded a H2S concentration of 119.9 ppb at NGR SE 62147 40408 (*see photograph 11*). This level of H2S is very concerning and above the H2S exposure limit for safe working.

Methane was also detected by the TDL within the piled waste. This is detailed below under header 'Methane walkover survey'

Cell 2B

This cell has not yet been engineered and therefore no waste has been deposited in it. The Cell was filled with rainwater.

Methane Walkover Survey

The emission survey was carried out using a calibrated Geotech Inspectra BLE TDL 500 methane detector s/n 2110911, coupled to the Gazosurvey mobile phone application, developed and administered by NG Mesh. The infrared beam in the TDL is tuned to a methane specific absorption wavelength and is therefore unresponsive to other hydrocarbons. The TDL has a response time of a few seconds with respect to detection, allowing the user to be confident that the value presented on the screen is representative of the location being surveyed at that moment. The mobile application acts as a data-logging device using the phone's integrated GPS and records the methane reading every few seconds alongside the location. The software allows the user to switch between auto recording and manual recording; the manual function allowing additional details to be entered, from which a separate report is generated. Report ref: Escrick_25032026_31_03_2026 033509 is provided with this CAR form.

The TDL works on the principle of infrared absorption spectroscopy to detect surface methane concentrations at the parts per million (ppm) level. Typical background surface methane levels in the UK are below 5 ppm and prior to walking onto areas containing waste deposits a background methane reading of 2.8ppm was taken. For an emission survey at an inert landfill, any readings above 10 -20 ppm should be investigated by the operator of the site.

Survey plots recorded and their associated methane concentration threshold range bandings are shown in Figures 1 to 5.



Figure 1. All survey plots.



Figure 2. Plotted methane concentrations greater than 20ppm.



Figure 3. Plotted methane concentrations greater than 1000ppm. Manual reading 7 highlighted: 11995ppm.



Figure 4. Plotted methane concentrations greater than 1000ppm. Manual reading 6 highlighted: 702ppm.



Figure 5. Plotted methane concentrations greater than 1000ppm. Auto reading 1512 highlighted: 2218ppm.

A total of 17 readings were recorded where methane concentrations were greater than 500ppm.

ReadingType	CH4	UOM	SurveyReadingDateTime	Latitude	Longitude	Description
Manual	11995.3	ppm	25/03/2026 12:45	53.85622	-1.05716	Manual-7
Automatic	4937.4	ppm	25/03/2026 12:45	53.85622	-1.05716	Auto-1690
Manual	702.6	ppm	25/03/2026 12:40	53.85623	-1.05701	Manual-6
Manual	1574.7	ppm	25/03/2026 12:31	53.85621	-1.05668	Manual-4
Automatic	1198.3	ppm	25/03/2026 12:31	53.85621	-1.05668	Auto-1549
Automatic	702.5	ppm	25/03/2026 12:29	53.85623	-1.05665	Auto-1521
Automatic	674.5	ppm	25/03/2026 12:28	53.85623	-1.05665	Auto-1520
Automatic	997.4	ppm	25/03/2026 12:28	53.85623	-1.05665	Auto-1519
Automatic	621.2	ppm	25/03/2026 12:28	53.85623	-1.05665	Auto-1518
Automatic	580.6	ppm	25/03/2026 12:28	53.85623	-1.05665	Auto-1517
Automatic	840.5	ppm	25/03/2026 12:28	53.85623	-1.05665	Auto-1516
Automatic	623	ppm	25/03/2026 12:28	53.85623	-1.05665	Auto-1515
Automatic	761.1	ppm	25/03/2026 12:28	53.85623	-1.05665	Auto-1514
Automatic	1244.6	ppm	25/03/2026 12:28	53.85623	-1.05665	Auto-1513
Automatic	2218	ppm	25/03/2026 12:28	53.85623	-1.05665	Auto-1512
Automatic	1045.8	ppm	25/03/2026 12:28	53.85623	-1.05665	Auto-1511
Automatic	885.4	ppm	25/03/2026 12:28	53.85623	-1.05665	Auto-1509

A sulphurous landfill gas-type odour at a persistent distinct to strong intensity was detected by officers when approximately 100m downwind of the locations shown in Figures 2 to 5. The locations exhibiting the elevated readings were traced by walking upwind from the location where gas odour was first detected. The area was covered in un-spread piles of a predominantly soil based waste that appeared to have been roughly processed. We identified a few locations where a different waste akin to trommel fines was exposed and concentrations of methane were significant around these points. Evidence of gas escaping through cracks in the waste was observed via the presence of dark grey discolouration along the edges of the cracks. Methane bubbling up through pooled water was identified in other locations. Manual recordings taken within this part of the site (Cell 2a/1 boundary) are included in report *Escrick_25032026_31_03_2026 033509*.

The presence of methane indicates where conditions exist allowing the anaerobic decomposition of wastes containing organic materials to take place. The geographical extent of the emissions indicates the presence of more than an incidental amount of non-inert waste buried underneath the soil above it. It is possible the soils roughly piled on the surface are acting as a crude sealing layer in places.

Comments on the wider non-compliant wastes disposed of at the main gassing hotspot identified during this survey are made elsewhere in this report and previous CAR forms.



Figure 6. Manual reading 1 (40ppm) at a manhole on the drainage system at the NE corner, outside the bund.

Figure 6 is included to show where a concentration of 40ppm was identified at a manhole at the NE corner of the site outside the bund. The stone armoured drain around the manhole was checked for a few metres in both directions to see if methane was present in the drain, but at the time, the emission appeared to be confined to the manhole. Future surveys will check to see if a migration path linked to the landfilling activities exists.

Non-Compliances for this CAR

Non-compliant material deposited

Permit condition 2.7.1 states that *wastes shall only be accepted for disposal if:*
(a) they are listed in schedule 2, table S2.1; and
(b) they are inert waste; and
(c) they are not liquid waste (including waste waters but excluding sludge); and
(d) all the relevant waste acceptance procedures have been completed; and
(e) they fulfil the relevant waste acceptance criteria; and
(f) they have not been diluted or mixed solely to meet the relevant waste acceptance criteria; and
(g) they are wastes which have been treated, except for wastes for which treatment is not technically feasible.

It has previously been identified that non inert waste has been deposited within Cell 1, Cell 1 Extension, and Cell 2A. This inspection has confirmed that a greater volume of non-compliant waste has been deposited within Cell 2A than was previously identified.

The waste types on site pose a risk of polluting emissions in the form of odour, leachate, and gas. There is a significant risk to the environment through risk of pollution to underlying Sherwood Sandstone Principal Aquifer. Principal Aquifers are strategically important rock units that have high permeability, water storage capacity, and represent areas and groundwater resources that are critical to future public water supplies. We are also concerned about the potential environmental impact associated with the apparent gas generation / emissions that we observed during this inspection.

The non-inert waste deposited into Cell 1, Cell 1 Extension and Cell 2A have been consolidated and recorded as a **category 2 breach of permit condition 2.7.1 (b)** under CCS category C3 (General Management - Materials acceptance).

An action has not been set for this breach in this CAR due to an active Regulation 37(5) Notice being in place which requires the removal of this waste. The waste is currently still in situ. The score

will be suspended and assessed against compliance with the notice once the deadline date has expired.

Root Cause

When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK

Permit condition 1.1.1 states that *the operator shall manage and operate the activities:*
(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure, and those drawn to the attention of the operator as a result of complaints; and
(b) using sufficient competent persons and resources.

Observations made during the inspection suggests that the operations on site are not being managed in line with a suitable management system that identifies and minimises the risk of pollution and that there is a lack of technical competency. Inadequacies of the environment management system and/or failure to provide sufficient competent persons and resources has been considered to be the root cause of the breach of condition 2.7.1 (b).

This has been recorded as a **category 2 breach of permit condition 1.1.1(b)**. under CCS category C1 (General Management - Staff competency/training).

An action has not been set for this breach in this CAR due to an active Regulation 37(5) Notice being in place. The score will be suspended and assessed against compliance with the notice once the deadline date has expired.

Total non-compliance score

The total non-compliance score for this form is 62 CCS points (suspended).

Please note that 155 points (including this report) are currently suspended and could be re-instated as previously explained.

Without including the currently suspended points the total CCS score for the year 2026 to date is 35.2 CCS points. Placing you in compliance band D.

Compliance band D operators must improve in order to achieve permit compliance. Band D operators pay 125% of their subsistence charge. Your subsistence charge could increase if you score any permit breaches before the 31st of December 2026.

Enforcement Action

At the time of the inspection, an active Regulation 37(5) Notice was in force. This Notice was issued on 11 February 2026, with an effective start date of 18 February 2026, and a compliance deadline of 08 July 2026.

The Notice provides that the Environmental Permit ceases to have effect insofar as it authorises the acceptance of waste at the regulated facility and requires the removal of non-compliant waste from Cell 1, Cell 1 Extension, and Cell 2A.

However, the subsequent identification of a greater volume of non-compliant waste deposited within Cell 2A necessitates the withdrawal of the existing Notice and a revised Regulation 37(5) Notice will

be issued to incorporate the newly identified non-compliant waste within Cell 2A.
A Regulation 37(12) Notice and a revised Regulation 37(5) Notice will be issued following this CAR.

A copy of the Enforcement and Sanctions Policy can be found here: Environment Agency enforcement and sanctions policy - GOV.UK

Next Steps

The Environment Agency will carry out inspections to check progress.

Any queries about or response to this Compliance Assessment Report should be directed to Yorkshire-landfill@environment-agency.gov.uk and your allocated area officer.

Photograph 1



Photograph 2



Photograph 3



Photograph 4



Photograph 5



Photograph 6



Photograph 7



Photograph 8



Photograph 9



Photograph 10



Photograph 11



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.	X

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			
C1	C2	See Regulation 37(5) Notice	08/09/2026
C3	C2	See Regulation 37(5) Notice	08/09/2026

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

SUSPENSION NOTICE AND REQUIREMENT TO TAKE STEPS

To: Escrick Environmental Services Limited
The Old Brick and Tile Works
Riccall Road
Escrick
York
North Yorkshire
YO19 6ED

Company number: 06019667

Environmental permit number: EPR/ZP3835JD
Regulated facility: Escrick Soil Landfill Site, The Old Brick and Tile Works, Riccall Road, Escrick, York, North Yorkshire, YO19 6ED

Under Regulation 37(1) & (5) of the Environmental Permitting (England and Wales) Regulations 2016, we may suspend an environmental permit if we consider that the manner of operating a regulated facility contravenes an environmental permit condition and that such contravention involves a risk of pollution.

We consider the operation of the regulated facility involves a contravention of a permit condition, namely,

Condition 2.7.1

'Wastes shall only be accepted for disposal if:
(a) they are listed in schedule 2, table S2.1; and
(b) they are inert waste;...'

Because you have accepted wastes which are not inert and are not listed in table S2.1, namely:

1. Non-permitted waste was accepted and deposited within Cell 1 and Cell 1 Extension. The waste was described as waste code 19 12 12, however on inspection the waste resembled waste fines from the mechanical treatment of wet mixed waste. It is fluffy in nature and warm on the surface.
2. Non-permitted waste, namely, waste consistent with street-cleaning residues and fines originating from municipal waste processing, has been mixed with the otherwise compliant waste in Cell 2A. This cross-contamination has rendered the entire tipped area of Cell 2A non-compliant.

The above contravention involves a risk of pollution, namely:

1. Offence to human senses by impairing or interfering with amenities or other legitimate uses of the environment due to the risk of odour from the wastes deposited at the regulated facility.

2. Leachate entering ground waters, namely the Sherwood Sandstone Principal Aquifer. Once in the ground water, leachate can spread and potentially enter wells, springs, or public water systems causing damage to the quality of the ground water.

The Environment Agency has decided to suspend the environmental permit to the extent specified in Schedule 1 with immediate effect, until this notice is withdrawn.

In addition:

- you are required to take the steps specified in Schedule 2 to remedy the contravention of your permit and remove the risk of pollution.

Date 09/04/2026 **Signed**

Steven Gordon
Team Leader

Environment Agency
Foss House
York
YO1 7PX

Please see over for notes.

General

1. This notice suspends the environmental permit to the extent specified in Schedule 1 because we consider that the manner of operating the regulated facility contravenes an environmental permit condition and that contravention involves a risk of pollution.

2. It is an offence to contravene any requirements of this notice.

3. You remain bound by any conditions of the environmental permit that are not specified in Schedule 1. Failure to comply with these conditions is an offence and legal action may be taken against you.

4. Under the Environmental Permitting Charging Scheme, you must pay additional subsistence charges relating to the work we undertake in connection with the suspension notice from the time we decide to issue the notice. For further details on these charges, see:
https://www.gov.uk/government/publications/environmental-permits-and-abstraction-licences-tables-of-charges
You will now be invoiced for the additional regulatory work to be undertaken.

5. You may wish to seek independent legal advice.

Appeal provisions

You are entitled to appeal against this notice under Regulation 31(1)(f) of the Environmental Permitting (England and Wales) Regulations 2016. Notice of appeal must be made within two months of the date of this notice. An appeal does not affect the requirements of this notice.

You must send written notice of the appeal and the documents listed below to:

Secretary of State
The Planning Inspectorate
Room 3A Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

At the same time, you must send a copy of the appeal notice and documents to us.

The required documents are:

- a statement of the grounds of appeal;
- a copy of any relevant application;
- a copy of any relevant environmental permit;
- a copy of any relevant correspondence between the appellant and the regulator;
- a copy of any decision or notice which is the subject matter of the appeal; and
- a statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying the Secretary of State in writing and sending a copy of that notification to us.

Further information about making an appeal and the forms that you will need are available from the Planning Inspectorate.

SCHEDULE 1
EXTENT TO WHICH THE ENVIRONMENTAL PERMIT IS SUSPENDED

The Environmental Permit ceases to have effect to the extent that it authorises the acceptance of waste at the regulated facility.

SCHEDULE 2 **STEPS TO BE TAKEN**	
Steps to be taken to remove risk of pollution	**By date**
1. Remove all the waste fines from: • Cell 1 (including the zone where restoration materials had been stockpiled), total to be removed: 4,665 tonnes • Cell 1 Extension, total to be removed: 3,896 tonnes	08.09.2026
2. Remove all waste from Cell 2A	08.09.2026
Steps to be taken to remedy the permit contravention	**By date**
As above.	

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 406424/0597769

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

Site	Escrick Soil Landfill Site EPR/ZP3835JD			Permit Ref	406424	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	20/04/2026			Time in	10:00	Out 11:45
What parts of the permit were assessed	General Management, Permitted Activities, Operating Techniques, Waste Acceptance & Amenity					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X		Water Discharge
Recipient's name/position	The Director					
Officer's name	Elsa Heppell			Date issued	22/04/2026	

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	A		
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	N		
	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	*C2		1.1.1(b)
	2. Management system & operating procedures	N		
	3. Materials acceptance	*C2		2.7.1 (b)
	4. Storage handling, labelling, segregation	N		
d) Incident management	**1**. Site security	A		
	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	N		
	2. Energy	N		

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	2	**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.

Introduction

This Compliance Assessment Report (CAR) has been prepared following an announced site inspection conducted on Monday 20th July 2026, between 10:00 and 11:45.

The purpose of the inspection was to assess compliance with the Regulation 37(5) Notice, dated 09/04/2026.

The inspection also included Escrick Screening Bund EPR/LB3005TW, the screening bund inspection has been recorded in CAR Report ID: 408236/0597767.

Weather conditions at the time of inspection were overcast, and the temperature was approximately 9°C. Ground conditions were dry.

The inspection was attended by me (Regulatory Specialist for Landfill) and the below representatives from the Environment Agency (EA) and Escrick Environmental Services (EES):

- EA Regulatory Specialist - Waste
- EA Regulatory Officer – Waste
- EES Director

One Notice of Powers and Rights was issued to the TCM. Details as follows:
Reference EA59391 (Offence suspected – gathering evidence (Police and Criminal Evidence Act 1984 Code B applies).

Inspection

<u>Waste Treatment Facility (EPR BB3907LY)</u>

The discussions were had about waste piles intended for use within the screening bund. As stated above these discussions have been recorded in CAR Report ID: 408236/0597767.

<u>Cell 1, Cell 1 Extension</u>

The situation on Cell 1 is unchanged from the previous site inspections which was carried out on 25/03/2026. See Report ID: CAR Report ID: 406424/0597120 for reference.

Pale grey/white and black liquid was still pooled on the ground surface. The Director advised this will be removed.

There was no evidence that any of the non-compliant waste identified in previous inspections has been removed from this cell.

Stored Restoration Material on Cell 1

The situation with the stored restoration material is unchanged from the previous site inspections which was carried out on 25/03/2026. See Report ID: CAR Report ID: 406424/0597120 for reference.

New testing results are still being awaited by the Environment Agency.

Cell 2A

The situation on Cell 2A is unchanged from the previous site inspections which was carried out on 25/03/2026. See Report ID: CAR Report ID: 406424/0597120 for reference.

There was no evidence that any of the non-compliant waste identified in previous inspections has been removed from this cell.
All waste transfer notes for the full period that Cell 2A has been tipped in since the date that the validation report was signed off (08/08/2025) were requested via email on 30/03/2026. We have not had a response to this request. It was discussed on site that this would be requested via Notice. As a result, a Section 34(5) Notice was sent via first class post on 22/04/2026.

Non-Compliances for this CAR

Non-compliant material deposited Permit condition 2.7.1 states that *wastes shall only be accepted for disposal if:*
(a) they are listed in schedule 2, table S2.1; and
(b) they are inert waste; and
(c) they are not liquid waste (including waste waters but excluding sludge); and
(d) all the relevant waste acceptance procedures have been completed; and
(e) they fulfil the relevant waste acceptance criteria; and
(f) they have not been diluted or mixed solely to meet the relevant waste acceptance criteria; and
(g) they are wastes which have been treated, except for wastes for which treatment is not technically feasible.

The waste types on site pose a risk of polluting emissions in the form of odour, leachate, and gas. There is a significant risk to the environment through risk of pollution to underlying Sherwood Sandstone Principal Aquifer. Principal Aquifers are strategically important rock units that have high permeability, water storage capacity, and represent areas and groundwater resources that are critical to future public water supplies. We are also concerned about the potential environmental impact associated with the apparent gas generation / emissions that we observed during this inspection.

The non-inert waste deposited into Cell 1, Cell 1 Extension and Cell 2A have been consolidated and recorded as a **category 2 breach of permit condition 2.7.1 (b)** under CCS category C3 (General Management - Materials acceptance).

An action has not been set for this breach in this CAR due to an active Regulation 37(5) Notice being in place which requires the removal of this waste. The waste is currently still in situ. The score will be suspended and assessed against compliance with the notice once the deadline date has expired.

Root Cause

When a permit non-compliance is identified, we would always seek to record the root cause of the

issue, as explained in the assessing and scoring environmental permit compliance guidance available here: Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK

Permit condition 1.1.1 states that *the operator shall manage and operate the activities:*
(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure, and those drawn to the attention of the operator as a result of complaints; and
(b) using sufficient competent persons and resources.

Observations made during the inspection suggests that the operations on site are not being managed in line with a suitable management system that identifies and minimises the risk of pollution and that there is a lack of technical competency. Inadequacies of the environment management system and/or failure to provide sufficient competent persons and resources has been considered to be the root cause of the breach of condition 2.7.1 (b).

This has been recorded as a **category 2 breach of permit condition 1.1.1(b)**. under CCS category C1 (General Management - Staff competency/training).

An action has not been set for this breach in this CAR due to an active Regulation 37(5) Notice being in place. The score will be suspended and assessed against compliance with the notice once the deadline date has expired.

Total non-compliance score

The total non-compliance score for this form is 62 CCS points (suspended).

Please note that 217 points (including this report) are currently suspended and could be re-instated as previously explained.
Without including the currently suspended points the total CCS score for the year 2026 to date is 35.2 CCS points. Placing you in compliance band D.

Compliance band D operators must improve in order to achieve permit compliance. Band D operators pay 125% of their subsistence charge. Your subsistence charge could increase if you score any permit breaches before the 31st of December 2026.

Enforcement Action

At the time of the inspection, an active Regulation 37(5) Notice was in force. This Notice was issued on 09 April 2026, with an effective start date of 09 April 2026, and a compliance deadline of 08 September 2026.

The Notice provides that the Environmental Permit ceases to have effect insofar as it authorises the acceptance of waste at the regulated facility and requires the removal of non-compliant waste from Cell 1, Cell 1 Extension, and Cell 2A.

A copy of the Enforcement and Sanctions Policy can be found here: Environment Agency enforcement and sanctions policy - GOV.UK

Next Steps

The Environment Agency will carry out inspections to check progress.

Any queries about or response to this Compliance Assessment Report should be directed to

Yorkshire-landfill@environment-agency.gov.uk and your allocated area officer.

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.	X

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			
C1	C2	See Regulation 37(5) Notice	08/09/2026
C3	C2	See Regulation 37(5) Notice	08/09/2026

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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
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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.
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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
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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.

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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
- 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.

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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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 406424/0602496

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

Site	Escrick Soil Landfill Site EPR/ZP3835JD			Permit Ref	406424	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	30/06/2026			Time in	11:00	Out 12:00
What parts of the permit were assessed	General Management, Permitted Activities, Operating Techniques, Waste Acceptance & Amenity					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	The Director					
Officer's name	Elsa Heppell			Date issued	02/07/2026	

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	A		
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	N		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	C2		1.1.1(b)
	2. Management system & operating procedures	N		
	3. Materials acceptance	C2		2.7.1 (b)
	4. Storage handling, labelling, segregation	N		
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	N		
	2. Energy	N		

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	2	**Total compliance score** (see section 5 for scoring scheme)	62

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.

Introduction

This Compliance Assessment Report (CAR) has been prepared following an announced site inspection conducted on Tuesday 30th June 2026, between 11:00 and 12:00.

The purpose of the inspection was to assess compliance with the Regulation 37(5) Notice, dated 09/04/2026.

Weather conditions at the time of inspection were sunny with cloud, and the temperature was approximately 22°C. Ground conditions were dry.
The inspection was attended by me (Regulatory Specialist for Landfill) and the below representatives from the Environment Agency (EA) and an Allium Group representative on behalf of Escrick Environmental Services (EES).

One Notice of Powers and Rights was issued to the TCM. Details as follows:

- Reference EA59393 (Offence suspected – gathering evidence (Police and Criminal Evidence Act 1984 Code B applies).

Inspection

Cell 1, Cell 1 Extension

The situation on Cell 1 is unchanged from the previous site inspections which was carried out on 20/04/2026. See Report ID: CAR Report ID: 406424/0597769 for reference.

There was no evidence that any of the non-compliant waste identified in previous inspections has been removed from this cell.

Stored Restoration Material on Cell 1

The situation with the stored restoration material is unchanged from the previous site inspections which was carried out on 20/04/2026. See Report ID: CAR Report ID: 406424/0597769 for reference.

New testing results are still being awaited by the Environment Agency.

Cell 2A

The situation on Cell 2A is unchanged from the previous site inspections which was carried out on 20/04/2026. See Report ID: CAR Report ID: 406424/0597769 for reference.

There was no evidence that any of the non-compliant waste identified in previous inspections has

been removed from this cell.

A sulphurous odour was detected within the vicinity of Cell 2A. The odour was not leaving the boundary of the site.

Non-Compliances for this CAR

Non-compliant material deposited Permit condition 2.7.1 states that *wastes shall only be accepted for disposal if:*
(a) they are listed in schedule 2, table S2.1; and
(b) they are inert waste; and
(c) they are not liquid waste (including waste waters but excluding sludge); and
(d) all the relevant waste acceptance procedures have been completed; and
(e) they fulfil the relevant waste acceptance criteria; and
(f) they have not been diluted or mixed solely to meet the relevant waste acceptance criteria; and
(g) they are wastes which have been treated, except for wastes for which treatment is not technically feasible.

The waste types on site pose a risk of polluting emissions in the form of odour, leachate, and gas. There is a significant risk to the environment through risk of pollution to underlying Sherwood Sandstone Principal Aquifer. Principal Aquifers are strategically important rock units that have high permeability, water storage capacity, and represent areas and groundwater resources that are critical to future public water supplies. We are also concerned about the potential environmental impact associated with the apparent gas generation / emissions that we observed during this inspection.

The non-inert waste deposited into Cell 1, Cell 1 Extension and Cell 2A have been consolidated and recorded as a **category 2 breach of permit condition 2.7.1 (b)** under CCS category C3 (General Management - Materials acceptance).

An action has not been set for this breach in this CAR due to an active Regulation 37(5) Notice being in place which requires the removal of this waste. The waste is currently still in situ. The score will be suspended and assessed against compliance with the notice once the deadline date has expired.

Root Cause

When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK

Permit condition 1.1.1 states that *the operator shall manage and operate the activities:*
(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure, and those drawn to the attention of the operator as a result of complaints; and
(b) using sufficient competent persons and resources.

Observations made during the inspection suggests that the operations on site are not being managed in line with a suitable management system that identifies and minimises the risk of pollution and that there is a lack of technical competency. Inadequacies of the environment management system and/or failure to provide sufficient competent persons and resources has been considered to be the root cause of the breach of condition 2.7.1 (b).

This has been recorded as a **category 2 breach of permit condition 1.1.1(b)**. under CCS

category C1 (General Management - Staff competency/training).

An action has not been set for this breach in this CAR due to an active Regulation 37(5) Notice being in place. The score will be suspended and assessed against compliance with the notice once the deadline date has expired.

Total non-compliance score

The total non-compliance score for this form is 62 CCS points (suspended).

Please note that 279 points (including this report) are currently suspended and could be re-instated as previously explained.

Without including the currently suspended points the total CCS score for the year 2026 to date is 35.2 CCS points. Placing you in compliance band D.

Compliance band D operators must improve in order to achieve permit compliance. Band D operators pay 125% of their subsistence charge. Your subsistence charge could increase if you score any permit breaches before the 31st of December 2026.

Enforcement Action

At the time of the inspection, an active Regulation 37(5) Notice was in force. This Notice was issued on 09 April 2026, with an effective start date of 09 April 2026, and a compliance deadline of 08 September 2026.

The Notice provides that the Environmental Permit ceases to have effect insofar as it authorises the acceptance of waste at the regulated facility and requires the removal of non-compliant waste from Cell 1, Cell 1 Extension, and Cell 2A.

A copy of the Enforcement and Sanctions Policy can be found here: Environment Agency enforcement and sanctions policy - GOV.UK

Next Steps

The Environment Agency will carry out inspections to check progress.

Any queries about or response to this Compliance Assessment Report should be directed to Yorkshire-landfill@environment-agency.gov.uk and your allocated area officer.

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.	X

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			
C1	C2	No action specified	N/A
C3	C2	No action specified	N/A

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 406424/0605200

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

Site	Escrick Soil Landfill Site EPR/ZP3835JD			Permit Ref	406424	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	11/08/2026			Time in	11:00	Out 11:30
What parts of the permit were assessed	General Management, Permitted Activities, Operating Techniques, Waste Acceptance & Amenity					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	The Director					
Officer's name	Elsa Heppell			Date issued	13/08/2026	

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 2) and the Actions (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				Condition(s) breached
a) Permitted activities	**1**. Specified by permit	N		
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	N		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	C2		1.1.1(b)
	2. Management system & operating procedures	N		
	3. Materials acceptance	C2		2.7.1 (b)
	4. Storage handling, labelling, segregation	N		
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	N		
	2. Energy	N		

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	2	**Total compliance score** (see section 5 for scoring scheme)	62

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.

Introduction

This Compliance Assessment Report (CAR) has been prepared following an announced site inspection conducted on Tuesday 11th August 2026, between 11:00 and 11:30.

The purpose of the inspection was to assess compliance with the Regulation 37(5) Notice, dated 09/04/2026.

Weather conditions at the time of inspection were sunny and the temperature was approximately 22°C. Ground conditions were dry.

The inspection was attended by me (Regulatory Specialist for Landfill) and the below representatives from Allium Group on behalf of Escrick Environmental Services (EES).

One Notice of Powers and Rights was issued to the representatives from Allium Group. Details as follows:
Reference EA59394 (Offence suspected – gathering evidence (Police and Criminal Evidence Act 1984 Code B applies).

Inspection

Observations and Discussions

It was discussed that the operator is currently developing a revised restoration scheme for the site. Implementation of the revised scheme would require amendments to both the existing planning permission issued by North Yorkshire Council and the site's environmental permit issued by the Environment Agency.

A sulphurous odour was detected in the vicinity of Cell 1 Extension and Cell 2A; however, this odour was not detected beyond the site boundary.

Ground conditions were extremely dry, and significant cracking was observed throughout the deposited material across Cell 1, Cell 1 Extension, and Cell 2A.

Wooden pegs with red-painted tips had been installed around the perimeter of Cell 1 Extension and within areas of Cell 1. It was explained that these markers identify the areas from which waste is scheduled to be excavated and removed from the site. It was also noted that no pegs had been placed within Cell 2A, as the requirements of the Regulation 37(5) Notice stipulate that all waste within this cell is to be removed.

It was further advised that waste will be visually inspected during excavation and removal activities. Excavated material will be transferred to the Waste Transfer Facility (EPR BB3907LY). Sampling and analysis will be undertaken. Testing will include a full WM3 assessment, together with testing against subsoil and topsoil specifications. It was confirmed that Inert Waste Acceptance Criteria (WAC) testing will not be carried out, as the material is not intended to be redeposited within the

Escrick Soil Landfill Site (EPR ZP3835JD). It was advised that this work is aimed to start late August or early September. The Regulation 37(5) deadline is 08 September 2026.

Legislation states that waste must be described accurately upon transfer, as a result, sampling should take place prior the waste being moved from EPR ZP3835JD to EPR BB3907LY.

ACTION: Provide a sampling plan for the waste removal activity to the Environment Agency.
ACTION DEADLINE: 27/08/2026

Cell 1, Cell 1 Extension

There was no evidence that any of the non-compliant waste identified in previous inspections has been removed from this cell.

Stored Restoration Material on Cell 1

The situation with the stored restoration material is unchanged from the previous site inspections.

New testing results are still being awaited by the Environment Agency.

Cell 2A

The situation with the stored restoration material is unchanged from the previous site inspections.

There was no evidence that any of the non-compliant waste identified in previous inspections has been removed from this cell.

Non-Compliances for this CAR

Non-compliant material deposited Permit condition 2.7.1 states that *wastes shall only be accepted for disposal if:*
(a) they are listed in schedule 2, table S2.1; and
(b) they are inert waste; and
(c) they are not liquid waste (including waste waters but excluding sludge); and
(d) all the relevant waste acceptance procedures have been completed; and
(e) they fulfil the relevant waste acceptance criteria; and
(f) they have not been diluted or mixed solely to meet the relevant waste acceptance criteria; and
(g) they are wastes which have been treated, except for wastes for which treatment is not technically feasible.

The waste types on site pose a risk of polluting emissions in the form of odour, leachate, and gas. There is a significant risk to the environment through risk of pollution to underlying Sherwood Sandstone Principal Aquifer. Principal Aquifers are strategically important rock units that have high permeability, water storage capacity, and represent areas and groundwater resources that are critical to future public water supplies. We are also concerned about the potential environmental impact associated with the apparent gas generation / emissions that we observed during this inspection.

The non-inert waste deposited into Cell 1, Cell 1 Extension and Cell 2A have been consolidated and recorded as a **category 2 breach of permit condition 2.7.1 (b)** under CCS category C3 (General Management - Materials acceptance).

An action has not been set for this breach in this CAR due to an active Regulation 37(5) Notice

being in place which requires the removal of this waste. The waste is currently still in situ. The score will be suspended and assessed against compliance with the notice once the deadline date has expired.

Root Cause

When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK

Permit condition 1.1.1 states that *the operator shall manage and operate the activities:*
(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure, and those drawn to the attention of the operator as a result of complaints; and
(b) using sufficient competent persons and resources.

Observations made during the inspection suggests that the operations on site are not being managed in line with a suitable management system that identifies and minimises the risk of pollution and that there is a lack of technical competency. Inadequacies of the environment management system and/or failure to provide sufficient competent persons and resources has been considered to be the root cause of the breach of condition 2.7.1 (b).

This has been recorded as a **category 2 breach of permit condition 1.1.1(b)**. under CCS category C1 (General Management - Staff competency/training).

An action has not been set for this breach in this CAR due to an active Regulation 37(5) Notice being in place. The score will be suspended and assessed against compliance with the notice once the deadline date has expired.

Total non-compliance score

The total non-compliance score for this form is 62 CCS points (suspended).

Please note that 341 points (including this report) are currently suspended and could be re-instated as previously explained.
Without including the currently suspended points the total CCS score for the year 2026 to date is 35.2 CCS points. Placing you in compliance band D.

Compliance band D operators must improve in order to achieve permit compliance. Band D operators pay 125% of their subsistence charge. Your subsistence charge could increase if you score any permit breaches before the 31st of December 2026.

Enforcement Action

At the time of the inspection, an active Regulation 37(5) Notice was in force. This Notice was issued on 09 April 2026, with an effective start date of 09 April 2026, and a compliance deadline of 08 September 2026.

The Notice provides that the Environmental Permit ceases to have effect insofar as it authorises the acceptance of waste at the regulated facility and requires the removal of non-compliant waste from Cell 1, Cell 1 Extension, and Cell 2A.

A copy of the Enforcement and Sanctions Policy can be found here: Environment Agency

enforcement and sanctions policy - GOV.UK

Next Steps

The Environment Agency will carry out inspections to check progress.

Any queries about or response to this Compliance Assessment Report should be directed to Yorkshire-landfill@environment-agency.gov.uk and your allocated area officer.

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.	X

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			
C1	C2	See Regulation 37(5) Notice	08/09/2026
C3	C2	See Regulation 37(5) Notice	08/09/2026

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 406424/0606900

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

Site	Escrick Soil Landfill Site EPR/ZP3835JD			Permit Ref	406424	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	10/09/2026			Time in	10:00	Out 11:00
What parts of the permit were assessed	General Management, Permitted Activities, Operating Techniques, Waste Acceptance & Amenity					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	The Director					
Officer's name	Elsa Heppell			Date issued	21/09/2026	

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 2) and the Actions (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				Condition(s) breached
a) Permitted activities	**1**. Specified by permit	A		
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	N		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	C2		1.1.1(b)
	2. Management system & operating procedures	A		
	3. Materials acceptance	C2		2.7.1 (b)
	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	N		
	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	A		
	2. Records of activity, site diary, journal & events	N		
	3. Maintenance records	N		
	4. Reporting & notification	A		
h) Resource efficiency	**1**. Efficient use of raw materials	N		
	2. Energy	N		

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	2	**Total compliance score** (see section 5 for scoring scheme)	62

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.

Introduction

This Compliance Assessment Report (CAR) has been prepared following an announced site inspection conducted on Thursday 10th September 2026, between 10:00 and 11:00.

The purpose of the inspection was to assess compliance with the Regulation 37(5) Notice, dated 09/04/2026.

Weather conditions at the time of inspection were cloudy and sunny and the temperature was approximately 15°C. Ground conditions were relatively dry.

The inspection was attended by me (Regulatory Specialist for Landfill) and the Director of Escrick Environmental Services (EES).

One Notice of Powers and Rights was issued to the EES Director. Details as follows:
Reference EA59395 (Offence suspected – gathering evidence (Police and Criminal Evidence Act 1984 Code B applies).

Inspection

Discussions

An action requiring the submission of a sampling plan for the waste removal activity was raised under CAR Report ID: 406424/0605200, with a compliance deadline of 27 August 2026. During the discussion, EES confirmed that a sampling plan had been submitted to the EA Waste Team. However, this plan relates to the non-permitted waste currently being stored under the Storage Permit (EPR/DB3000UP). Please note that the sampling plan has not yet been reviewed by the Waste Team, and the outcome of that review may necessitate amendments to the submitted plan. In addition, a separate sampling plan will be required for any waste proposed for removal from Cell 1 and Cell 1 Extension. This should be submitted to the Landfill Team once feedback has been received from the Waste Team on the sampling plan already submitted.

The Director raised queries regarding the options available for the company's proposed scheme. I advised that these matters should be considered through the pre-application process. It was also highlighted that all existing site permits would need to be compliant before any new scheme could be progressed.

The monitoring results for the site were discussed. Non-compliances have been identified and recorded within previous CARs. It was reiterated that the Q2 2026 monitoring data remain outstanding. The operator must take appropriate corrective action to address the identified non-compliances.

Cell 1, Cell 1 Extension

A sulphurous odour was detected in the vicinity of Cell 1; however, this odour was not detected beyond the site boundary.
There was no evidence that any of the non-compliant waste identified in previous inspections has been removed from this cell. It was discussed that the removal of waste from this cell is more likely to be carried out in Spring 2027.

The wooden pegs that have been installed around the perimeter of Cell 1 Extension and within areas of Cell 1 to identify the areas in which waste is scheduled to be excavated and removed from the site do not appear to cover all areas in which waste was seen on the inspection carried out on 17/09/2025. Areas containing the non-compliant waste described in previous CAR reports were observed during this inspection. The Director advised that a programme of works would be established to facilitate the removal of waste from this cell, and that the proposed approach would be communicated to the Environment Agency. (*See photographs 1 and 2*).

Small pools of surface water were observed within low-lying areas of the deposit. The water appeared grey, opaque and sediment-laden, with visible fines in suspension. The water appeared to have been influenced by contact with the surrounding waste material and exposed soils. (*See photographs 3 and 4*).

Stored Restoration Material on Cell 1

The situation with the stored restoration material is unchanged from the previous site inspections.

New testing results are still being awaited by the Environment Agency.

Restoration activities cannot take place until the Environment Agency is satisfied with the testing results of the stored material and the removal of non-compliant waste on Cell 1, Cell 1 Extension and Cell 2A.

Cell 2A

A sulphurous odour was detected in the vicinity of Cell 2A; however, this odour was not detected beyond the site boundary.
The director advised that removal of waste from Cell 2A commenced around the late August bank holiday.

At the time of the inspection, a tracked hydraulic excavator and an articulated dump truck were observed handling and transporting material within the stockpile area. The excavator was actively loading excavated material into the dump truck for movement around the site. (*See photograph 5*).

The Director confirmed that as waste is being excavated for removal it is being visually assessed.

The Director advised that the non-compliant material had been identified and that it appeared to be road sweeper waste. This waste is currently being segregated but remains on Cell 2A. I observed this waste, it was dark grey to brown in colour and comprised a mixed soil and organic waste, containing soil, stones, clay, roots, woody debris, leaves and other decomposed vegetative matter. The waste appeared heterogeneous in composition, with organic material distributed throughout the stockpile. Based on visual inspection, the material was not consistent with clean soil and would require appropriate classification through sampling and analysis. The results of which will inform the appropriate management route, following which the waste will be removed from the site and taken to a suitably permitted facility. (*See photographs 6, 7 and 8*).

The Director advised that material believed by the operator to comprise clean subsoil, and which he advised has undergone preliminary testing, is being relocated to a pegged area within the permitted boundary of Escrick Screening Bund (EPR/LB3005TW). However, observations made during the

inspection and discussions with the waste team off site indicate that the material is currently located within the permitted area of EPR/DB3000UP.

The Director explained that the material deposited in this area is being sealed into 1,000-tonne blocks and will be subject to further testing to determine its suitability for use within EPR/LB3005TW. The Director advised that sampling of this waste will be undertaken in accordance with the sampling plan submitted to the Waste Team, as referenced under the 'Discussions' heading above. This is not in line with the agreement reached with the Landfill Team, which required a separate sampling plan to be submitted for review. Nevertheless, we will accept this approach for this material on this occasion, and as highlighted above this waste is being placed on EPR/DB3000UP which is regulated by the waste team. The resulting analytical data must be submitted to the Landfill Team for review. Acceptance of the material cannot be confirmed until it has been demonstrated that it meets the requirements of Permit EPR/LB3005TW.

During the inspection, the Director confirmed that approximately 3,000 tonnes of material removed from Escrick Soil Landfill (EPR/ZP3835JD) were being stored within this area. A substantial stockpile of excavated soil-based material was observed. The stockpile appeared to consist predominantly of soils and subsoils, with visible stones, gravel, brick fragments and occasional concrete fragments throughout. The material was heterogeneous in both composition and particle size, with limited amounts of vegetative matter present. Sections of the stockpile had been sealed by the operator, restricting a full visual assessment of the material. The composition and classification of the material should therefore be verified through appropriate documentation, sampling and analytical testing (*see Photographs 9, 10 and 11*).

The Director advised that this management approach had been agreed with a Waste Officer from the Environment Agency Waste Team. However, as the material originated from EPR/ZP3835JD, agreement should also have been sought from the Landfill Team.
Going forward, the Landfill Team must be informed of all waste movements from EPR/ZP3835JD. Any movement of waste between permitted areas on site, as well as all waste movements off site, must be accurately recorded within the operator's waste returns.
The movement of this material should therefore be recorded as a transfer from EPR/ZP3835JD to EPR/DB3000UP.

<u>Non-Compliances for this CAR</u>

Non-compliant material deposited Permit condition 2.7.1 states that *wastes shall only be accepted for disposal if:*
(a) they are listed in schedule 2, table S2.1; and
(b) they are inert waste; and
(c) they are not liquid waste (including waste waters but excluding sludge); and
(d) all the relevant waste acceptance procedures have been completed; and
(e) they fulfil the relevant waste acceptance criteria; and
(f) they have not been diluted or mixed solely to meet the relevant waste acceptance criteria; and
(g) they are wastes which have been treated, except for wastes for which treatment is not technically feasible.

The waste types on site pose a risk of polluting emissions in the form of odour, leachate, and gas. There is a significant risk to the environment through risk of pollution to underlying Sherwood Sandstone Principal Aquifer. Principal Aquifers are strategically important rock units that have high permeability, water storage capacity, and represent areas and groundwater resources that are critical to future public water supplies. We are also concerned about the potential environmental impact associated with the apparent gas generation / emissions that we observed during this inspection.

The non-inert waste deposited into Cell 1, Cell 1 Extension and Cell 2A have been consolidated and recorded as a **category 2 breach of permit condition 2.7.1 (b)** under CCS category C3

(General Management - Materials acceptance).

Root Cause

When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK

Permit condition 1.1.1 states that *the operator shall manage and operate the activities:*
(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure, and those drawn to the attention of the operator as a result of complaints; and
(b) using sufficient competent persons and resources.

Observations made during the inspection suggests that the operations on site are not being managed in line with a suitable management system that identifies and minimises the risk of pollution and that there is a lack of technical competency. Inadequacies of the environment management system and/or failure to provide sufficient competent persons and resources has been considered to be the root cause of the breach of condition 2.7.1 (b).

This has been recorded as a **category 2 breach of permit condition 1.1.1(b)**. under CCS category C1 (General Management - Staff competency/training).

Actions

1. Remove the non-compliant waste in accordance with the requirements of the Regulation 37(5) Notice, dated 09 April 2026.

2. Submit an action plan for the removal of waste from Cell 2A, by 05/10/2026.

3. Submit an action plan for the removal of waste from Cell 1 (including the zone where restoration materials had been stockpiled) and Cell 1 Extension, by 21/10/2026.

4. Submit Monthly updates to the Environment Agency Landfill Team detailing:

- the quantity of waste removed from each cell;
- the quantity of waste remaining within each cell;
- the destination(s) of the removed waste; and
- evidence that the waste has been transferred to an appropriately authorised site.

This includes the details of the waste that you have already moved from Cell 2A.

5. Submit a sampling plan for the non-compliant material that the operator has segregated for removal from site on Cell 2A to be reviewed by the Environment Agency, by 05/10/2026.

6. Provide details of the appropriately permitted waste management facility that will receive the non-compliant waste removed from Cell 2A, including evidence that the facility is authorised to accept the waste, by 05/10/2026.

7. Submit the monitoring results for 2026 Q2 by 05/10/2026.

Enforcement Action

The Regulation 37(5) Notice issued on 09 April 2026 required actions to be completed by 08 September 2026. These actions were not completed. Failure to comply with a Regulation 37(5) Notice is an offence under Regulation 38(3) of the Environmental Permitting (England and Wales) Regulations 2016.

The Environment Agency will now consider further enforcement action in line with its Enforcement and Sanctions Policy.
A copy of the Enforcement and Sanctions Policy can be found here: Environment Agency enforcement and sanctions policy - GOV.UK

The waste fines still need to be removed from Cell 1, Cell 1 Extension and Cell 2A. You are reminded that the permit remains suspended to the extent that it authorises the acceptance of waste at the site until the notice is complied with or it is withdrawn.

Furthermore, as the actions in the notice have not been complied with within the timescale set out in the notice, we will reinstate any suspended scores and these scores will then count towards the annual compliance band.

Total non-compliance score

The total non-compliance score for this form is 62 CCS points.

As explained above 310 suspended CCS points have been reinstated.

The total CCS score for the year 2026 to date is 446.5 CCS points, placing you currently in compliance band F.

Sites in compliance band F must significantly improve in order to achieve permit compliance. These sites are more likely to have their permit revoked unless there is substantial evidence that they are working towards achieving compliance in a timely manner. Band F operators pay 300% of their subsistence charge.

Next Steps

The operator is to complete all actions within this CAR.

The Environment Agency will continue to carry out regular inspections.

Any queries about or response to this Compliance Assessment Report should be directed to Yorkshire-landfill@environment-agency.gov.uk and your allocated area officer.

Photograph 1



Photograph 2



Photograph 3



Photograph 4



Photograph 5



Photograph 6



Photograph 7



Photograph 8



Photograph 9



Photograph 10



Photograph 11



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.	X

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			
C1	C2	See Regulation 37(5) Notice	21/09/2026
C3	C2	See Regulation 37(5) Notice	21/09/2026

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 104658/0561618

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

Site	Escrick Waste Treatment Facility			Permit Ref	104658	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	09/06/2025			Time in	09:05	Out 11:05
What parts of the permit were assessed	See Section 2 for details					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X	Water Discharge	
Recipient's name/position	Julie Todd (TCM)					
Officer's name	Robin Bispham, Henry McGregor			Date issued	13/06/2025	

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 2) and the Actions (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				Condition(s) breached
a) Permitted activities	**1**. Specified by permit	C3		2.1.1;
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	N		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	C3		1.1.1;
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	N		
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	N		
	2. Energy	N		

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	2	**Total compliance score** (see section 5 for scoring scheme)	8

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.

1.0 Introduction

1.1 This was a routine pre-arranged site inspection. It was the first inspection since the sale of the Operating company and the involvement of the new owners. New Director, Richard Todd (RT), was appointed on 4 April 2025. Present during the inspection was the new site TCM, Julie Todd. RT joined us midway through the inspection.

1.2 The purpose of the inspection was to assess progress with respect of previously identified non-compliance and to review with the new management team their plan for the site.

1.3 **Abbreviations and References:**

1.3.1 – Escrick Environmental Services Ltd ("EES")

1.3.2 – Guidance on the classification and assessment of waste (1st Edition v1.2.GB) Technical Guidance WM3 ("WM3"), available here: Waste_classification_technical_guidance_WM3.pdf

1.3.3 – Technically Competent Manager ("TCM")

1.3.4 – Compliance Assessment Report form ("CAR Form")

2.0 Actions from Previous CAR Form

2.1 Recent site inspections have focussed on waste storage locations and site drainage because waste was being stored on areas that were not provided with an impermeable surface and sealed drainage, in breach of condition 2.1.1. This was because some wastes were being stored outside the area covered by the concrete pad and because the Operator had failed to demonstrate that the drainage system was adequately sealed. The root cause of this breach has been identified as management system failure and so breaches of condition 1.1.1 have also been recorded.

2.2 The following actions were specified in Section 4 of CAR Form 104658/0541202. Note, comments regarding the current status of these actions are provided above in blue text:

2.2.1 *Provide evidence in the form of photographs of the concrete base of the sealed drainage, along with updates showing the Lego blocks being sealed to Ciria 736 standards. Deadline: 24/03/2025*

This action remains outstanding. Some photographs were provided in document K0599-BLP-LT-ENV-00014 (see CAR Form 104658/0549302 and paragraph 2.2.3.5, below). The photographs provided did not meet this requirement.

2.2.2 *Submit a detailed plan to demonstrate how the drainage from the waste storage areas will be managed in order to maintain compliance with condition 3.1.1 of the permit and relevant conditions of adjacent permits / permissions. The plan needs to clarify how aqueous liquid waste (16 10 01* / 16 10 02) collected in the sealed system will be assessed and classified in accordance with WM3 and what*

the disposal options will be depending on the outcome of this assessment. Separately it needs to clarify how surface water from outside the sealed system, but within this permit area (i.e. Surface water), will be dealt with. Where the intention is to discharge this surface water via a discharge point specified in the landfill permit the EMS needs to clarify how the surface water will be transferred to that point and how compliance with the landfill permit condition will be maintained. Deadline: 31/03/2025

A response to this action was provided in document K0599-BLP-LT-ENV-00014. **This action was therefore closed** but it would be beneficial to incorporate the information provided into the site EMS as a procedure(s).

2.2.3 In addition, the following actions were specified in Section 2 of CAR Form 104658/0541202:

2.2.3.1 *Update the compliance action plan provided on 10/01/2025 (ref: K0599-BLP-LT-ENV-00009) to make an effort to quantify the amount of legacy street cleaning residue is currently situated on site. It should also include an explanation in to how the site arrived at that quantity. Deadline: 07/03/2025*

This action remains outstanding.

2.2.3.2 *Bring all the street sweeping waste forward to ensure it is all on the impermeable surface and to allow an inspection of the edge of the concrete pad. Deadline: 21/03/2025*

This action remains outstanding. It was observed in this inspection that street sweeping waste was still straddling the edge of the concrete pad along its northern and western extents.

2.2.3.3 *Provide an updated EMS which includes details on the new drainage system and wash plant. Deadline: 21/03/2025*

A response to this action was provided in document K0599-BLP-LT-ENV-00014, which included an updated EMS addendum. **The action was considered closed.** However, during this site inspection the site TCM confirmed that the new ownership does not intend to install a wash plant at the site and that a new EMS will be produced. The information previously provided in response to this action is now therefore likely to need further revision. **A new consolidated action has been specified in this CAR Form.**

2.2.3.4 *Provide a sampling plan for the aqueous liquid waste from the sealed sump and results of any analysis obtained to date. Provide duty of care paperwork for transfers off-site in 2025. Deadline: 24/03/2025*

A response to this action was provided in document K0599-BLP-LT-ENV-00014. The sampling plan provided appears to focus on assessing the waste to ensure it meets acceptance criteria for disposal at Yorkshire Water facilities. Whilst this is necessary, the sampling plan must also ensure the waste can be classified properly in accordance with WM3. There is no information provided as to how the list of analytical determinants specified has been identified in respect of waste classification. Street sweeping waste stored on the site, so there is potential for the aqueous liquid waste to contain oil. The analytical suite should therefore include test for the presence of hydrocarbons. The sampling plan provided needs to be reviewed to ensure that it fulfils the objective of allowing the waste to be properly classified as well as determining whether it meets Yorkshire Water's acceptance criteria. **A new consolidated action has been specified in this CAR Form.**

2.2.3.5 *Provide evidence to demonstrate the impermeable surface and sealed drainage has been constructed to Ciria 736 standards. This should include but is not limited to detailed information on how the construction meets Ciria 736 standards including photographs of the empty sealed sump demonstrating it has impermeable concrete base and sides and photos of the sealed joints of the Lego blocks by 24/03/2025*

This action remains outstanding. CAR Form 104658/0549302 provided a review of information received in response to this action. The review concluded that the information provided was insufficient and that the action was still outstanding. A new deadline of 30/04/2025 was set. To date, no further response has been received and the requirement to demonstrate that the impermeable surface and sealed drainage was constructed in accordance with CIRIA 736 is **still outstanding.**

2.3 Some elements of the above actions have been satisfactorily addressed and some remain outstanding. However, it was confirmed during this inspection that the company intends to review/rewrite the existing EMS and that certain key plans have changed – i.e. there is no longer a plan to wash waste at the site. As such, two consolidated actions, one for each breach, have been included in this CAR Form (see below). **The two actions specified in this CAR Form superseded all the actions referenced above.**

3.0 Observations

3.1 Present during the inspection were RB and HM (Environment Agency) and Julie Todd (TCM) and two other members of staff. Richard Todd (Director of the Operating company) joined midway through the inspection.

3.2 Waste was still being stored outside the area of impermeable surfacing (see photographs 1 and 2, below) which show waste straddling the edge of the concrete pad and waste stored beyond the western extent of the concrete respectively. In addition, the site drainage system was still not adequately sealed. The drainage system was not adequately sealed because drainage from the impermeable surfacing was seen to be running off the pad onto unmade ground (see photographs 3 and photograph 4). Legio block curbing / walls have been constructed with joints that are inadequately sealed see photograph 2 and photograph 5. As such the activities are still being carried out in breach of permit condition 2.1.1 – see paragraph 4.1, below.

3.3 The drainage system sump was full of aqueous liquid waste (see photograph 2). It was not possible to inspect the base of the sump. Given we have not received an adequate response to the relevant action specified in the previous CAR Form (see paragraph 2.2.1, above), we still require evidence that the sump is adequately sealed. See action at 5.1, below.

3.4 It was confirmed that waste receipts into this permit area have ceased since the change of ownership and that the focus has been on assessing / processing legacy materials.

3.5 Surface water continues to collect at various points on site, including in low points either side of the road at the southern boundary of the site. The “lagoon” feature on the northern side of the road is immediately adjacent to the concrete pad – see photograph 5. This underlines the importance of ensuring that the drainage system serving the concrete pad is adequately sealed. Draining from the concrete pad must be isolated from these other “clean” surface waters.

3.6 The ground conditions during the inspection were dry and it was observed that vehicle movements were causing clouds of dust. There was very little wind at the time and there was no evidence that dust was leaving site and an emission. A discussion took place regarding the importance of employing appropriate measures to prevent or minimise emissions (refer to condition 3.1.1 of the permit). Appropriate measure for preventing or minimising emissions of dust/particulate are included in this guidance document: Control and monitor emissions for your environmental permit - GOV.UK

3.7 No odours that were likely to be causing pollution off site were noted during this inspection. There have been no recent reports of odour in the week preceding this inspection. During an inspection of the adjacent area that is covered by permit EAWML/402437 the potential for odour emissions when moving non-permitted wastes was discussed. If these wastes are transferred onto this permit area for

treatment you will need to consider what appropriate measures can be employed to prevent or, where that is not possible, to minimise emissions of odour.

3.8 No issues were noted in respect of noise, pets or mud on the road.

4.0 Breaches

4.1 A category 3 breach of condition 2.1.1 has been recorded against compliance criterial A1 – Permitted activities – Specified by permit

Permit Condition 2.1.1 States:

2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities")

Table S1.1 includes:

Limits of Activities
...
All wastes, including residual wastes produced as a byproduct of the treatment process, shall be stored on an impermeable surface with sealed drainage.
...

The above limit of activities is applicable to all activities on site, as per the permit. During the inspection, there was evidence that waste is being stored outside the area that is provided with impermeable surface, including waste straddling the western and northern extents of the pad. Waste is also stored entirely off the concrete pad on the western half of the site. In addition, the drainage system is inadequately sealed because drainage from the impermeable surfacing was seen to be running off the pad onto unmade ground and legio block curbs / walls have been built with joints that are inadequately sealed – see paragraph 3.2, above.

This breach has been scored as category 3 (minor) because it is reasonably foreseeable that stored wastes could be contaminated with hydrocarbons and/or leachate that is produced as the stockpiled organic content of the stored wastes degrade. As such, it is reasonably foreseeable that the breach could lead to contamination of surface water which is then discharged to Bentley Park Drain either through natural drainage processes of via conscious pumping as part of surface water management activities. It is consider unlikely that there is potential for anything more than minor (category 3) impact to water quality. In making this judgement the likelihood of significant dilution prior to any discharge has been taken into account.

4.2 A category 3 breach of condition 1.1.1 has been recorded against compliance criterial C2 – General management – Management system & operating procedures

Permit Condition 1.1.1 States:

The operator shall manage and operate the activities:

> *a) In accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non conformances, closures and those drawn to the attention of the operator as a result of complaints; and*
>
> *b) Using sufficient competent persons and resources*

When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK

The root cause of the non-compliances of condition 2.1.1 was recorded last year on CAR Form 104658/0533453 and remains applicable to the current situation on site. The inadequacies of the environment management system and/or failure to provide sufficient competent persons and resources is considered to be the root cause of the breach of condition 2.1.1. Failure to make adequate progress towards installation of the sealed drainage system or to deal with the waste that is stored off the concrete pad, indicates that EES have failed to provide sufficient resource.

Overall, the reasonably foreseeable impact of this breach has been assessed as Category 3, minor.

5.0 Actions

5.1 A1, condition 2.1.1 breach:

- Move all waste stored under this permit onto the area provided with impermeable surface or remove it from site. This includes the wastes that are straddling the northern and western extents of the concrete pad and the materials that are stored on entirely off the concrete pad of the western side of the site.
- Carry out improvements to ensure that the drainage from the impermeable surface area is sealed. The improvements must as a minimum:
    - Ensure liquid cannot escape beyond the edges of the impermeable surface onto unmade ground, as shown in photographs 3 and 4.
    - Ensure that all joints between legio blocks are adequately sealed.
    - Verify, and evidence with photographs, the integrity of the impermeable surfacing on the base of the pad sump area.

  The improvements should aim to ensure that that the impermeable surface and sealed drainage system have been constructed in accordance with CIRIA 736 or that and equivalent level of protection is provided.

A compliance action plan had been incrementally produced in respect of this non-compliance. However, this was developed prior to the change of ownership of the operating company and was based on an intention to install new plant and equipment for washing waste. It was confirmed that the company is no longer planning to install washing equipment at the site. As such, it is necessary to request a new compliance action plan for approval setting out the current plan to bring about compliance. The plan must include:

- A schedule of works detailing what improvements will be carried out to ensure the drainage system is adequately sealed and when each element of the works will be completed.
- An estimate of the quantity of waste that is currently stored on the site that is not stored on impermeable surface with sealed drainage.
- A schedule of works detailing how and when all waste stored outside the area of the impermeable surface and sealed drainage will be moved onto this area or removed from site.

Deadline: For submission of the compliance action plan, 17 July 2025

5.2 C2, Condition 1.1.1 breach:

- Provided an updated EMS that includes as a minimum a procedure(s) setting out how site drainage will be management. This should:
    - Include a plan showing the extent and detail of the impermeable surface / sealed drainage area and that demonstrates how liquid draining from this area is isolated from "clean" surface waters that collect on the wider site.
    - A procedure that explains how disposal/recovery of the aqueous liquid waste contained within the sealed system is managed, including a sampling plan / waste characterisation methodology that explains how, in line with WM3, you will determine whether the waste is 16 10 01* / 16 10 02.
    - An inspection and maintenance procedure for the site drainage infrastructure.
    - A procedure that explains how the "clean" surface water on site will be managed in order to ensure compliance with condition 3.1.1 of this permit and relevant conditions of adjacent permits / permissions.

Deadline: 31 July 2025

6.0 Total non-compliance score

6.1 The two category 3 breach recorded on this CAR Form have accrued 8 points towards your 2025 annual compliance score. As two similar breaches were recorded in February the total compliance score to 2025 is 16 points.

7.0 Enforcement Action

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

Photograph 1



Photograph 2



Photograph 3



Photograph 4



Photograph 5



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.	X

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			
A1	C3	See action specified at 5.1 in Section 2 of this CAR Form. Note the deadline specified is for submission of the compliance action plan.	17/07/2025
C2	C3	See action specified at 5.2 in Section 2 of this CAR Form.	31/07/2025

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 104658/0576130

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

Site	Escrick Waste Treatment Facility			Permit Ref	104658	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	22/08/2025			Time in	11:15	Out 12:40
What parts of the permit were assessed	Permitted activities, site drainage, engineering for prevention, odour, dust, management systems					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	Company Director					
Officer's name	Henry McGregor			Date issued	04/09/2025	

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 2) and the Actions (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				Condition(s) breached
a) Permitted activities	**1**. Specified by permit	*C3		2.1.1;
b) Infrastructure	**1.** Engineering for prevention & control of pollution	A		
	2. Closure & decommissioning	NA		
	3. Site drainage engineering (clean & foul)	A		
	4. Containment of stored materials	A		
	5. Plant and equipment	A		
c) General management	**1**. Staff competency/ training	A		
	2. Management system & operating procedures	*C3		1.1.1;
	3. Materials acceptance	A		
	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	A		
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	2	**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.

1. Introduction

1.1 This report relates to an announced routine compliance inspection, carried out to assess waste operations against the environmental permit. Furthermore, the inspection was attended by a representative of the North Yorkshire Council, due to a number of odour reports which had identified the site as the source. Please see section 4 for further information. The inspection was accompanied by the Technically Competent Manager (TCM) from Escrick Environmental Services Limited.

1.2 The site was operational at the time of the inspection. The weather was cloudy with a slight breeze. No amenity issues were identified off-site at the time of the inspection.

1.3 A Notice of Powers and Rights was issued and accepted by the site manager under the Police and Criminal Evidence Act 1984 Code B (EA Number **72970**) at 1120hrs.

1.4 Two Permit non-compliances have been identified as part of this inspection. See section 3 for further information and actions. The non-compliance scores which have been identified within this report have been suspended pending compliance with the '*ESCRICK ENVIRONMENTAL SERVICES LIMITED compliance action plan 2025'*. Initial identification of the non-compliances can be found in the previous Compliance Assessment Report, referenced in section 2 of this report.

2. Previous Inspection

2.1 During the previous site compliance inspection on Monday 9 June 2025 (Report reference: 104658/0561618), two non-compliances were identified within the Compliance Assessment Report (CAR) along with associated actions, which can be found below. Environment Agency comments relating to action progress can be found in italics below each action.

2.2 A non-compliance under permit condition 2.1.1 identified that waste was not being stored on an impermeable surface with an adequate sealed drainage system. The actions given are outlined below.

- Move all waste stored under this permit onto the area provided with impermeable surface or remove it from site. This includes the wastes that are straddling the northern and western extents of the concrete pad and the materials that are stored on entirely off the concrete pad of the western side of the site.

  Progress has been made to clear the concrete pad. The northern edge of the pad is partially visible. Some waste still remains off the impermeable surface pad, so this action remains outstanding.

- Carry out improvements to ensure that the drainage from the impermeable surface area is sealed. The improvements must as a minimum:

- Ensure liquid cannot escape beyond the edges of the impermeable surface onto unmade ground, as shown in photographs 3 and 4.
- Ensure that all joints between lego blocks are adequately sealed.
- Verify, and evidence with photographs, the integrity of the impermeable surfacing on the base of the pad sump area.

No infrastructure works have been started to complete the action stated above.

Deadline: For submission of the compliance action plan, 17 July 2025 –
Compliance Action Plan Submitted

- A compliance action plan had been incrementally produced in respect of this non-compliance. However, this was developed prior to the change of ownership of the operating company and was based on an intention to install new plant and equipment for washing waste. It was confirmed that the company is no longer planning to install washing equipment at the site. As such, it is necessary to request a new compliance action plan for approval setting out the current plan to bring about compliance. The plan must include:
  - A schedule of works detailing what improvements will be carried out to ensure the drainage system is adequately sealed and when each element of the works will be completed.
  - An estimate of the quantity of waste that is currently stored on the site that is not stored on impermeable surface with sealed drainage.
  - A schedule of works detailing how and when all waste stored outside the area of the impermeable surface and sealed drainage will be moved onto this area or removed from site.

Initial plan submitted on 25 June /2025. Updated plan submitted on 24 July 2025. See section 4 for further information.

2.3 The root cause of the above non-compliances was attributed to permit condition 1.1.1, due to the sites Environmental Management System (EMS) being inadequate. The action for this non-compliance is outlined below.

- Provided an updated EMS that includes as a minimum a procedure(s) setting out how site drainage will be management. This should:
  - Include a plan showing the extent and detail of the impermeable surface / sealed drainage area and that demonstrates how liquid draining from this area is isolated from "clean" surface waters that collect on the wider site.
  - A procedure that explains how disposal/recovery of the aqueous liquid waste contained within the sealed system is managed, including a sampling plan / waste characterisation methodology that explains how, in line with WM3, you will determine whether the waste is 16 10 01* / 16 10 02
  - An inspection and maintenance procedure for the site drainage infrastructure.
  - A procedure that explains how the "clean" surface water on site will be managed in order to ensure compliance with condition 3.1.1 of this permit and relevant conditions of adjacent permits / permissions

Deadline: 31 July 2025 –

Updated EMS documents were submitted by the site on 02/09/2025. These will be reveiwed seperately, in due course.

3. Permit non-compliances

As mentioned in section 1 of this report, permit non-compliances have been identified and as part of this inspection the non-compliance scores have been suspended. This decision to suspend the compliance scores has been based on the site operator producing a Compliance Action Plan, reference above. The plan details how the site intends to return to compliance. Furthermore, progress towards compliance was seen during the inspection.

If the permit holder does not complete the actions to a satisfactory standard the Environment Agency will immediately reinstate any suspended scores. These scores will then count towards the annual compliance band.

Further information on suspending scores can be found within Principal 5 of our '*Waste operations and installations: assessing and scoring environmental permit compliance' guidance':* Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK

A1 – Permitted activities – Specified by permit
CCS: Category 3 non-compliance
Permit Condition: 2.1.1:

'2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities")

Table S1.1 includes:

Limits of Activities

...

All wastes, including residual wastes produced as a byproduct of the treatment process, shall be stored on an impermeable surface with sealed drainage.'

Observation:

During the inspection, it had been identified that you are still storing waste outside the area with an impermeable surface. Furthermore, no additional work has been done to ensure that the site has an adequate sealed drainage system. As a result, the site continues to be non-compliant with permit condition 2.1.1 (Photograph 1 & 2).

The historic mound of street-sweeping waste had been removed up until the road which leads to Cell 1 on the Landfill permit, however it was evident that the remaining material was still waste which had to be removed. The TCM stated that the site had to decide the best course of action when it comes to treating this waste, due to the health and safety implications of digging further into the road.

Furthermore, during the inspection, the TCM confirmed that the majority of construction and demolition waste has been treated. Different fraction sizes were identified on site, including fines fraction, a medium fraction which contained some soil and a large fraction. The large fraction makes up a mixture of concrete, bricks and tiles and is currently being stored off the impermeable surface (Photograph 3). As per the permit, this waste must be stored on an impermeable surface with a sealed drainage system. Furthermore, the site currently has no outlet for this waste.

During the inspection, the TCM stated the treatment of waste had temporarily ceased, and there was no treatment process on site. For the site to return to compliance, you must treat, or remove, the waste currently being stored off the impermeable surface, in line with the Compliance Action Plan.

This breach has been scored as category 3 non-compliance (minor) because it is reasonably foreseeable that

stored wastes could be contaminated with hydrocarbons and/or leachate that is produced as the stockpiled organic content of the stored wastes degrade. As such, it is reasonably foreseeable that the breach could lead to contamination of surface water which is then discharged to Bentley Park Drain either through natural drainage processes or via conscious pumping as part of surface water management activities. It is considered unlikely that there is potential for anything more than minor impact to water quality. In making this judgement the likelihood of significant dilution prior to any discharge has been taken into account.

The Environment Agency has made the decision this non-compliance will be suspended on the condition that the site continues to demonstrate they are making improvements to come back into compliance, as per the submitted compliance action plan.

Root Cause
C2 – General management - Management system & operating procedures
CCS: Category 2 non-compliance
Permit Condition: 1.1.1:

'The operator shall manage and operate the activities:

> *a) In accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non conformances, closures and those drawn to the attention of the operator as a result of complaints; and*
>
> *b) Using sufficient competent persons and resources'*

When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: https://www.gov.uk/government/publications/assessing-and-scoring-environmental-permit-compliance/assessing-and-scoring-environmental-permit-compliance

The root cause of the non-compliances of condition 2.1.1 was recorded last year on CAR Form 104658/0533453 and remains applicable to the current situation on site. The inadequacies of the Environment Management System and/or failure to provide sufficient competent persons and resources is considered to be the root cause of the breach of condition 2.1.1. Failure to make adequate progress towards installation of the sealed drainage system or to deal with the waste that is stored off the impermeable surface indicates that EES have failed to provide sufficient resource.

Overall, the reasonably foreseeable impact of this breach has been assessed as Category 3, minor non-compliance.

The Environment Agency has made the decision this non-compliance will be suspended on the condition that the site continues to demonstrate they are making improvements to come back into compliance, as per the submitted compliance action plan.

4. Site Inspections

4.1 Following several odour reports, the inspection was attended by a representative of North Yorkshire Council to identify if Escrick Environment Services were the source of the complaints. During a discussion with the TCM, it was determined that odour identified in April could be attributed to the site, due to the movement of the North West non-permitted waste. However, it was not identified if the other reports sent to the council could be directly linked to the site.

4.2 The TCM stated that they keep a record of when odour linked to the site is identified,

however the site currently does not record all odour identified. Advice was given to record all odour noticed on site, including land spreading.

4.3 The Compliance Action Plan states weekly updates will be submitted to the Environment Agency around the progress made on site. At present, the Agency has not received any updates. This was discussed with the sites TCM who stated they were unaware of this, and weekly updates will now be provided.

4.4 The TCM confirmed the new EMS is almost complete and should be submitted to the Environment Agency by the end of August. Be advised that this is after the deadline provided in CAR 104658/0561618. The site should inform the Environment Agency when they are unable to meet a deadline outlined in a CAR.

4.5 The TCM stated that the site has began taking in waste, specifically European Waste Catalogue Code 20 03 03 - street-cleaning residues. The site should take in to account the requirement of the 'first in, first out process' as there remains street-sweeping residue on site which as been in place for a prolonged period of time.

4.6 During the inspection, a large quantity of dust was identified on site. Presently, this dust is not escaping the site boundary, however the site should be conscious of potential pollution from this source and ensure they are using appropriate dust suppression methods.

4.7 It was discussed with the TCM that the current Compliance Action Plan has not been wholly agreed with the Environment Agency. This is due to the site intending to dry screen the non-permitted waste currently being stored under permit reference EPR/ DP3000UP. A dry treatment had been attempted by the previous owner and did not make a meaningful change to the composition of the material (see CAR references 402437/0531157 and 104658/0516687) . As a result, it was deemed to be an inadequate approach to treating the material. It was recommended that the site should undertaken a small trial to determine if the proposed dry screener method would produce different results. This trail should be done when the likelihood of the waste producing an odour is at its minimal form, reducing the risk of odour pollution to nearby receptors. If the site intends to trial the treatment, a plan should be produced on how you intend to undertake the trial and how you will ensure potential odour emissions are reduced.

5. Actions

- Submit to the Environment Agency the sites updated Environmental Management System EMS **by 11/09/2025** - *An updated EMS was submitted on 02/09/2025 and will be reviewed seperately in due course..*
- Submit weekly progress updates to the Environment Agency **by 08/09/2025**

6. Enforcement Response

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

7. Total non-compliance Score

As the two non-compliance scores identified above have been suspended, pending compliance with the Compliance Action Plan, your non-compliance score for this year is 16 CCS points. This makes you a compliance Band C operator.

Band C operators pay 110% of their subsistence charge. Your subsistence charge could increase if you score any further permit breaches before 31st December 2025, or if you fail to comply with the Compliance Action Plan.

Photograph 1



Photograph 2



Photograph 3



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.	X

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			
A1	C3	- Submit weekly progress updates to the Environment Agency - Continue to implement the Compliance Action Plan	01/09/2025
C2	C3	Submit to the Environment Agency the sites updated Environmental Management System EMS	04/09/2025

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 104658/0580703

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

Site	Escrick Waste Treatment Facility			Permit Ref	104658	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	17/09/2025			Time in	11:10	Out 12:00
What parts of the permit were assessed	Materials acceptance, amenity, segregation					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X	Water Discharge	
Recipient's name/position	Company Director					
Officer's name	Henry McGregor, Andy O'Hare, Lisa Johnson, Elsa Heppell			Date issued	30/09/2025	

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	N		
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	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	N		
	3. Materials acceptance	A		
	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.

1. Introduction

1.1 This report relates to an unannounced joint site compliance inspection with the Environment Agency's Landfill team to assess the material moving from the waste treatment permit, into the inert landfill permit area.

1.2 The inspection was attended by myself and the below representatives from the Environment Agency and Escrick Environmental Services (EES).

- Waste Regulatory Specialist and waste classification lead (WRS)
- Regulatory Specialist – Landfill (Landfill officer)
- Regulatory Specialist – Landfill waste classification
- 2x Field Intelligence Officers (FIO – Observers)
- EES Technically Competent Manager (TCM)
- Company Director (Arrived following the completion of the site walk-around)

1.3 A Notice of Powers and Rights under the Home Office Powers of Entry Code of Practice was issued and accepted by the sites TCM by the Landfill officer on arrival to site.

1.4 Be advised that the permit conditions relating to the sites sealed drainage and storage of waste on an impermeable surface were not assessed during this inspection. Further details on the observations around these points can be found in section 2 of this report.

1.5 A Waste Audit Report will be produced, referencing this Compliance Assessment Report (CAR), following the receipt of requested information specified in section 3 of this report.

1.6 Following the site inspection, a request for information was sent to the sites TCM via email on 19/09/2025. A reply was received on 26/09/2025 and a follow-up request for information was sent on 29/09/2025. Be advised that a review of the information received on 26/09/2025 has not been undertaken and a Compliance Assessment Report will be produced following the receipt of the additional information requested. A summary of the requested information can be found in section 3 of this report.

2. Previous inspection

2.1 The previous Compliance Assessment Report (Reference 104658/0576130), following a site inspection on 04/09/2025, two category 3 permit non-compliances were identified. The non-compliances related to on-going issues and the CCS scores were suspending following compliance with the site action plan

2.2 During the previous inspection, it was identified that the drainage on site was not sealed. Furthermore, waste street sweepings were being stored off the impermeable surface. These non-compliances related to permit condition 2.1.1

2.3 The root cause for the identified non-compliances was identified as permit condition 1.1.1 as the site had failed to implement their environment management system (EMS)/the sites EMS being inadequate.

2.4 Further information on these non-compliances can be found in the above-mentioned report.

3. Requested information

3.1 Please see below information requested on 19/09/2025, along with Agency comments in italics.

- 2 x incoming loads of Street Sweeper waste from Yorwaste - *Received*
- 2 x incoming loads of Street Sweeper waste from the Persimmon development - *Received*
- Waste Assessment results, and interpretations for the material which has been received into the site from Ward in Derbyshire. Please can you provide the waste assessment completed by the producer, along with the results you receive from your testing once they are returned. – *sampling analysis completed the EES was received on 26/09/2025. No waste assessment by the producer has been received.*
- Provide information on the origin, tonnages and all waste transfer notes for the material observed in photograph 1. – *Not received*

3.2 Furthermore, a request for the below information was sent on 29/09/2025. This has not yet been submitted to the Environment Agency:

- The sites current waste pre-acceptance and acceptance procedures.

Please submit the remaining information **by 10/10/2025.**

4. Site Inspection

4.1 Prior to arrival on site, no amenity issues were identified, including odour, noise, dust, litter or deposits on the road

4.2 Upon arrival, all attending officers presented their personal authorisations, signed into the site and completed a Health and Safety induction.

4.3 The TCM stated the site had recently started bringing Street-Sweeper Waste from Yorwaste into site, beginning Monday 15th September. During the inspection, a sweeper from Selby District Council was observed leaving the site. This sweeper waste was observed on the North edge of the pad. The TCM stated the only other incoming waste is street sweeper waste from a Persimmon development.

4.4 During the inspection, there appeared to be evidence of a waste type similar to that of Trommel Fines that had been stored on the pad (photograph 1). The TCM stated they were unaware where this waste had come from or where it went. Please see section 3 of this report for actions relating to this waste.

4.5 A pile of mechanically treated waste was observed on site. The TCM stated this waste had come from Ward in Derby. The waste appeared to contain a significant volume of metal fragments. A waste transfer note for this material was supplied by the TCM at the end of the inspection. Please see section 3 of this report for actions relating to this waste. Further information on this waste type will be included in a follow up CAR.

4.6 Different fractions of construction and demolition waste were observed around the treatment pad. The majority of this waste still contained elevated levels of contamination and is awaiting further on-site treatment.

5. Total non-compliance

5.1 No non-compliances have been recorded on this report, however this doesn't prevent us from recording further permit breaches upon review of the requested documentation. If a non-compliance is identified this will be recorded on another CAR referencing this report. As no additional non-compliances have been recorded within this CAR, your non-compliance score for this inspection is 0 CCS points. Your total non-compliance score for this year is 16 CCS points. This makes you a compliance Band C operator.

5.2 Band C operators pay 110% of their subsistence charge. Your subsistence charge could increase if you score any further permit breaches before 31st December 2025, or if you fail to comply with the Compliance Action Plan.

6. Enforcement Response

6.1 In relation to this CAR, there is no further enforcement.

6.2 Be advised that as a result of on-going non-compliances, specified in CAR 104658/0576130, we will now consider what enforcement response is appropriate and notify you.

Photograph 1



Photograph 2



Photograph 3



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

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- 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.

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- 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.

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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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 104658/0586981

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

Site	Escrick Waste Treatment Facility			Permit Ref	104658	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	10/11/2025			Time in	10:00	Out 12:00
What parts of the permit were assessed	Waste Storage, Amenity, sealed drainage, waste acceptance					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X		Water Discharge
Recipient's name/position	Company Director					
Officer's name	Henry McGregor, Elsa Heppell			Date issued	24/11/2025	

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 2) and the Actions (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				Condition(s) breached
a) Permitted activities	**1**. Specified by permit	*C3		2.1.1;
b) Infrastructure	**1.** Engineering for prevention & control of pollution	A		
	2. Closure & decommissioning	NA		
	3. Site drainage engineering (clean & foul)	A		
	4. Containment of stored materials	A		
	5. Plant and equipment	A		
c) General management	**1**. Staff competency/ training	A		
	2. Management system & operating procedures	*C3		1.1.1;
	3. Materials acceptance	A		
	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	A		
	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	2	**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.

1. Introduction

1.1 This report relates to an unannounced routine compliance inspection, carried out to assess waste operations against the environmental permit. The inspection was accompanied by a fellow Environment Officer (Landfill) and the sites Technically Competent Manager (TCM) from Escrick Environmental Services Limited.

1.2 The site was operational at the time of the inspection. The weather was cloudy with sunny spells and a slight breeze. No amenity issues were identified off-site at the time of the inspection.

1.3 A Notice of Powers and Rights was issued and accepted by the site manager under the Police and Criminal Evidence Act 1984 Code B (EA Number **73003**) at 1014hrs.

1.4 Two Permit non-compliances have been identified as part of this inspection. See section 3 for further information and actions. The non-compliance scores which have been identified within this report have been suspended pending compliance with the *'ESCRICK ENVIRONMENTAL SERVICES LIMITED compliance action plan 2025*'. Initial identification of the non-compliances can be found in the Compliance Assessment Report (CAR) reference 104658/0561618.

1.5 This CAR should be read in conjunction with Waste Audit Report reference: 104658ESCRIC10112025HMCGREGOR01

2. Previous Compliance Assessment Report

2.1 The previous Compliance Assessment Report (Reference 104658/0580703), following a site inspection on 17/09/2025, no additional non-compliances were identified. The non-compliances related to on-going issues were not assessed as part of this inspection.

2.2 During the inspection, fines were identified on site which appeared to be contaminated with metals. The TCM stated this material had been received from Wards and was awaiting further characterisation on site. Please see section 4 for further details on this.

2.3 Furthermore, evidence of additional fines were identified against the street sweeping wall to the north of the treatment pad. Further information was requested; however this remains outstanding.

3. Permit Non-compliances

As mentioned in section 1 of this report, permit non-compliances have been identified and as part of this inspection the non-compliance scores have been suspended. This decision to suspend the compliance scores has been based on the site operator producing a Compliance Action Plan, reference above. The plan details how the site intends to return back to permit compliance. Furthermore, progress towards permit compliance was seen during the inspection.

If the permit holder does not complete the actions to a satisfactory standard the Environment Agency will immediately reinstate any suspended scores. These scores will then count towards the annual compliance band.

Further information on suspending scores can be found within Principal 5 of our '*Waste operations and installations: assessing and scoring environmental permit compliance' guidance':* Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK

A1 – Permitted activities – Specified by permit
CCS: Category 3 non-compliance
Permit Condition: 2.1.1:

'2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities")

Table S1.1 includes:

Limits of Activities
…

All wastes, including residual wastes produced as a byproduct of the treatment process, shall be stored on an impermeable surface with sealed drainage.'

Observation:

During the inspection, it had been identified that you are still storing waste outside the area with an impermeable surface. Furthermore, no additional work has been done to ensure that the site has an adequate sealed drainage system. As a result, the site continues to be non-compliant with permit condition 2.1.1.

The historic mound of street-sweeping waste had been removed up to the road which leads to Cell 1 on the Landfill permit, it was evident that the street-sweeping waste is the remaining material which needs to be removed.

Furthermore, during the inspection, the TCM confirmed that the majority of construction and demolition waste has been treated. Different fraction sizes were identified on site, including fines fraction, a medium fraction which contained some soil and a larger fraction. The larger fraction was a make-up of a mixture of concrete, bricks and tiles and is currently being stored off the impermeable surface. As per the permit, this waste must be stored on an impermeable surface with a sealed drainage system. Furthermore, the site currently has no outlet for this waste.

During the inspection, a screen was observed on site. The TCM stated this treatment machinery had been purchased by the site. For the site to return to compliance, you must treat, or remove, the waste currently being stored off the impermeable surface, in line with the Compliance Action Plan.

This breach has been scored as category 3 non-compliance (minor) because it is reasonably foreseeable that stored wastes could be contaminated with hydrocarbons and/or leachate that is produced as the stockpiled organic content of the stored wastes degrade. As such, it is reasonably foreseeable that the breach could lead to contamination of surface water which is then discharged to Bentley Park Drain, either through natural drainage processes or via conscious pumping as part of surface water management activities. It is considered unlikely that there is potential for anything more than minor impact to water quality. In making this judgement the likelihood of significant dilution prior to any discharge has been taken into account.

The Environment Agency has made the decision this non-compliance will be suspended on the condition that the site continues to demonstrate they are making improvements to come back into compliance, as per the submitted compliance action plan.

Action: Ensure the site continues to make progress with the Compliance Action Plan.

Root Cause

C2 – General management - Management system & operating procedures
CCS: Category 3 non-compliance
Permit Condition: 1.1.1:

'The operator shall manage and operate the activities:

a) In accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non conformances, closures and those drawn to the attention of the operator as a result of complaints; and

b) Using sufficient competent persons and resources'

When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: https://www.gov.uk/government/publications/assessing-and-scoring-environmental-permit-compliance/assessing-and-scoring-environmental-permit-compliance

The root cause of the non-compliances of condition 2.1.1 was recorded on CAR Form 104658/0533453 and remains applicable to the current situation on site. The inadequacies of the Environment Management System and/or failure to provide sufficient competent persons and resources is considered to be the root cause of the breach of condition 2.1.1. Failure to make adequate progress towards installation of the sealed drainage system and failure to deal with the waste that is stored off the impermeable surface indicates that EES have failed to provide sufficient resource.

Overall, the reasonably foreseeable impact of this breach has been assessed as Category 3, minor non-compliance.

The Environment Agency has made the decision this non-compliance will be suspended on the condition that the site continues to demonstrate they are making improvements to come back into compliance, as per the submitted compliance action plan.

A Compliance Assessment Report will be produced which contains a review of the Environmental Management System submitted by the site on 02/09/2025.

4. Site Inspection

4.1 During the inspection, the fines from Wards remains on site. Communication from the sites TCM on 26/09/2025 stated this waste will be removed from the site as it does not meet the required threshold on site. Furthermore, sampling from the site suggests this waste is above hazardous thresholds. Further communication from the TCM on 24/11/2025 confirmed the waste had left site under a consignment note, back to the original producer, on 17/11/2025.

4.2 The site is bringing in European Waste Catalogue (EWC Code) 19 12 12 from Phillips Skip Hire and Eco Power Skips. The waste is very fibrous in nature. Furthermore, a slight odour was identified from this waste. Please ensure this waste is managed to prevent any odour being identified off site.

During the inspection, the sites TCM stated that a waste assessment had been provided by the producing site, and samples had been sent by EES. This information was requested via email to the sites TCM on 10/11/2025 to be provided by 14/11/2025, however a response with this information has not been received.

Actions:

- Confirm what treatment process this waste goes through on site and what value the material has in terms of contributing to the recovery of soil, soil substitute and aggregate by **28/11/2025.**
- Provide the below information by **28/11/2025** for the EWC 19 12 12 received by the site by Phillips Skips and Eco Power:
    - Producer waste assessment, including laboratory results and interpretation
    - EES waste assessment for these incoming wastes, including laboratory results and interpretation

4.3 During the inspection, it was identified that the site is currently pumping the aqueous liquid waste from the treatment permit Lego block drainage area to one of the discharge points which leads to a nearby dyke. CAR reference: 104658/0561618 outlines the requirement for the site to submit the following information:

- Provided an updated EMS that includes as a minimum a procedure(s) setting out how site drainage will be management. This should:
    - Include a plan showing the extent and detail of the impermeable surface / sealed drainage area and that demonstrates how liquid draining from this area is isolated from "clean" surface waters that collect on the wider site.
    - A procedure that explains how disposal/recovery of the aqueous liquid waste contained within the sealed system is managed, including a sampling plan / waste characterisation methodology that explains how, in line with WM3, you will determine whether the waste is 16 10 01* / 16 10 02

On 02/09/2025, the site submitted an updated Environmental Management System, however this did not include any of the above information.

Furthermore, schedule 3 of the Environmental Permitting Regulations defines 'sealed drainage' as:

"sealed drainage" means a drainage system with an impermeable surface which ensures that—

(a) no liquid will run off the surface otherwise than via the system, and

(b) except where they may be lawfully discharged, all liquids entering the system are collected in a sealed sump

As a result, the site must no longer discharge aqueous waste from the treatment permit to any of the discharge points. All waste liquid on site must be contained within the sealed drainage and removed from site to an authorised facility for treatment. Continued pumping of the aqueous liquid waste can lead to further permit non-compliances being scored.

Actions:

- Cease pumping the water from the drainage system to the discharge point by **24/11/2025**
- Submit the information outlined in CAR reference: 104658/0561618 by **20/12/2025**

4.4 The site has dug trial pits to identify how much remaining street sweeping waste remains off the pad. The site has stated that current treatment on site is not changing the composition of the waste due to the waste becoming wet. The site is required to follow the deadlines provided in the compliance action plan. If the site is unable to treat the street sweeping waste, it must be removed off site.

Once the street sweeping waste has been treated/removed from site, the compliance action plan states the site

will undertake improvement works to ensure the drainage is sealed and liquid cannot escape beyond the edge of the impermeable surface.
Be advised that the deadline provided by the site to bring this permit, and waste storage permit reference EAWML 402437 back into compliance is by the end of February 2026.

4.5 The site has recently cleared the wheel-wash from standing liquid and have made improvements to ensure it is operable. Please ensure this abatement method is used to prevent dust and deposits on the road.

4.6 In CAR reference 104658/0576130, the site was set the action to submit weekly updates. The site has failed to do this consistently. As part of *'ESCRICK ENVIRONMENTAL SERVICES LIMITED compliance action plan 2025',* the site stated 'The operator will also update the Environment Agency on a weekly basis on progress of the plan'.

Be advised, failure to follow the Compliance Action Plan will result in the suspended scores under this permit reference being reinstated.

Action: Ensure the site submits weekly updates.

5. Actions

- Confirm what treatment process this waste goes through on site and what value the material has in terms of contributing to the recovery of soil, soil substitute and aggregate by **28/11/2025**
- Cease pumping the water from the drainage system to the discharge point by **24/11/2025**
- Submit the information outlined in CAR reference: 104658/0561618 by **20/12/2025**
- Ensure the site continues to make progress with the Compliance Action Plan.
- Ensure the site submits weekly updates.

6. Total non-compliance Score

6.1 As the two non-compliance scores identified above have been suspended, pending compliance with the Compliance Action Plan, your non-compliance score for this year is 16 CCS points. This makes you a compliance Band C operator.

6.2 Band C operators pay 110% of their subsistence charge. Your subsistence charge could increase if you score any further permit breaches before 31st December 2025, or if you fail to comply with the Compliance Action Plan.

7. Enforcement

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

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.	X

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			
A1	C3	Ensure the site continues to make progress with the Compliance Action Plan.	24/11/2025
C2	C3	Ensure the site continues to make progress with the Compliance Action Plan.	24/11/2025

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 104658/0590461

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

Site	Escrick Waste Treatment Facility			Permit Ref	104658	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	19/01/2026			Time in	10:00	Out 12:20
What parts of the permit were assessed	Specified activities, EMS, Emissions to land, site drainage, storage, Amenity, reporting to the Environment Agency					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	Company Director					
Officer's name	Henry McGregor, Elsa Heppel, Guglielmo Soreca			Date issued	05/02/2026	

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	C3		2.1.1;
b) Infrastructure	**1.** Engineering for prevention & control of pollution	A		
	2. Closure & decommissioning	NA		
	3. Site drainage engineering (clean & foul)	A		
	4. Containment of stored materials	A		
	5. Plant and equipment	A		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	C2		1.1.1;
	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	C3		3.1.1;
	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	A		
h) Resource efficiency	**1**. Efficient use of raw materials	N		
	2. Energy	A		

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	3	**Total compliance score** (see section 5 for scoring scheme)	39

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.

1. Introduction

1.1 This report relates to an announced routine compliance inspection, carried out to assess waste operations against the environmental permit. The inspection was accompanied by the following representatives from both organisations:

- Environment Officer (Landfill)
- Waste Team Leader (EA)
- EES Technically Competent Manager (TCM)
- EES Director
- A second EES director joined following the site walkover via video call to discuss issues across permit references EPR/BB3907LY, EPR/ DB3000UP and EPR/ZP3835JD

1.2 The site was operational at the time of the inspection. The weather was cloudy with spells of sunshine and a slight breeze. No amenity issues were identified off-site at the time of the inspection. However localised odour was detected on the treatment pad.

1.3 Three Permit non-compliances have been identified as part of this inspection. See section 3 for further information and actions.

1.4 Due to the sites failure to make meaningful progress with the Voluntary Compliance Action Plan (CAP) 'ESCRICK ENVIRONMENTAL SERVICES LIMITED compliance action plan 2025', the suspended scores found in below Compliance Assessment Reports (CAR) will be reinstated.

- 104658/0586981 – Issue date 24 November 2025
- 104658/0576130 – Issue date 04 September 2025

This decision has been made based on the preliminary deadlines provided by EES within the CAP. It is of the opinion of the EA that due to the site not making meaningful progress with the CAP, the deadlines specified within the plan will not be achieved. Please see section 7 of this report for further information on the site's compliance band for 2025.

2. Previous Inspection

2.1 Within the previous CAR (ref 104658/0586981), issued on 24 November 2025, the site was scored two category 3 non-compliances, which were suspended in relation to the CAP.

2.2 Permit non-compliance condition 2.1.1: It was identified that waste street sweepings were still being stored off the impermeable surface. Furthermore, outputs from the treatment of Construction and Demolition waste were being identified to have also been stored off the impermeable surface.

The previous inspection identified that no works had been undertaken on the sites current drainage system. The CAP stated an assessment of the site's drainage will be undertaken in October 2025, however no evidence of this has been provided.

2.3 Permit non-compliance condition 1.1.1: The initial root cause for the above non-compliance was recorded on CAR ref 104658/053345. The root cause has been attributed to the inadequacies of the Environment Management System and/or failure to provide sufficient competent persons and resources.

2.4 During the previous inspection, the site stated the street sweeping waste was too wet to treat, as a result, the waste should have been removed off site to an appropriate facility to allow the site to return to compliance.

2.5 The previous report stated the site had failed to provide weekly updates to the EA. This requirement was specified within the CAP. Since the inspection, up until 19 January 2026, the site has submitted two weekly updates.
Please see section 3 of this report for further information on the above non-compliances

3. Permit non-compliances

A1 – Permitted activities – Specified by permit
CCS: Category 3 non-compliance
Permit Condition: 2.1.1:

'2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities")

Table S1.1 includes:

Limits of Activities

…

All wastes, including residual wastes produced as a byproduct of the treatment process, shall be stored on an impermeable surface with sealed drainage.'

Observation: During the inspection, officers identified that waste is being stored off the impermeable surface. This waste includes the street sweepings up to the access road to Cell 1 of the adjacent landfill (photograph 1 - taken on top of the waste pile), the treated construction and demolition waste was being stored to the right of the treatment pad access road (photograph 2). The levels of treated construction and demolition waste being stored off the impermeable surface had reduced compared to the previous inspection.

Furthermore, the site does not have sealed drainage (photograph 3). During the inspection, there was no evidence that further work had been carried out in order to bring the site back into compliance with the permit. As a result, the site will not achieve the deadlines included with the CAP. Prior to the inspection, communication from the sites director on 12 January 2026 stated a drainage plan had been drafted. The Agency awaits receipt of the completed plan.

This breach has been scored as category 3 non-compliance (minor) because it is reasonably foreseeable that the stored wastes could be contaminated with hydrocarbons and/or leachate that is produced as the stockpiled organic content of the stored wastes degrade. As such, it is reasonably foreseeable that due to the potential of hydrocarbons and/or leachate within and from the incorrect storage of wastes, could lead to contamination of surface water, which is discharged to Bentley Park Drain, either through natural drainage processes or via conscious pumping as part of surface water management activities. It is considered unlikely that there is potential for anything more than minor impact to water quality. In making this judgement the likelihood of significant dilution prior to any discharge has been taken into account.

Action:

- Refer to the corresponding Regulation 36 Notices for required actions around waste being stored off the pad without sealed drainage
- Confirm which authorised facility the construction and demolition waste has been removed to and provide the corresponding waste transfer notes for this movement of waste **by 20/02/2026**

E3 – Emissions – Land and groundwater
CCS: Category 3 non-compliance
Permit Condition: 3.1.1:

'Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent, or where that is not practicable, to minimise, those emissions'

Observation: During the inspection, it was identified that leachate was being produced by the current stockpiles of street sweeping waste being stored on site (photograph 4). The leachate was pooling behind the stockpile of street sweeping waste to the eastern edge of the permit boundary. The leachate was not being contained on the impermeable surface and was being contaminated land adjacent. At present the site does not have any appropriate measures in containing and managing this leachate to minimise the risk of pollution, including but not limited to a sealed drainage system.

It is reasonably foreseeable that the leachate has the potential to contaminate the land, groundwater and nearby surface water. However, the natural clay underlying the site has been taken into consideration when assessing the categorisation of this non-compliance. As a result, this non-compliance has been scored a category 3 CCS score for the minor impact to the Environment.

Action: Produce a leachate management plan which states how the site intends to ensure that any leachate produced at the regulated facility is appropriately managed in a way which minimise the risk and potential for causing pollution by **20/02/2026**

Root Cause
C2 – General management - Management system & operating procedures
CCS: Category 2 non-compliance
Permit Condition: 1.1.1:

'The operator shall manage and operate the activities:

- *In accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non conformances, closures and those drawn to the attention of the operator as a result of complaints; and*

b) Using sufficient competent persons and resources'

When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: https://www.gov.uk/government/publications/assessing-and-scoring-environmental-permit-compliance/assessing-and-scoring-environmental-permit-compliance

The root cause of non-compliances 2.1.1 and 3.1.1 has been attributed to the inadequacies of the Environment

Management System (EMS) and/or failure to provide sufficient competent persons and resources.

Failure to make adequate progress towards installation of the sealed drainage system and failure to deal with the waste that is stored off the impermeable surface indicates that EES have failed to provide sufficient resource to comply with the CAP and the Environmental Permit.

Furthermore, the site has not put in any appropriate measures to manage the production of leachate on site.

The current EMS lacks sufficient detail in outlining the site operations. Furthermore, it does not include sufficient detail for how the site intends to manage leachate produced from the waste piles.

When assessing the reasonably foreseeable impact of this non-compliance, the Environment Agency has taken into the account any procedures, resources and infrastructure that the permit holder has in place to mitigate pollution (these are collectively known as 'appropriate measures') and the responsiveness of the permit holder and site staff. It has been deemed that the resources produced by the site, and the operative's failure to adequately respond to non-compliances, have contributed to an increased risk to the environment following previous CARs.

As a result of the lack of action by the operator and increasing issues on site (leachate) reasonably foreseeable impact of this breach has been assessed as Category 2, significant non-compliance.

Action:

- Provide sufficient resources in getting the site back to compliance.
- Update the EMS in relation to management of leachate from the wastes **by 20/02/2026**

4. Site inspection

4.1 During the inspection, a pile of what appeared to be treated waste was observed in one of the bays on site (photograph 5). The site director stated this waste had been removed from the landfill, as per actions given by the Environment Agency. There was evidence on top of the Lego blocks around the bay that significantly more of these fines had previously been stored on the treatment pad. This waste had the appearance of European Waste Catalogue (EWC) Code 19 12 12. Presently, there is a suspension notice in place on the adjacent landfill for the acceptance of this EWC code.

Action: Confirm what you intend to do with this waste **by 20/02/2026**

4.2 Significant quantities of street sweeping waste were observed on site, however currently there is no treatment process being undertaken on site. The site director stated that they were awaiting the arrival of a new piece of plant which had the ability to treat wet waste. Within the weekly update received Tuesday 2nd February 2026 by the sites TCM, this piece of equipment is expected to arrive Thursday 5th February 2026. Be advised that the mechanical treatment of the street sweeping residue on site will produce the EWC code 19 12 12. As mentioned above, this waste cannot be transferred to the adjacent landfill and so would need to be removed from site.

Actions:

- Provide an update to the sites EMS to confirm how the new piece of equipment will be used on site.
    - The update should clarify what waste will be treatment, what the treatment consists of and what waste fractions will be produced.
- Confirm the outlet for the treated waste.

Complete the above actions **by 20/02/2026**

5. Actions

- Refer to the corresponding Regulation 36 Notices for required actions around waste being stored off the pad without sealed drainage
- Confirm which authorised facility the construction and demolition waste has been removed to and provide the corresponding waste transfer notes for this movement of waste **by 20/02/2026**
- Produce a leachate management plan which states how the site intends to ensure that any leachate produced at the regulated facility is appropriately managed in a way which minimise the risk and potential for causing pollution by **20/02/2026**
- Provide an update to the sites EMS to confirm how the new piece of equipment will be used on site **by 20/02/2026**
    - The update should clarify what waste will be treatment, what the treatment consists of and what waste fractions will be produced.
- Confirm the outlet for the treated waste **by 20/02/2026**
- Provide sufficient resources in getting the site back to compliance.
- Update the EMS in relation to management of leachate from the wastes **by 20/02/2026**

6. Total non-compliance score

6.1 As three non-compliance scores have been identified within this report, your non-compliance score for this inspection is 39 CCS points. This makes you a compliance Band D operator for 2026.

6.2 Band D operators pay 125% of their subsistence charge. Your subsistence charge could increase if you score any further permit breaches before 31st December 2026.

7. 2025 total non-compliance score

7.1 As mentioned in section 1 of this report, the previous suspended scores under this permit for 2025 are to be reinstated due to failure to make adequate progress with the sites CAP.

7.2 As a result, your total non-compliance for 2025 is 32. This makes you a compliance Band D operator for 2025.

7.3 Band D operators pay 125% of their subsistence charge.

8. Enforcement

As a result of the continue non-compliance, and failure to make adequate progression with the Compliance Action Plan, the Environment Agency has made the decision to service a Regulation 36 Notice to take specified steps in relation to the breach of permit.

The Notice should be read in conjunction with Compliance Assessment Report. Failure to comply with the actions in the notice, or if further information becomes apparent, may lead to further enforcement.

Photograph 1



Photograph 2



Photograph 3



Photograph 4



Photograph 5



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.	
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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			
A1	C3	o Refer to the corresponding Regulation 36 Notices for required actions around waste being stored off the pad without sealed drainage o Confirm which authorised facility the construction and demolition waste has been removed to and provide the corresponding waste transfer notes for this movement of waste	18/02/2026
C2	C2	o Provide sufficient resources in getting the site back to compliance. O Update the EMS in relation to management of leachate from the waste	18/02/2026
E2	C3	Produce a leachate management plan which states how the site intends to ensure that any leachate produced at the regulated facility is appropriately managed in a way which minimise the risk and potential for causing pollution	18/02/2026

Section 5 - Compliance notes for the Operator

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

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- require you to review your procedures or management system
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Any breach of a permit condition is an offence* and we may take legal action against you.

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- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and or suspension or revocation of the permit.
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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
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MSA requires operators to manage and operate in accordance with a written management system that identifies and minimises risks of pollution.

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- 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
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Customer charter

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If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

ENFORCEMENT NOTICE TO TAKE SPECIFIED STEPS IN RELATION TO A BREACH OF PERMIT CONDITION

To: Escrick Environmental Services Limited
The Old Brick & Tile Works
Riccall Road,
Escrick,
York,
England,
YO19 6ED

Company number 06019667

Environmental permit: EPR/BB3907LY (EAWML104658)
Regulated facility: Escrick Waste Treatment Facility, The Old Brick And Tile Works, Riccall Road, Escrick, York, England, YO19 6ED ("the site")

The Environment Agency considers that the following condition of the environmental permit is being contravened:

1. Condition 2.1.1

"The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities")."

The relevant extract from Schedule 1, Table S1.1 is set out below.

Table S1.1

Table S1.1 activities	
Description of activities for waste operations	**Limits of activities**
R13: Storage of wastes pending any of the operations numbered R1 to R12 (excluding temporary storage, pending collection, on the site where it is produced). R3: Recycling/reclamation of organic substances which are not used as solvents. R5: Recycling/reclamation of other inorganic materials.	All wastes, including residual wastes produced as a byproduct of the treatment process, shall be stored on an impermeable surface with sealed drainage. ……..

Because:

You are storing waste, namely street sweeping residue and trommel fines, on a surface which is not impermeable and does not have sealed drainage.

You are required to take the steps set out in Schedule 1 by the date(s) specified in order to remedy the contravention.

Date 05th February 2026 **Signed**

Guglielmo Soreca
Team Leader
Yorkshire Waste Team 5

Environment Agency
Foss House,
Kings Pool,
Peasholme Green,
York,
YO1 7PX

Please see over for notes.

Notes:

General

1. Failure to comply with this notice is an offence under Regulation 38(3) of the Environmental Permitting (England and Wales) Regulations 2016 and may result in legal action being taken against you.

2. Without prejudice to the requirements of this notice, failure to comply with a condition of an environmental permit is an offence and may result in legal action being taken against you.

3. You may wish to seek independent legal advice.

Appeal provisions
You are entitled to appeal against this notice under Regulation 31(1)(f) of the Environmental Permitting (England and Wales) Regulations 2016. Notice of appeal must be made within two months of the date of this notice. An appeal does not affect the requirements of this notice.

You must send written notice of the appeal and the documents listed below to:

Secretary of State
The Planning Inspectorate
Room 3A Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

At the same time, you must send a copy of the appeal notice and documents to us.

The required documents are:
- a statement of the grounds of appeal;
- a copy of any relevant application;
- a copy of any relevant environmental permit;
- a copy of any relevant correspondence between the appellant and the regulator;
- a copy of any decision or notice which is the subject matter of the appeal; and
- a statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying the Secretary of State in writing and sending a copy of that notification to us.

Further information about making an appeal and the forms that you will need are available from the Planning Inspectorate.

SCHEDULE 1 STEPS TO BE TAKEN		
Condition number	**Steps to be taken**	**By date**
2.1.1	1. Move all wastes currently being stored on unmade ground to an area of the site which has an impermeable surface and sealed drainage. Wastes which cannot be stored in this manner shall be removed from site to a suitably authorised facility. 2. Inspect and review the current drainage system on site to ensure it is a sealed drainage system. Where necessary install or carry out improvement works to the drainage system to ensure it is sealed, ensuring that any liquids cannot run off and soak into the surrounding unmade ground. The sealed drainage system must be designed and built in a way in which it complies with the Non-hazardous and inert waste: appropriate measures for permitted facilities. https://www.gov.uk/guidance/non-hazardous-and-inert-waste-appropriate-measures-for-permitted-facilities	**08/05/2026**

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 104658/0594572

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

Site	Escrick Waste Treatment Facility			Permit Ref	104658	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	25/02/2026			Time in	11:00	Out 12:00
What parts of the permit were assessed	Specified activities, Amenity, Management systems, plant & equipment					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X	Water Discharge	
Recipient's name/position	Company Director					
Officer's name	Henry McGregor, Elsa Heppell			Date issued	11/03/2026	

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	*C3		2.1.1;
b) Infrastructure	**1.** Engineering for prevention & control of pollution	A		
	2. Closure & decommissioning	NA		
	3. Site drainage engineering (clean & foul)	A		
	4. Containment of stored materials	N		
	5. Plant and equipment	A		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	*C2		1.1.1;
	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	2	**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.

1. Introduction

1.1 This report relates to an unannounced compliance inspection following the issuing of a Regulation 36 Notice on Thursday 05th February 2026. The site was attended to assess progress towards compliance with the actions set out under schedule 1 of the notice.

1.2 The inspection was accompanied by the following representatives:

- Landfill Environment Officer (Environment Agency)
- Environmental Taxes Compliance Higher Officer (HMRC)
- Escrick Environmental Services Ltd (EES) Technically Competent Manager (TCM)
- EES site operative

1.3 A Notice of Powers and Rights under the Police and Criminal Evidence Act 1984 (Reference **73014**) was issued and accepted by the sites TCM at 10:25hrs

1.4 The scores for permit conditions 1.1.1 and 2.1.1 have been suspended, no additional non-compliances have been identified within this compliance assessment report. The scores have been suspended pending compliance with the Regulation 36 notice

2. Previous Inspection

2.1 During the previous inspection on 19/01/2026 (Report reference: 104658/0590461), three permit non-compliances were identified.

2.2 Permit non-compliance condition 2.1.1: During the previous inspection, officers identified that street sweeping waste continued to be stored off the impermeable surface with no sealed drainage. Officers identified that this waste included the 'legacy' street sweeping materials stored directly to the North of the concrete pad and newer street sweeping waste going off the pad on the eastern side. Furthermore, during the inspection, no additional work had been done on the site's drainage system.

2.3 Permit non-compliance condition 3.1.1: During the previous inspection, it was identified that the newer street sweeping waste was producing leachate. Leachate was seen pooling behind the stockpile of street sweeping waste, on unmade ground. Moreover, due to the site not having a sealed drainage system, the site did not have adequate infrastructure in place to ensure the management of this waste liquid minimised the risk of pollution.

2.4 Permit non-compliance condition 1.1.1: The root cause for the above non-compliances was attributed to the inadequacies of the Environment Management System (EMS) and/or failure to provide sufficient competent persons and resources.

Following the previous inspection, the site was issued with a Regulation 36 Notice.

Please see below for further information on these non-compliances.

3. Permit non-compliance

A1 – Permitted activities – Specified by permit
CCS: Category 3 non-compliance
Permit Condition: 2.1.1:

'2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities")

Table S1.1 includes:

Limits of Activities

…

All wastes, including residual wastes produced as a byproduct of the treatment process, shall be stored on an impermeable surface with sealed drainage.'

Observation: During the inspection, officers identified that waste is being stored off the impermeable surface. This waste includes the 'legacy' street sweepings up to the access road to Cell 1 of the adjacent landfill (photograph 1), and the mound of newer street sweeping waste resting against the eastern edge of unmade ground (photograph 2). Furthermore, due to the level of mud on site, it was not clear whether all construction and demolition waste was being stored on the concrete pad (photograph 3).

It was identified that the levels of 'legacy' street sweeping waste being stored to the northern edge of the pad had reduced, with some areas being cleared of this waste stream.

Furthermore, the site does not have sealed drainage. During the inspection, new Lego blocks were seen diverting site waters to the current drainage system. These blocks did not appear to have any impermeable sealant between the joints. As a result, they are not considered sealed. An Action plan submitted by the site on Friday 13th February 2026 stated an engineer was to compile a report of the current drainage system on site. The TCM stated an engineer had been on site to review the drainage system and the site were awaiting the report.

Additionally, it was identified that leachate was being produced by the current stockpiles of street sweeping waste being stored on site (photograph 4). The leachate was pooling to the north of the pad, behind the new treatment plant. The leachate was not being contained on the impermeable surface and was contaminating the adjacent land. During the inspection, there was evidence that the site is pumping some leachate into Intermediate Bulk Containers (IBCs), however, these do not have secondary containment (photograph 5). The site needs to ensure that all leachate produced on site is captured within IBCs with secondary containment to minimise the risk of pollution until all liquids produced on site can be captured within a sealed drainage system and removed to an appropriate facility.

The previous Compliance Assessment Report included an action for the site to produce a leachate management plan. Following the report, the site submitted a previous drainage plan for the site, however the Environment Agency has not received confirmation that the drainage system on site is sealed. The current system was initially installed by Escrick Environment Services Ltd during the start of 2025, but work on this stopped due the change of ownership.

This breach has been scored as category 3 non-compliance (minor) because it is reasonably foreseeable that the stored wastes could be contaminated with hydrocarbons and/or leachate that is produced as the stockpiled organic content of the stored wastes degrade. As such, it is reasonably foreseeable that due to the potential of hydrocarbons and/or leachate within and from the incorrect storage of wastes, could lead to contamination of

surface water, which is discharged to Bentley Park Drain, either through natural drainage processes or via conscious pumping as part of surface water management activities. It is considered unlikely that there is potential for anything more than minor impact to water quality. In making this judgement the likelihood of significant dilution prior to any discharge has been taken into account.

This non-compliance has been suspended pending compliance with the Regulation 36 Notice.

Action:

Comply with the steps specified in the 5 February 2026 Regulation 36 Notice, namely:

1. Move all wastes currently being stored on unmade ground to an area of the site which has an impermeable surface and sealed drainage. Wastes which cannot be stored in this manner shall be removed from site to a suitably authorised facility.

2. Inspect and review the current drainage system on site to ensure it is a sealed drainage system. Where necessary install or carry out improvement works to the drainage system to ensure it is sealed, ensuring that any liquids cannot run off and soak into the surrounding unmade ground. The sealed drainage system must be designed and built in a way in which it complies with the Non-hazardous and inert waste: appropriate measures for permitted facilities.

https://www.gov.uk/guidance/non-hazardous-and-inert-waste-appropriate-measures-for-permitted-facilities

Deadline: 08/05/20256

Root Cause
C2 – General management - Management system & operating procedures
CCS: Category 2 non-compliance
Permit Condition: 1.1.1:

'The operator shall manage and operate the activities:

a) *In accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non conformances, closures and those drawn to the attention of the operator as a result of complaints; and*

b) Using sufficient competent persons and resources'

Observation: When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: https://www.gov.uk/government/publications/assessing-and-scoring-environmental-permit-compliance/assessing-and-scoring-environmental-permit-compliance

The root cause of non-compliance for permit condition 2.1.1 has been attributed to the inadequacies of the Environment Management System (EMS) and/or failure to provide sufficient competent persons and resources. As per section 1 of this report, this non-compliance has been suspended pending compliance with the Regulation 36 Notice.

Failure to make adequate progress towards installation of the sealed drainage system and failure to deal with the waste that is stored off the impermeable surface indicates that EES have failed to provide sufficient resource to comply with the Environmental Permit.

Furthermore, while the site has started to put in any appropriate measures to manage the production of leachate on site, there continues to be leachate making it on to unmade ground.

The current EMS lacks sufficient detail in outlining the site operations. Furthermore, it does not include

sufficient detail for how the site intends to manage leachate produced from the waste piles.

When assessing the reasonably foreseeable impact of this non-compliance, the Environment Agency has taken into the account any procedures, resources and infrastructure that the permit holder has in place to mitigate pollution (these are collectively known as 'appropriate measures') and the responsiveness of the permit holder and site staff. It has been deemed that the inadequate resources produced by the site, and the operative's failure to promptly and adequately respond to non-compliances, have contributed to an increased risk to the environment following previous CARs.

Failure to adequately mitigate the leachate that is being produced by, for example, promptly containing and collecting it, in suitable containers that are stored within secondary containment, along with the length of time this matter has been allowed to persist, gives rise to a reasonably foreseeable risk of significant pollution result from inadequate management.

As a result of the lack of action by the operator and increasing issues on site (leachate) the reasonably foreseeable impact of this breach has been assessed as Category 2, significant non-compliance.

This non-compliance has been suspended pending compliance with the Regulation 36 Notice.

Action:

- Provide sufficient resources in getting the site back to compliance as per the 5 February 2026 Regulation 36 notice.

4. Site Inspection

4.1 During the inspection, a pile of what appeared to be treated waste was observed in one of the bays on site. This was commented on within the previous Compliance Assessment Report. This waste had been removed from the adjacent inert landfill. The TCM was asked what the site intend to do with this waste, however the site has not determined if it will remain on site, or be removed to an authorised treatment facility,

4.2 A new treatment plant had been delivered to site and was awaiting assembling. Initially the Environment Agency were told that the new treatment process would be able to treat waste with a high moisture content, however the site operative stated its performance would be best for dry waste.

Be advised that the mechanical treatment of the street sweeping residue on site will produce the European Waste Catalogue (EWC) code 19 12 11*/12, depending on the level of hazardous properties in the treated waste. As mentioned above, this waste cannot be transferred to the adjacent landfill and so would need to be removed from site. Furthermore, following treatment and prior to transfer off site, a Waste Classification Assessment, as per technical guidance WM3, will need to be undertaken to ensure the waste is appropriately described and assigned the most appropriate EWC code.

4.3 During the inspection, a significant amount of street sweeping waste brought onto site was occupying most of the concrete pad on site. Site operatives stated a plan was being produced on what they intend to do with this waste due to the suspension Notice on the adjacent inert landfill. The TCM stated that only a small quantity of street sweeper waste was expected to come into site from the day of the inspection. The site intends to use the treatment pad to support bringing the adjacent permits (references EPR/DB3000UP and EPR/ ZP3835JD) back into compliance. However, due to the limited room available on site, it is not clear how the site intends to implement its action plan.

4.4 No amenity issues were detected off site at the time of the inspection. This includes odour, noise, dust, pests or deposits on the road. A localised compost-like odour was detected near the street-sweeping waste.

5. Actions

1. Comply with the 5 February 2026 Regulation 36 Notice.

2. Provide sufficient resources in getting the site back to compliance as per the Regulation 36 notice.

Deadline 08/05/2026

6. Total non-compliance score

6.1 As the two non-compliance scores identified above have been suspended, pending compliance with the Regulation 36 Notice, your non-compliance score for this year is 39 CCS points. This makes you a compliance Band D operator.

6.2 Band D operators pay 125% of their subsistence charge. Your subsistence charge could increase if you score any further permit breaches before 31st December2026, or if you fail to comply with the Regulation 36 Notice.

7. Enforcement Response

7.1 As a result of the continued non-compliance, and failure to make adequate progression with the Compliance Action Plan, the Environment Agency issued a Regulation 36 Notice to take specified steps in relation to the breach of permit on 05th February 2026.

7.2 We will consider whether further enforcement action is necessary, taking into account your response to the existing Regulation 36 Notice.

Photograph 1



Photograph 2



Photograph 3



Photograph 4



Photograph 5



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.	X

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			
A1	C3	Comply with the 5 February 2026 Regulation 36 Notice.	25/03/2026
C2	C2	Provide sufficient resources in getting the site back to compliance as per the Regulation 36 notice.	08/05/2026

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 104658/0596734

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

Site	Escrick Waste Treatment Facility			Permit Ref	104658	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	25/03/2026			Time in	10:10	Out 11:30
What parts of the permit were assessed	Specified Activities, containment of stored materials, drainage, plant, storage, amenity, management system					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	Company Director					
Officer's name	Henry McGregor, Elsa Heppell, Ant Sorrell			Date issued	07/04/2026	

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	*C3		2.1.1;
b) Infrastructure	**1.** Engineering for prevention & control of pollution	A		
	2. Closure & decommissioning	NA		
	3. Site drainage engineering (clean & foul)	A		
	4. Containment of stored materials	A		
	5. Plant and equipment	A		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	*C2		1.1.1;
	3. Materials acceptance	C3		2.3.2;
	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	A		
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	3	**Total compliance score** (see section 5 for scoring scheme)	4

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.

1. Introduction

1.1 This report relates to an unannounced site inspection to assess progress with the actions set out under Schedule 1 of the Regulation 36 Notice issued on 05 February 2026.

1.2 The inspection was accompanied by two Environment Agency Landfill Regulatory Specialists and Escrick Environmental Services Technically Competent Manager (TCM).

1.3 A Notice of Powers and Rights under the Police and Criminal Evidence Act 1984 (Reference **73019**) was issued and accepted by the site's TCM at 1018hrs.

1.4 The scores for permit conditions 1.1.1 and 2.1.1 have been suspended pending compliance with the Regulation 36 Notice

Be advised that additional permit non-compliances were identified as part of the inspection. Please see section 4 for further details.

2. Previous Inspection

2.1 The inspection on 25 February 2026 (report reference: 104658/0594572) identified that the site continued to contravene permit conditions 1.1.1 and 2.1.1. These were recorded as non-compliances under 'Section 1 – Compliance Assessment Summary'.

2.2 The report stated that work had been done to move the waste that was currently being stored off the impermeable surface, however, no work had been done on the site's sealed drainage system.

2.3 The report stated that leachate was identified going onto unmade ground. Furthermore, it stated some leachate was being captured in Intermediate Bulk Containers (IBCs), however, the IBC did not have secondary containment.

3. Site Inspection

3.1 During the site inspection, significant quantities of street-sweeping waste were identified on site (photograph 1). Furthermore, soil waste and mixed construction and demolition waste containing soil was identified on site. As a result, there is limited room for other activities to take place, including waste treatment and engineering works on the drainage system. The TCM has stated that the site director is in the process of producing a plan for how the operator intends to bring the site back into compliance.

This was also stated during the previous inspection on 25 February 2026; however, no plan has been submitted by the site. The TCM stated that the site has voluntarily ceased bringing waste into the treatment pad until the site has been cleared. No timeframe was given on when this would be complete.

3.2 Two piles of the mixed construction and demolition waste containing soil were recently brought onto site. See section 4.1 for further details on this. A third pile (photograph 2) has been on site for a prolonged period of time. The site is not permitted to store or treat mixed construction and demolition waste containing soil. As a result, this waste type must not be treated and must be removed from the site as soon as practicably possible.

Action: Provide evidence that all non-permitted waste has been removed from site **by 17/04/2026**

3.3 The treatment plant has yet to be assembled. The TCM stated this machinery will be assembled during the week commencing 30 March 2026.

Action: Provide evidence that the treatment plant has been assembled **by 08/04/2026**

3.4 No amenity issues were detected off site at the time of the inspection. This includes odour, noise, dust, pests or deposits on the road. A localised compost-like odour was detected near the street-sweeping waste.

3.5 Leachate was still observed on site going to unmade ground (photograph 3). Furthermore, there was a single IBC containing leachate. The TCM stated this was the same IBC observed during the previous inspection. As a result, it does not appear as though the site is managing the other sources of leachate across the site. Additionally, the previous report stated that IBCs on site required secondary containment, however the site has failed to implement this (photograph 4).

The site was required to produce a leachate management plan by 20/02/2026 within report reference 104658/0590461. However, this was not complied with and no report has been submitted.

Action: Provide the Environment Agency with a leachate management plan **by 17/04/2026**

3.6 Due to the non-compliance identified on the site, the Environment Agency has requested the site submit weekly updates to outline site operations and progress towards compliance. The last weekly site update received by the Environment Agency was on 17/02/2026.

Action: Ensure the site continue to send weekly updates to the Environment Agency.

4. Permit Non-compliances

4.1 Subcriterion C3 – General management – Materials acceptance
CCS: Category 3 non-compliance
Permit Condition: 2.3.2:

'Waste shall only be accepted if:

It is of type and quantity listed in schedule 2 Table S2.1'.

Observation: During the site inspection, it was identified that the site had recently accepted mixed construction and demolition waste containing soil and man-made items (concrete, brick, etc) (photograph 5). The most suitable European Waste Catalogue (EWC) code for this waste can be found in Chapter 17 09 of Technical Guidance WM3.

Mixed construction and demolition waste containing soil is not listed within Schedule 2, Table S2.1 – Permitted waste types of the site's permit, as a result, the operator should not have accepted the waste onto site.

During the inspection, the TCM stated that the producers of these wastes were Ashcourt and Phillips Waste Management. The TCM acknowledged that the waste was not permitted and was unsure why it was accepted onto site.

As a result of the non-compliance stated above, the site has been scored a category 3 non-compliance due to the reasonably foreseeable minor impact on the environment. The waste is not listed on the site's permit, as a result, the site does not have the appropriate infrastructure or permissions to handle, store or treat this waste type. This waste must leave site in the same state as it arrived.

Actions:

- Provide the waste transfer notes from Ashcourt and Phillips Waste Management for the wastes mentioned above **by 10/04/2026.**
- Provide evidence that the waste has left the site **by 17/04/2026.**

4.2 Subcriterion A1 – Permitted activities – Specified by permit.
CCS: Category 3 non-compliance
Permit Condition: 2.1.1:

'2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities")

Table S1.1 includes:

Limits of Activities
…

All wastes, including residual wastes produced as a byproduct of the treatment process, shall be stored on an impermeable surface with sealed drainage.'

Observation: During the inspection, the TCM stated that no work had been done on the sealed drainage system and ensuring that all waste was stored on an impermeable surface since the previous inspection on 26 February 2026.

An email was submitted by the TCM on 18 March 2026 titled '*Proposal for sealing Pad*', however this proposal was insufficient as it did not cover the areas that include the sump and tanks. The TCM stated they would discuss the missing information with the engineer during the week commencing 30 March 2026. Advice was given to the site on ensuring the sealed drainage system was engineered in line with the *Non-hazardous and inert waste: appropriate measures for permitted facilities.* Further guidance can be found here: *Non-hazardous and inert waste: appropriate measures for permitted facilities - 6. Emissions control - Guidance - GOV.UK*.

As no progress has been made since the previous inspection, details of the full observation can be found in the previous report, reference 104658/0594572.

This breach has been scored as category 3 non-compliance (minor) because it is reasonably foreseeable that the stored wastes could be contaminated with hydrocarbons and/or leachate that is produced as the stockpiled organic content of the stored wastes degrades. As such, it is reasonably foreseeable that due to the potential of hydrocarbons and/or leachate within and from the incorrect storage of wastes, could lead to contamination of surface water, which is discharged to Bentley Park Drain, either through natural drainage processes or via conscious pumping as part of surface water management activities. It is considered unlikely that there is potential for anything more than minor impact to water quality. In making this judgement the likelihood of significant dilution prior to any discharge has been taken into account.

This non-compliance has been suspended pending compliance with the Regulation 36 Notice.

Actions:

Comply with the steps specified in the 05 February 2026 Regulation 36 Notice, namely:

1. Move all wastes currently being stored on unmade ground to an area of the site which has an impermeable surface and sealed drainage. Wastes which cannot be stored in this manner shall be removed from site to a suitably authorised facility.

2. Inspect and review the current drainage system on site to ensure it is a sealed drainage system. Where necessary install or carry out improvement works to the drainage system to ensure it is sealed, ensuring that

any liquids cannot run off and soak into the surrounding unmade ground. The sealed drainage system must be designed and built in a way in which it complies with the Non-hazardous and inert waste: appropriate measures for permitted facilities.

https://www.gov.uk/guidance/non-hazardous-and-inert-waste-appropriate-measures-for-permitted-facilities

Deadline: **08/05/2026**

4.3 Root Cause
Subcriterion C2 – General management - Management system & operating procedures
CCS: Category 2 non-compliance
Permit Condition: 1.1.1:

'The operator shall manage and operate the activities:

a) In accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non conformances, closures and those drawn to the attention of the operator as a result of complaints; and

b) Using sufficient competent persons and resources'

Observation: When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: https://www.gov.uk/government/publications/assessing-and-scoring-environmental-permit-compliance/assessing-and-scoring-environmental-permit-compliance

As no progress has been made on site since the previous inspection, root cause of the non-compliance relating to permit reference 2.1.1, specified in Compliance Assessment Report reference 104658/0594572, remains the same.

Furthermore, the root cause for the non-compliance for permit condition 2.3.2 has been attributed to the failure to adequately operate the site in accordance with a sufficient environmental management system. The non-permitted waste should have been identified as part of the site's pre-acceptance and acceptance measures. The waste should have been rejected upon delivery and never deposited on the site.

When assessing the reasonably foreseeable impact of this non-compliance, the Environment Agency has taken into account any procedures, resources and infrastructure that the permit holder has in place to mitigate pollution (these are collectively known as 'appropriate measures') and the responsiveness of the permit holder and site staff. It has been deemed that the inadequate resources produced by the site, and the operative's failure to respond to non-compliances promptly and adequately, have contributed to an increased risk to the environment following previous CARs.

As a result of the lack of action by the operator and increasing issues on site (waste acceptance) the reasonably foreseeable impact of this breach has been assessed as Category 2, significant non-compliance.

This non-compliance has been suspended pending compliance with the Regulation 36 Notice.

Actions: Provide sufficient resources in getting the site back to compliance as per the 05 February 2026 Regulation 36 notice.

5. Actions

- Provide the waste transfer notes from Ashcourt and Phillips Waste Management for the wastes mentioned above **by 10/04/2026.**
- Provide evidence that the waste has left the site **by 17/04/2026.**
- Comply with the steps specified in the 05 February 2026 Regulation 36 Notice **by 08/05/2026.**
- Provide sufficient resources in getting the site back to compliance as per the 05 February 2026

Regulation 36 notice **by 08/05/2026.**

6. Total non-compliance score

6.1 Non-compliance scores relating to permit conditions 2.1.1 and 1.1.1 have been suspended, pending compliance with the Regulation 36 Notice. A non-compliance relating to permit condition 2.3.2 was identified as part of the site inspection. This non-compliance has not been suspended and will contribute to the site's 2026 CCS points.

6.2 Your non-compliance score for this inspection is 4 CCS points. Your non-compliance score for this year is 43 CCS points. This makes you a compliance Band D operator.

6.3 Band D operators pay 125% of their subsistence charge. Your subsistence charge could increase if you score any further permit breaches before 31 December 2026, or if you fail to comply with the Regulation 36 Notice.

7. Enforcement response

7.1 On 5 February 2026, the Environment Agency issued a Regulation 36 Notice to take specified steps in relation to the breach of permit.

7.2 We will consider whether further enforcement action is necessary, taking into account your response to the existing Regulation 36 Notice.

Photograph 1



Photograph 2



Photograph 3



Photograph 4



Photograph 5



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.	X

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			
A1	C3	Comply with the steps specified in the 05 February 2026 Regulation 36 Notice	08/05/2026
C2	C2	Provide sufficient resources in getting the site back to compliance as per the 05 February 2026 Regulation 36 notice	08/05/2026
C3	C3	- Provide the waste transfer notes from Ashcourt and Phillips Waste Management for the wastes mentioned above by 10/04/2026. - Provide evidence that the waste has left the site by 17/04/2026	21/04/2026

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 104658/0599683

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

Site	Escrick Waste Treatment Facility			Permit Ref	104658	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	11/05/2026			Time in	14:27	Out 14:49
What parts of the permit were assessed	Amenity, Specified Activity, Storage, Drainage, Waste Acceptance					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	Company Director					
Officer's name	James Cameron, Henry McGregor			Date issued	26/05/2026	

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 2) and the Actions (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				Condition(s) breached
a) Permitted activities	**1**. Specified by permit	C3		2.1.1;
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	NA		
	3. Site drainage engineering (clean & foul)	A		
	4. Containment of stored materials	A		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	C2		1.1.1;
	3. Materials acceptance	C3		2.3.2;
	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	N		
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	3	**Total compliance score** (see section 5 for scoring scheme)	39

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.

1. Introduction

1.1 This report relates to a site inspection undertaken on 11 May 2026 to assess compliance with the Regulation 36 Notice issued on 05 February 2026. The inspection was undertaken by two Environment Officers. On arrival, no site representatives were present and the gates were locked. The weather was dry and bright with intermittent cloud. The temperature was 14 degrees.

1.2 A Code B Notice of Powers and Rights under the Police and Criminal Evidence Act 1984 (Reference 58360) was left at the site gate at 14:49hrs, on conclusion of the site visit.

1.3 Be advised, during the inspection it was identified that the Regulation 36 Notice has not been complied with. See section 4 for further information

2. Previous Inspection

2.1 The inspection on 20 April 2026 (reference 104658/0598141) identified breaches of permit conditions 1.1.1 and 2.1.1 relating to waste storage and site management.

2.2 Issues included waste stored on unmade ground, leachate control concerns, and uncertainty over whether the drainage system is sealed. Non-permitted mixed construction and demolition waste containing soil was also identified (permit condition 2.3.2).

2.3 The previous report stated that CCS scores for permit conditions 1.1.1 and 2.1.1 were suspended pending compliance with the Regulation 36 Notice. As compliance with the notice was not achieved by the deadline of 08 May 2026, these suspended CCS scores from the previous CAR forms - 0594572, 0596734, & 0598141, will now be reinstated.

3. Site Inspection

3.1 The site was unattended and secured by locked gates. Officers gained access via the adjoining site after informing the Company Director of Escrick Environmental Services Limited of our entry onto site over the phone.

3.2 One pile of waste, soil, stone, construction and demolition waste, (previously identified) had been removed. Another pile remained in the southwest corner of the treatment pad (photograph 1).

3.4 Some street sweeping waste had been relocated onto the pad; however, a significant quantity remained on unmade ground at the north end of the pad (photograph 3)

3.5 Leachate was observed migrating from street sweeping waste on the pad, onto unmade ground at the northern edge of the pad (photograph 3)

3.6 Progress has been made in clearing the drainage sump, with further removal of silt and soils. However, the system has not been demonstrated to be sealed and requires further investigation and clearance (photograph 2).

Action: Provide waste transfer documentation confirming removal of leachate from the drainage sump to a suitably authorised facility Deadline: 12/06/2026

Action: Submit an up-to-date leachate management plan Deadline: 12/06/2026

3.7 Weekly progress updates have not been received for several weeks.

Action: Resume weekly progress updates. Deadline: 12/06/2026

4. Permit non-compliances

4.1 Materials acceptance (C3) – CCS Cat 3

Permit 2.3.2
'Waste shall only be accepted if: It is of type and quantity listed in schedule 2 Table S2.1'.

Mixed construction and demolition waste containing soil remains on site. This waste was identified on previous site inspections, is not permitted and should have been rejected at the point of acceptance (photograph 1). The waste consisted of a mixed construction and demolition waste containing soil and man-made items (concrete, brick, etc). The most appropriate European Waste Catalogue (EWC) code for this waste can be found in Chapter 17 09 of Technical Guidance WM3.

Mixed construction and demolition waste containing soil is not listed within Schedule 2, Table S2.1 –
Permitted waste types of the site's permit, as a result, the operator should not have accepted the waste onto site.

Due to the non-compliance stated above, the site has been scored a category 3 non-compliance due to the reasonably foreseeable minor impact on the environment. The waste is not listed on the site's permit, as a result, the site does not have the appropriate infrastructure or permissions to handle, store or treat this waste type. This waste must leave site in the same state as it arrived.

Action: Provide evidence of removal of waste from site. Deadline: 12/06/2026

4.2 Permitted activities (A1) – CCS Cat 2

Permit 2.1.1

'2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities")

Table S1.1 includes:

Limits of Activities

…

All wastes, including residual wastes produced as a byproduct of the treatment process, shall be stored on an impermeable surface with sealed drainage.'

Waste remains on unmade ground, and leachate is migrating beyond the impermeable surface. Drainage works are incomplete and sealing has not been demonstrated (photograph 3).
This breach has been scored as category 3 non-compliance because it is reasonably foreseeable that the stored wastes could be contaminated with hydrocarbons and/or leachate that is produced as the stockpiled organic content of the stored wastes degrades. As such, it is reasonably foreseeable that due to the potential of hydrocarbons and/or leachate within and from the incorrect storage of wastes, could lead to contamination of surface water, which is discharged to Bentley Park Drain, either through natural drainage processes or via conscious pumping as part of surface water management activities. It is considered unlikely that there is potential for anything more than minor impact to water quality. In making this judgement the likelihood of significant dilution prior to any discharge has been taken into account.

The requirements of the Regulation 36 Notice deadline of 08 May 2026 were not met; the suspended CCS score is therefore reinstated.

Actions: Move all wastes currently being stored on unmade ground to an area of the site which has an impermeable surface and sealed drainage. Wastes which cannot be stored in this manner shall be removed from site to a suitably authorised facility. An updated deadline will be provided following confirmation of what enforcement action is deemed appropriate.

Action: Inspect and review the current drainage system on site to ensure it is a sealed drainage system. Where necessary install or carry out improvement works to the drainage system to ensure it is sealed, ensuring that any liquids cannot run off and soak into the surrounding unmade ground. The sealed drainage system must be designed and built in a way in which it complies with the Non-hazardous and inert waste: appropriate measures for permitted facilities. An updated deadline will be provided following confirmation of what enforcement action is deemed appropriate.

https://www.gov.uk/guidance/non-hazardous-and-inert-waste-appropriate-measures-for-permitted-

facilities

4.3 Root cause (C2) – CCS Cat 2

Permit 1.1.1

'The operator shall manage and operate the activities:

including ,risks of pollution In accordance with a written management system that identifies and minimises .1 closures and those drawn ,non conformances ,incidents ,accidents ,maintenance ,those arising from operations and ;to the attention of the operator as a result of complaints

b) Using sufficient competent persons and resources'

Ongoing failures in waste acceptance controls, drainage management, and site supervision indicate inadequate implementation of the management system and resources.

When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: https://www.gov.uk/government/publications/assessing-and-scoring-environmental-permit-compliance/assessing-and-scoring-environmental-permit-compliance

As no progress has been made on site since the previous inspection, root cause of the non-compliance relating to permit reference 2.1.1, specified in Compliance Assessment Report reference 104658/0598141, remains the same.
Furthermore, the root cause for the non-compliance for permit condition 2.3.2 has been attributed to the failure to adequately operate the site in accordance with a sufficient environmental management system. The non-permitted waste should have been identified as part of the site's pre-acceptance and acceptance measures. The waste should have been rejected upon delivery and never deposited on the site. Additionally, the waste remains in situ following actions in the previous Compliance Assessment Report specifying it must be removed.

When assessing the reasonably foreseeable impact of this non-compliance, the Environment Agency has taken into account any procedures, resources and infrastructure that the permit holder has in place to mitigate pollution (these are collectively known as 'appropriate measures') and the responsiveness of the permit holder and site staff. It has been deemed that the inadequate resources produced by the site, and the operative's failure to respond to non-compliances promptly and adequately, have contributed to an increased risk to the environment following previous CARs. As a result of the lack of action by the operator and increasing issues on site (waste acceptance) the reasonably foreseeable impact of this breach has been assessed as Category 2, significant non-compliance.

The Regulation 36 Notice deadline of 08 May 2026 was not met; the suspended CCS score is reinstated.

Action: Provide sufficient resources to achieve compliance and implement all Notice requirements. An updated deadline will be provided following confirmation of what enforcement action is deemed appropriate.

5. Actions

- Provide evidence of removal of leachate from the drainage sump.
- Submit a leachate management plan.
- Resume weekly progress updates.
- Provide evidence of removal of all non-permitted construction and demolition waste.

Deadline for actions above: 12/06/2026

- Remove all waste stored on unmade ground to impermeable surfacing with sealed drainage
- Demonstrate drainage system is sealed and compliant.
- Provide sufficient resources to achieve compliance and implement all Notice requirements

For the above three actions- An updated deadline will be provided following confirmation of what enforcement action is deemed appropriate.

6. Compliance score

6.1 CCS scores for permit conditions 1.1.1 and 2.1.1 are reinstated within the below reports following failure to comply with the actions set out within the Regulation 36 Notice from 05 February 2026.

- 0594572
- 0596734
- 0598141

6.2 As in the previous report, a breach of permit condition 2.3.2 was also identified.

6.3 Total score for this inspection: 39 CCS points. Current site total: 191 CCS points for this year. The site is now in band F. Band F operators will pay 300% of their annual subsistence charge.

7. Enforcement response

7.1 The Regulation 36 Notice issued on 05 February 2026 required actions by 08 May 2026. These actions were not completed. Failure to comply with a Regulation 36 Notice is an offence under Regulation 38(3) of the Environmental Permitting (England and Wales) Regulations 2016.

7.2 The Environment Agency will consider further enforcement action in line with its Enforcement and Sanctions Policy.

8. Summary

8.1 The operator failed to comply with the actions within the Regulation 36 Notice. Non-compliance with an environmental permit is a criminal offence under the Environmental Permitting (England and Wales) Regulations 2016.

8.2 The Environment Agency is considering enforcement action in line with its Enforcement and Sanctions Policy.

8.3 The total compliance score for this inspection is 39 CCS points, placing the site in band F (300% subsistence charge).

8.4 Significant non-compliances remain, and insufficient progress has been made to achieve compliance with permit and Notice requirements.

Photograph 1



Photograph 2



Photograph 3



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.	X

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			
A1	C3	Remove all waste stored on unmade ground to impermeable surfacing with sealed drainage and demonstrate the drainage system is sealed and compliant.	N/A
C2	C2	Provide sufficient resources to achieve compliance and implement all Notic requirementss.	N/A
C3	C3	Provide evidence of removal of all non-permitted construction and demolition waste.	12/06/2026

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

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.

Section 6 – General Information

Data protection notice

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- offering/providing you with its literature/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 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 402437/0561297

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

Site	Escrick Aggregate Teatment Plant			Permit Ref	402437	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	09/06/2025			Time in	09:10	Out 11:00
What parts of the permit were assessed	Permitted Activities					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X	Water Discharge	
Recipient's name/position	Director and TCM					
Officer's name	Henry McGregor, Robin Bispham			Date issued	13/06/2025	

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	C2		2.1.1;
b) Infrastructure	**1.** Engineering for prevention & control of pollution	A		
	2. Closure & decommissioning	NA		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	A		
c) General management	**1**. Staff competency/ training	A		
	2. Management system & operating procedures	C2		1.1.1;
	3. Materials acceptance	A		
	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	2	**Total compliance score** (see section 5 for scoring scheme)	62

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.

A. Introduction

This report relates to a planned routine compliance inspection, carried out to assess waste operations against the environmental permit, following a recent change in site ownership.

The inspection focused on how the site intends to return to compliance following permit breaches which had been identified in Compliance Assessment Report (CAR) Form Ref: 402437/0531157, along with the long-term plans for the site.

The inspection was conducted with fellow Environment Agency Officer R. Bispham, and representatives from Escrick Environmental Services (EES), including J. Todd (Technically Competent Manager - TCM), G. Denny and J. Sawrij. R. Todd (Director) accompanied us briefly during the inspection.

Prior to the inspection, the site had stated that no waste had been received since January 2025.

Upon arrival, a Notice of Powers and Rights was issued to J. Todd under the Police and Criminal Evidence Act 1984 Code B (EA Number **72955**) due to suspected offences related to historic non-compliances.

An odour consistent with previously identified non-permitted waste was detected on-site. No issues were observed during the inspection in relation to pests, noise, dust, or deposits on the road.

Two Permit non-compliances have been identified as part of this inspection. See below for further details and actions.

B. Previous Inspection

During the previous inspection on 27/11/2024 (CAR Form ref: 402437/0531157), two permit non-compliances were identified, relating to:

- A Category 2 breach under permit condition 2.1.1 due to the storage of non-permitted waste on site for an extended period of time. As a result, the waste was allowed to degrade, producing odour and leachate.
- A Category 2 Root Cause breach under permit condition 1.1.1 due to a failure to effectively manage and operate your activities in accordance with a written management system and a failure to implement the agreed upon Compliance Action Plan.

Actions relating to the above breaches were given during the previous inspections.

C. Non-permitted waste

There are two separate areas of non-permitted waste deposit present in the area covered by this permit. The relevant waste materials are:

- 19 12 12 waste that was transferred from the activities covered by EAWML/104658, when Acumen Waste Services Ltd was the Operator of the permit. This waste is considered non-compliant, as it does not meet either of the specific types of 19 12 12 waste that are permitted by the SR 2010 No.17 permit.
- Misdescribed 19 12 09 waste from North Wales – this waste is considered non-compliant because it is not a mineral waste (it was misdescribed). It is a 19 12 12 waste that again does not meet either of the specific types of 19 12 12 waste that are permitted by the SR2010 No. 17 permit.

These materials were first identified during an inspection dated 31 May 2023 and since then the Environment Agency has been liaising with Escrick Environmental Services Ltd (EES) around its options and plans to remove the non-permitted wastes.

The plans have changed numerous times during this period. During the summer of 2024 a relatively small amount of the non-permitted waste was transferred across to the EAWML104658 area and was treated via dry processing (screening). It was subsequently agreed that this was having limited effect because the wastes had previously been screened. As such the dry processing ceased. We were informed at the end of July 2024 that EES had decided to invest in a new wash plant that would be installed and operated under the provision of EAWML/104658. The EA were informed that the non-permitted waste would be removed and washed through the new plant.

During this inspection, the treatment and removal of this waste was discussed. The site stated that a 3-way screener was to be used, along with a trommel, to treat the waste. The screener will create three fractions: >20mm (likely destined for landfill), 10–20mm, and <10mm. The site plans to blend the latter two fractions for use as topsoil in a landfill restoration project, subject to an adequate waste assessment and compliance with the relevant British Standards.

The site intends to blend the mid and smallest fraction of material, to be used as topsoil as part of the landfill restoration project. The use of this material will be subject to the production and implementation of an adequate waste assessment, along with assessing the material meets the relevant British Standard.

During the inspection it was discussed that the site can remove this waste from site without any treatment, however this will come at a larger economic cost to the operator. Furthermore, the site must be aware that dry, mechanical treatment of this waste type has previously been attempted by the site but was unable to meaningfully change the composition of the waste. Any treatment of the waste must change the composition.

D. Permit Non-Compliance

A1 – Permitted activities – Specified by permit
CCS: Category 2 non-compliance
Permit Condition: 2.1.1:

'The operator is only authorised to carry out the activities specified in table 2.1 below ("the activities"). Table 2.1 Activities.
R13: Storage of wastes pending recovery by land treatment
Limits of Activities:

- *Secure storage of waste listed in table 2.3*
- *Wastes must not be stored for longer than 3 years.*
- *The maximum quantity of waste accepted shall not exceed 75,000 tonnes per year.*
- *The maximum storage capacity of the site shall not exceed 75,000 cubic metres.*

- *Individual wastes must be stored separately.'*

A category 2 breach of condition 2.1.1 has been recorded against compliance criteria A1 – because non-compliance was identified in respect of the non-permitted wastes identified in CAR Forms 402437/0464481 and 402437/0502038 – these are 19 12 12 wastes containing wastes that are visually similar to trommel fines, not 19 12 09 minerals or either of the two restricted 19 12 12 wastes specified in the SR2010 No.17 permit. As such, they are not listed in table 2.3 of the permit and therefore should not be stored on site. They remain in situ with no clear timeline for removal. The breach was assessed as category 2 non-compliance based on the fact the non-permitted wastes have been on site for an extended period of time (at least 24 months) and during that time they have degraded, producing intermittent odour and leachate.

The quantity of non-permitted waste is significant, and the site must work towards treating or removing this waste as soon as practicably possible in order to achieve compliance. When assessing this non-compliance, we have considered the reasonably foreseeable impact of the non-permitted waste on human health, quality of life and the environment. It is reasonably foreseeable that as this waste continues to degrade, it has the potential to cause emissions to air. It is also likely to produce leachate that could contaminate site surface waters and be released to Bentley Park Drain. Currently the site has limited mitigation and limited supervision in place to prevent, or minimise, pollution from the non-compliant waste, have permitted it to remain on site for a prolonged period of time and does not currently have a clear plan for how it will address the non-compliance.

Action: Produce a Compliance Action Plan which outlines how the site intends to come back into compliance. The plan should include, but is not limited to, the following information.

- When the site intends to begin removing the waste off-site.
- How the site intends to remove the waste off site (including details on treatment).
- Where the site intends to send the waste to.
- A timeframe for when the site believes all the waste will be removed off-site.
- An estimate for how much waste needs to be removed.
- How the site intends to manage the risk of pollution.
- How the site intends to ensure that the waste is given the correct EWC Code, and the appropriate Duty of Care regulations are followed.
- How the site intends to manage odour.

Submit the Compliance Action Plan to the Environment Agency for review **by 07/07/2025**

Root Cause
C2 – General management - Management system & operating procedures
CCS: Category 2 non-compliance
Permit Condition: 1.1.1:

'The operator shall manage and operate the activities:

> *In accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incident, non-conformances, closure and those drawn to the attention of the operator as a result of complaints'*

When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: **Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK**

The root cause of the non-compliances of condition 2.1.1 was recorded on CAR Form 402437/046448.

During the inspection, the site stated that due to new ownership they were producing a new Environment Management System (EMS).

Furthermore, due to the change in ownership, the site has failed to implement the agreed compliance action plan and has failed to put any additional measures in place to try and come back into compliance. The reasonably foreseeable impact of this permit non-compliance has taken in to account any procedures, resources and infrastructure that the permit holder has put in place to mitigate pollution and the responsiveness of the permit holder.

Actions:

- Submit the sites new Environment Management System to the Environment Agency for review by 31/07/2025
- Escrick Environmental Services Ltd is required to remove the non-permitted wastes from the storage area. Please see the action outlined under non-compliance 2.1.1

D. Total Non-compliance score

As two category 2 non-compliances were identified, the total score for this inspection is 62 CCS points. Your current 2025 compliance score stands at 62 CCS points, placing you in compliance band E. Your overall score for 2025 is currently 62 CCS points. This makes you a compliance band E operator. Compliance band E operators must significantly improve in order to achieve permit compliance. Band E operators pay 150% of their subsistence charge. Your subsistence charge could increase if you score any permit breaches before the 31st of December 2025.

E. Enforcement Response

In regard to the non-compliance detailed above, the Environment Agency are now considering further enforcement action, in line with our Enforcement and Sanctions Policy.

There are significant concerns and non-compliances highlighted in this report, it is our position that you are not taking sufficient steps to ensure you operate in a manner which is compliant with your permit.

You are reminded that non-compliance with your permit is a criminal offence under the Environmental Permitting (England and Wales) Regulations 2016.

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.	X

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			
A1	C2	Produce a Compliance Action Plan which outlines how the site intends to come back into compliance. The plan should include, but is not limited to, the following information. - When the site intends to begin removing the waste off-site. - How the site intends to remove the waste off site (including details on treatment - Where the site intends to send the waste to. - A timeframe for when the site believes all the waste will be removed off-site. - An estimate for how much waste needs to be removed. - How the site intends to manage the risk of pollution. - How the site intends to ensure that the waste is given the correct EWC Code, and the appropriate Duty of Care regulations are followed. - How the site intends to manage odour.	07/07/2025
C2	C2	- Submit the sites new Environment Management System to the Environment Agency for review by 31/07/2025 - Escrick Environmental Services Ltd is required to remove the non-permitted wastes from the storage area. Please see the action outlined under non-compliance 2.1.1	26/06/2025

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

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

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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.

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

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 402437/0590465

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

Site	Escrick Aggregate Teatment Plant			Permit Ref	402437	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	19/01/2026			Time in	10:00	Out 12:20
What parts of the permit were assessed	Specified activities, Management systems, Emissions to land, Segregation, Amenity, reporting to the Environment Agency					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X		Water Discharge
Recipient's name/position	Company Director					
Officer's name	Henry McGregor, Elsa Heppel, Guglielmo Soreca			Date issued	05/02/2026	

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	C2		2.1.1;
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	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	C2		1.1.1;
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	N		
d) Incident management	**1**. Site security	N		
	2. Accident, emergency & incident planning	N		
e) Emissions	**1.** Air	N		
	2. Land & Groundwater	C3		3.1.1;
	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	A		
h) Resource efficiency	**1**. Efficient use of raw materials	N		
	2. Energy	N		

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	3	**Total compliance score** (see section 5 for scoring scheme)	66

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.

1. Introduction

1.1 This report relates to an announced routine compliance inspection, carried out to assess waste operations against the environmental permit. The inspection was accompanied by the following representatives from both organisations:

- Environment Officer (Landfill)
- Waste Team Leader (EA)
- EES Technically Competent Manager (TCM)
- EES Director
- A second EES director joined following the site walkover via video call to discuss issues across permit references EPR/BB3907LY, EPR/DB3000UP and EPR/ZP3835JD

1.2 The site was operational at the time of the inspection. The weather was cloudy with spells of sunshine and a slight breeze. No amenity issues were identified off-site at the time of the inspection. However localised odour was detected on the treatment pad.

1.3 Three Permit non-compliances have been identified as part of this inspection. See section 3 for further information and actions.

2. Previous Inspection

2.1 Within the previous CAR (ref 402437/0561297), issued on 13 June 2025, the site was scored two category 2 non-compliances

2.2 Permit non-compliance condition 2.1.1: It was identified that non-permitted wastes was being stored on site. The report states that the waste remains in situ with no clear timeline for removal.

2.3 Permit non-compliance condition 1.1.1: The root cause of the above breach was determined to be the site not effectively managing and operating your activities in accordance with a written management system that identifies and minimises risks of pollution

Following the inspection, the site produced a Voluntary Compliance Action Plan (CAP) to bring the site back into compliance with its permit. Further information on this can be found in section 3 of this report.

3. Permit non-compliances

A1 – Permitted activities – Specified by permit
CCS: Category 2 non-compliance
Permit Condition: 2.1.1:

'The operator is only authorised to carry out the activities specified in table 2.1 below ("the activities"). Table

2.1 Activities.

R13: Storage of wastes pending recovery by land treatment
Limits of Activities:

- *Secure storage of waste listed in table 2.3*
- *Wastes must not be stored for longer than 3 years.*
- *The maximum quantity of waste accepted shall not exceed 75,000 tonnes per year.*
- *The maximum storage capacity of the site shall not exceed 75,000 cubic metres.*

- *Individual wastes must be stored separately.'*

Observation: A category 2 breach of condition 2.1.1 has been recorded against compliance criteria A1 – because non-compliance was identified in respect of the non-permitted wastes, these waste have previously been identified in CAR Forms 402437/0464481, 402437/0502038 and 402437/0561297 – these are 19 12 12 wastes containing wastes that are visually similar to trommel fines, not 19 12 09 minerals or either of the two restricted 19 12 12 wastes specified in the SR2010 No.17 permit. As such, they are not listed in table 2.3 of the permit and therefore should not be stored on site. They remain in situ with no clear timeline for removal. The breach was assessed as category 2 non-compliance based on the fact the non-permitted wastes have been on site for an extended period of time (at least 24 months) and during that time they have degraded, producing intermittent odour and leachate.

The quantity of non-permitted waste is significant, and the site must work towards treating or removing this waste as soon as practicably possible in order to achieve compliance. When assessing this non-compliance, we have considered the reasonably foreseeable impact of the non-permitted waste on human health, quality of life and the environment. It is reasonably foreseeable that as this waste continues to degrade, it has the potential to cause emissions to air. It is also likely to produce leachate that could contaminate site surface waters and be released to Bentley Park Drain. Currently the site has limited mitigation and limited supervision in place to prevent, or minimise, pollution from the non-compliant waste, have permitted it to remain on site for a prolonged period of time and does not have a clear plan for how it will address the non-compliance.

The CAP produced by the site outlined the intention to have this waste removed from the permitted area by the end of February. As of the date of the inspection, no progress has been made in removing the non-permitting waste. The site had initially stated that wet weather had complicated the removal of this waste. Additionally, issues with the CAP had been highlighted to the site, with little progress in resolving them. This included the CAP stating the site planned to dry treat the non-permitted waste, a treatment process the previous owners attempted, but found it did not change the composition of the was sufficiently.

The CAP included the intention for the site to treat the non-permitted waste under permit reference EPR/BB3907LY and either dispose or recover any compliant material with the adjacent landfill. However, since the production of the CAP, the landfill has been suspended from accepting European Waste Catalogue (EWC) code 19 12 12, which would be the outputs from any treatment undertaken. As a result, the site must now find an authorised facility for the waste to be transported to.

Furthermore, during the inspection, it had become difficult to differentiate the waste being stored under this permit, or the adjacent inert landfill permit. This is due to the increased movement of vehicles up to Cell 2 of the landfill disturbing the waste, along with similar waste being accepted into the landfill permit.

Action: Refer to the corresponding Regulation 36 Notices for required actions around waste being stored off the pad without sealed drainage

E3 – Emissions – Land and groundwater
CCS: Category 3 non-compliance
Permit Condition: 3.1.1:

'There are no point source emissions to land or water. Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this rule if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions'

Observation: During the site inspection, leachate was identified across the storage permit (photograph 1 and 2). The pools of leachate were identified to be black, or brown, in colour, releasing gas and had a distinct sulphur odour.

While the storage and landfill permits overlap, the site director stated the leachate identified directly south of Cell 1 extension and Cell 2 of the landfill was being produced by the non-permitted waste which had historically been accepted under this waste storage permit.

Previous measures that were put in place to mitigate the environmental risk of leachate on site have not been maintained. As a result, it is reasonably foreseeable that the leachate has the potential to contaminate the land, groundwater and nearby surface water. However, the natural clay underlying the site has been taken into consideration when assessing the categorisation of this non-compliance. As a result, this non-compliance has been scored a category 3 CCS score for the minor impact to the Environment.

Action: Produce a leachate management plan which states how the site intends to ensure that any leachate produced at the regulated facility is appropriately managed in a way which minimise the risk and potential for causing pollution incident by **20/02/2026**

Root Cause
C2 – General management - Management system & operating procedures
CCS: Category 2 non-compliance
Permit Condition: 1.1.1:

'The operator shall manage and operate the activities:

In accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incident, non-conformances, closure and those drawn to the attention of the operator as a result of complaints'

Observation: When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: **Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK**

You have been scored a category 2 permit breach of condition 1.1.1 (a) as the root cause of the non-compliances recorded above. You are not effectively managing and operating your activities in accordance with a written management system that identifies and minimises risks of pollution, so far as is reasonably practicable, including those risks arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints.

Furthermore, the site has failed to make reasonable progress with the CAP. The deadline to remove the non-permitted was initially set to the end of February 2026 by the site, however work is yet to begin on the removal. The site has failed to put in any other additional measures to try and come back into compliance.

Additionally, the site has not put in any appropriate measures to manage the production of leachate on site.

The reasonably foreseeable impact of this permit non-compliance has taken in to account any procedures, resources and infrastructure that the permit holder has put in place to mitigate pollution and the responsiveness of the permit holder.

Action: Refer to the corresponding Regulation 36 Notices for required actions around removing the non-permitted waste from site.

4. Actions

- Refer to the corresponding Regulation 36 Notices for required actions around removing the non-permitted waste from site.
- Produce a leachate management plan which states how the site intends to ensure that any leachate produced at the regulated facility is appropriately managed in a way which minimise the risk and potential for causing pollution incident by **20/02/2026**

5. Total non-compliance score

5.1 As two category 2 non-compliances and a category 3 non-compliance was identified, the total score for this inspection is 66 CCS points. Your current 2026 compliance score stands at 66 CCS points.

5.2 This makes you a compliance band E operator. Compliance band E operators must significantly improve in order to achieve permit compliance. Band E operators pay 150% of their subsistence charge. Your subsistence charge could increase if you score any permit breaches before the 31st of December 2026.

6. Enforcement Response

As a result of the continue non-compliance, and failure to make adequate progression with the Compliance Action Plan, the Environment Agency has made the decision to serve a Regulation 36 Notice to take specified steps in relation to the breach of permit.

The Notice should be read in conjunction with Compliance Assessment Report. Failure to comply with the actions in the notice, or if further information becomes apparent, may lead to further enforcement.

Photograph 1



Photograph 2



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.	X

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			
A1	C2	Refer to the corresponding Regulation 36 Notices for required actions around waste being stored off the pad without sealed drainage	08/07/2026
C2	C2	Refer to the corresponding Regulation 36 Notices for required actions around removing the non-permitted waste from site.	08/07/2026
E2	C3	o Produce a leachate management plan which states how the site intends to ensure that any leachate produced at the regulated facility is appropriately managed in a way which minimise the risk and potential for causing pollution incident	18/02/2026

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

ENFORCEMENT NOTICE TO TAKE SPECIFIED STEPS IN RELATION TO A BREACH OF PERMIT CONDITION(S)

To: Escrick Environmental Services Limited
The Old Brick & Tile Works
Riccall Road,
Escrick,
York,
England
YO19 6ED

Company number: 06019667

Environmental permit: EPR/DB3000UP (EAWML402437)
Regulated facility: Escrick Aggregate Treatment Plant, The Old Brick And Tile Works, Riccall Road, Escrick, York, England, YO19 6ED ("the site")

The Environment Agency considers that the following conditions of the environmental permit are being contravened:

1. Condition 2.1.1

"The operator is only authorised to carry out the activities specified in table 2.1 below ("the activities")."

The relevant extract from Table S2.1 is set out below.

Table S2.1 activities	
Description of activities for waste operations	**Limits of activities**
R13: Storage of wastes pending recovery by land treatment	Secure storage of waste listed in table 2.3 … The maximum storage capacity of the site shall not exceed 75,000 cubic metres. Individual wastes must be stored separately.

Because:

(a) You are storing wastes within the permitted area not listed in table 2.3

(b) You have exceeded the maximum storage capacity of waste allowed at any one time on site under your permit

(c) None of the individual waste streams imported on site have been stored separately.

You are required to take the steps set out in Schedule 1 by the date(s) specified in order to remedy the contravention.

Date 05th February 2026

Signed

Guglielmo Soreca
Team Leader
Yorkshire Waste Team 5

Environment Agency
Foss House,
Kings Pool,
Peasholme Green,
York,
YO1 7PX

Please see over for notes.

Notes:

General

1. Failure to comply with this notice is an offence under Regulation 38(3) of the Environmental Permitting (England and Wales) Regulations 2016 and may result in legal action being taken against you.

2. Without prejudice to the requirements of this notice, failure to comply with a condition of an environmental permit is an offence and may result in legal action being taken against you.

3. You may wish to seek independent legal advice.

Appeal provisions
You are entitled to appeal against this notice under Regulation 31(1)(f) of the Environmental Permitting (England and Wales) Regulations 2016. Notice of appeal must be made within two months of the date of this notice. An appeal does not affect the requirements of this notice.

You must send written notice of the appeal and the documents listed below to:

Secretary of State
The Planning Inspectorate
Room 3A Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

At the same time, you must send a copy of the appeal notice and documents to us.

The required documents are:
- a statement of the grounds of appeal;
- a copy of any relevant application;
- a copy of any relevant environmental permit;
- a copy of any relevant correspondence between the appellant and the regulator;
- a copy of any decision or notice which is the subject matter of the appeal; and
- a statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying the Secretary of State in writing and sending a copy of that notification to us.

Further information about making an appeal and the forms that you will need are available from the Planning Inspectorate.

SCHEDULE 1 STEPS TO BE TAKEN		
Condition number	**Steps to be taken**	**By date**
2.1.1	1. Remove all non-permitted waste from the site to an appropriately authorised facility. 2. Ensure all individual waste streams are stored separately on the site.	**08/07/2026**

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 402437/0594550

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

Site	Escrick Aggregate Teatment Plant			Permit Ref	402437	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	25/02/2026			Time in	10:20	Out 11:00
What parts of the permit were assessed	Amenity, Specified activities, Management systems, Containment of stored materials					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X		Water Discharge
Recipient's name/position	Company Director					
Officer's name	Henry McGregor, Elsa Heppell			Date issued	11/03/2026	

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	*C2		2.1.1;
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	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	*C2		1.1.1;
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	N		
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	N		
	2. Energy	N		

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	2	**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.

1. Introduction

1.1 This report relates to an unannounced compliance inspection following the issuing of a Regulation 36 Notice on Thursday 5th February 2026. The site was attended to assess progress towards compliance with the actions set under schedule 1 of the notice.

1.2 The inspection was accompanied by the following representatives:

- Landfill Environment Officer (Environment Agency)
- Environmental Taxes Compliance Higher Officer (HMRC)
- Escrick Environmental Services Ltd (EES) Technically Competent Manager (TCM)
- EES site operative

1.3 A Notice of Powers and Rights under the Police and Criminal Evidence Act 1984 (Reference **73015**) was issued and accepted by the sites TCM at 10:25hrs

1.4 The scores for permit conditions 1.1.1 and 2.1.1 have been suspended, no additional non-compliances have been identified within this compliance assessment report. The scores have been suspended pending compliance with the Regulation 36 notice

2. Previous Inspection

2.1 During the previous inspection on 19/01/2026 (Report reference: 402437/0590465), three non-compliances were identified.

2.2 The inspection noted that there remains significant quantity of non-permitted waste being stored on site. Furthermore, leachate was identified across the permitted area.

2.3 Following the inspection, the site was issued with the Regulation 36 Notice which requires the site to remove all non-permitted waste from site by 08th July 2026.

2.4 The previous report contained a Category 3 non-compliance due to leachate being identified on unmade ground with no mitigation. Please see section 4 for further information.

3. Permit non-compliances

The non-compliances relating to permit conditions 1.1.1 and 2.1.1 remain the same as the ones outline in Compliance Assessment Report reference 402437/0590465.

Subcriterion A1 – Permitted activities – Specified by permit
CCS: Category 2 non-compliance
Permit Condition: 2.1.1:

'The operator is only authorised to carry out the activities specified in table 2.1 below ("the activities").

Table 2.1 Activities.

R13: Storage of wastes pending recovery by land treatment

Limits of Activities:

- *Secure storage of waste listed in table 2.3*
- *Wastes must not be stored for longer than 3 years.*
- *The maximum quantity of waste accepted shall not exceed 75,000 tonnes per year.*
- *The maximum storage capacity of the site shall not exceed 75,000 cubic metres.*

- *Individual wastes must be stored separately.'*

Observation: Due to the wet weather experienced within the area, the site has been unable to access the non-permitted waste at this time. As a result, no physical work has been done to begin the removal of this waste.

The site intends to transfer the waste from this permit to the adjacent Waste Permit (reference EPR/BB37089LY) to treat the waste with a new treatment plant recently purchased by the site. However, this permitted area currently has a significant stockpile of street sweeping waste awaiting treatment. Furthermore, the site has not yet confirmed their complete plan for the non-permitted waste, as the treatment plant brought on to site is not likely to significantly change the composition of the waste. Additionally, the site had initially intended to deposit any suitable material into the adjacent landfill, but as the landfill currently has a suspension notice, this is not currently possible. The site must produce a plan which includes how it proposes to remove the non-permitted waste from this permit prior to the Notice deadline of 08th July 2026.

If the site is unable to access the adjacent permit, the non-permitted waste must be transferred off-site to an authorised facility before the deadline within the Regulation 36 Notice.

Once the site begins removing this waste, they should record the volume moved on specific dates, where it has been moved to and provide weekly updates. Furthermore, the site must ensure they implement and follow an approved Odour Management Plan.

Be advised, the previous Odour Management Plan, submitted on 24th July 2025 references the Plan was produced in line with the Environment Agency's H4 guidance. This guidance has been withdrawn and replaced with **Odour management: comply with your environmental permit - Guidance - GOV.UK**

This non-compliance has been scored as a Category 2 CCS breach based on the fact the non-permitted wastes have been on site for an extended period of time (Over 30 months) and during that time it has degraded, producing intermittent odour and leachate. When assessing this non-compliance, we have considered the reasonably foreseeable impact of the non-permitted waste on human health, quality of life and the environment. It is reasonably foreseeable that as this waste continues to degrade, it has the potential to cause emissions to air (relevant in particular to odour pollution), particularly when work to remove the waste commences. Furthermore, the production of leachate has the potential to cause emissions to land.

This non-compliance has been suspended pending compliance with the Regulation 36 Notice.

Actions:

Comply with the steps in the 5 February 2026 Regulation 36 Notice, namely:

1. Remove all non-permitted waste from the site to an appropriately authorised facility **by 08/07/2026**

2. Ensure all individual waste streams are stored separately on the site **by 08/07/2026**

In addition:

3. Resubmit the sites Odour Management Plan to ensure it aligns with the updated guidance **by 03/04/2026**

Root cause
Sub criterion C2 – General management - Management system & operating procedures
CCS: Category 2 non-compliance
Permit Condition: 1.1.1:

'The operator shall manage and operate the activities:

a) In accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incident, non-conformances, closure and those drawn to the attention of the operator as a result of complaints

b) using sufficient competent persons and resources'

Observation: When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: **Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK**

You have been scored a category 2 permit breach of condition 1.1.1 (a) and (b) as the root cause of the non-compliances recorded above. You are not effectively managing and operating your activities in accordance with a written management system that identifies and minimises risks of pollution, so far as is reasonably practicable, including those risks arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints. Furthermore, the site is not using sufficient resources to bring the site back into compliance. The site has been a persistent poor-performer and limit resources have been made available to remove the non-permitted over this time.

At present, due to the wet weather, no work has been done to bring the site back into compliance. The reasonably foreseeable impact of this permit non-compliance has taken in to account any procedures, resources and infrastructure that the permit holder has put in place to mitigate pollution and the responsiveness of the permit holder.

This non-compliance has been suspended pending compliance with the Regulation 36 Notice.

Action: Ensure that sufficient resource is provided to deliver compliance with the Regulation 36 Notice. Ensure all associated risks (e.g. from leachate, odour etc) are adequately mitigated in the meantime. To do this, ensure that management system provisions (leachate and odour management plans) are adequate and implemented.

4. Site Inspection

4.1 Due to the wet ground on site, it was not possible to access the permitted area. As a result, officers were unable to assess whether leachate remained on site and the site has not been assessed on this permit condition during this inspection. The site stated they were pumping leachate into Intermediate Bulk Containers (IBCs).

The site must continue to monitor the leachate on the storage permit and ensure it is contained appropriately to minimise the impact on the environment. IBC's storing leachate must be given secondary containment to ensure any leaks or spills are contained.

4.2 During the inspection, the TCM and site operative stated that due to the wet weather, no work had been

done on removing the non-permitted waste. As a result, the CCS scores stated above have remained the same.

4.3 No amenity issues were detected off site at the time of the inspection. This includes odour, noise, dust, pests or deposits on the road. A localised compost like odour was detected near the street sweeping waste.

5. Actions

1. Comply with the 5 February 2026 Regulation 36 Notice.

2. Resubmit the sites Odour Management Plan to ensure it aligns with the updated guidance **by 03/04/2026**

3. Ensure that sufficient resource is provided to deliver compliance with the Regulation 36 Notice. Ensure all associated risks (e.g. from leachate, odour etc) are adequately mitigated in the meantime. To do this, ensure that management system provisions (leachate and odour management plans) are adequate and implemented by **08/07/2026**

6. Total non-compliance scores

6.1 As the two non-compliance scores identified above have been suspended, pending compliance with the Regulation 36 Notice, your non-compliance score for this year is 66 CCS points. This makes you a compliance Band E operator.

6.2 Band E operators pay 150% of their subsistence charge. Your subsistence charge could increase if you score any further permit breaches before 31st December 2026, or if you fail to comply with the Regulation 36 Notice.

7. Enforcement

7.1 As a result of the continue non-compliance, and failure to make adequate progression with the Compliance Action Plan, the Environment Agency issued a Regulation 36 Notice to take specified steps in relation to the breach of permit on 05th February 2026.

7.2 We will consider whether further enforcement action is necessary, taking into account your response to the existing Regulation 36 Notice.

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.	X

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			
A1	C2	1. Comply with the 5 February 2026 Regulation 36 Notice. 2. Resubmit the sites Odour Management Plan to ensure it aligns with the updated guidance by 03/04/2026	08/07/2026
C2	C2	Ensure that sufficient resource is provided to deliver compliance with the Regulation 36 Notice. Ensure all associated risks (e.g. From leachate, odour etc) are adequately mitigated in the meantime. To do this, ensure that management system provisions (leachate and odour management plans) are adequate and implemented	08/07/2026

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

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.

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
- 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?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: 402437/0596743

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

Site	Escrick Aggregate Teatment Plant			Permit Ref	402437	
Operator/ Permit holder	ESCRICK ENVIRONMENTAL SERVICES LIMITED					
Date	25/03/2026			Time in	11:30	Out 13:00
What parts of the permit were assessed	Specified Activities, Amenity, management systems, storage, control of emissions					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X	Water Discharge	
Recipient's name/position	Company Director					
Officer's name	Henry McGregor, Elsa Heppell, Ant Sorrell			Date issued	07/04/2026	

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 2) and the Actions (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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	*C2		2.1.1;
b) Infrastructure	**1.** Engineering for prevention & control of pollution	A		
	2. Closure & decommissioning	NA		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	*C2		1.1.1;
	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	A		
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	2	**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.

1. Introduction

1.1 This report relates to an unannounced site inspection to assess progress with the actions set out under Schedule 1 of the Regulation 36 Notice issued on 5 February 2026.

1.2 The inspection was accompanied by two Environment Agency Landfill Regulatory Specialists and Escrick Environmental Services Technically Competent Manager (TCM).

1.3 A Notice of Powers and Rights under the Police and Criminal Evidence Act 1984 (Reference **73020**) was issued and accepted by the site's TCM at 1019hrs.

1.4 The scores for permit conditions 1.1.1 and 2.1.1 have been suspended pending compliance with the Regulation 36 Notice.

2. Previous site inspection

2.1 The inspection on 25 February 2026 (report reference: 402437/0594550) identified that the site continued to contravene permit conditions 1.1.1 and 2.1.1. These were recorded as non-compliances under 'Section 1 – Compliance Assessment Summary'.

2.2 Due to the unsafe ground conditions, officers were unable to access the permitted area, however, the TCM confirmed that no progress has been made towards completing the actions set out in Schedule 1 of the Regulation 36 Notice

2.3 The previous report included an action to resubmit the sites Odour Management Plan by **03/04/2026**. This action has not been complied with. The site must submit the Odour Management Plan **by 17/04/2026**

3. Site inspection

3.1 Leachate was identified on site by officers on 19 January 2026. However, during the inspection, the initial pools of leachate had appeared to dry up. The site must ensure they are managing any leachate on site by pumping into IBCs before removing it from site to a suitable authorised facility.

Furthermore, there was evidence that the lagoon to the west of the treatment pad was contaminated with leachate. As a result, all liquid within this lagoon is contaminated and must be removed from the site to an appropriately authorised facility.

3.2 No amenity issues were detected off site at the time of the inspection. This includes odour, noise, dust, pests or deposits on the road.

3.3 Due to the non-compliance identified on the site, the Environment Agency has requested the site submit weekly updates to outline site operations and progress towards compliance. The last weekly site update received by the Environment Agency was on 17/02/2026.

Action: Ensure the site continue to send weekly updates to the Environment Agency.

4. Permit non-compliance

4.1 Subcriterion A1 – Permitted activities – Specified by permit
CCS: Category 2 non-compliance
Permit Condition: 2.1.1:

'The operator is only authorised to carry out the activities specified in table 2.1 below ("the activities").

Table 2.1 Activities.

R13: Storage of wastes pending recovery by land treatment

Limits of Activities:

- *Secure storage of waste listed in table 2.3*
- *Wastes must not be stored for longer than 3 years.*
- *The maximum quantity of waste accepted shall not exceed 75,000 tonnes per year.*
- *The maximum storage capacity of the site shall not exceed 75,000 cubic metres.*
- *Individual wastes must be stored separately.'*

Observation: During the inspection, the TCM stated that since the last inspection on 5 February 2026, no progress had been made in completing the actions set out in Schedule 1 of the Regulation 36 Notice. As a result, the observations for this non-compliance can be found in report reference 402437/0594550.

During the previous inspection, the TCM stated that the company director was producing a plan on how the site intends to comply with the Regulation 36 Notice. Presently, no plan has been submitted for review.

This non-compliance has been scored as a Category 2 CCS breach based on the fact the non-permitted wastes have been on site for an extended period of time (over 34 months) and during that time it has degraded, producing intermittent odour and leachate. When assessing this non-compliance, we have considered the reasonably foreseeable impact of the non-permitted waste on human health, quality of life and the environment. It is reasonably foreseeable that as this waste continues to degrade, it has the potential to cause emissions to air (relevant in particular to odour pollution), particularly when work to remove the waste commences.

This non-compliance has been suspended pending compliance with the Regulation 36 Notice.

Actions: Comply with the steps in the 5 February 2026 Regulation 36 Notice, namely:

1. Remove all non-permitted waste from the site to an appropriately authorised facility **by 08/07/2026**

2. Ensure all individual waste streams are stored separately on the site **by 08/07/2026**

4.2 Root cause
Subcriterion C2 – General management - Management system & operating procedures
CCS: Category 2 non-compliance
Permit Condition: 1.1.1:

'The operator shall manage and operate the activities:

a) In accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incident, non-conformances, closure and those drawn to the attention of the operator as a result of complaints

b) using sufficient competent persons and resources'

Observation: When a permit non-compliance is identified, we would always seek to record the root cause of the issue, as explained in the assessing and scoring environmental permit compliance guidance available here: **Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK**

You have been scored a category 2 permit breach of condition 1.1.1 (a) and (b) as the root cause of the non-compliances recorded above. You are not effectively managing and operating your activities in accordance with a written management system that identifies and minimises risks of pollution, so far as is reasonably practicable, including those risks arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints.

Furthermore, the site is not using sufficient resources to bring the site back into compliance. The site has been a persistent poor-performer and limited resources have been allocated to remove the non-permitted waste.

The reasonably foreseeable impact of this permit non-compliance has taken in to account any procedures, resources and infrastructure that the permit holder has put in place to mitigate pollution and the responsiveness of the permit holder.

The site had previously stated that the wet weather had impeded their ability to make progress with the Regulation 36 Notice as the ground was not safe to access. During the inspection, there was evidence of trial pits and the plant/machinery tracks.
This non-compliance has been suspended pending compliance with the Regulation 36 Notice.

Action: Ensure that sufficient resource is provided to deliver compliance with the Regulation 36 Notice. Ensure all associated risks (e.g. from leachate, odour etc) are adequately mitigated in the meantime. To do this, ensure that management system provisions (leachate and odour management plans) are adequate and implemented.

5. Actions

- Comply with the steps in the 5 February 2026 Regulation 36 Notice, namely:
  - Remove all non-permitted waste from the site to an appropriately authorised facility **by 08/07/2026**
  - Ensure all individual waste streams are stored separately on the site **by 08/07/2026**

- Resubmit the sites Odour Management Plan to ensure it aligns with the updated guidance **by 17/04/2026**
- Ensure that sufficient resource is provided to deliver compliance with the Regulation 36 Notice. Ensure all associated risks (e.g. from leachate, odour etc) are adequately mitigated in the meantime. To do this, ensure that management system provisions (leachate and odour management plans) are adequate and implemented.

6. Total non-compliance score

6.1 As the two non-compliance scores identified above have been suspended, pending compliance with the Regulation 36 Notice, your non-compliance score for this year is 66 CCS points. This makes you a compliance Band E operator.

6.2 Band E operators pay 150% of their subsistence charge. Your subsistence charge could increase if you score any further permit breaches before 31 December 2026, or if you fail to comply with the Regulation 36 Notice.

7. Enforcement response

7.1 On 5 February 2026, the Environment Agency issued a Regulation 36 Notice to take specified steps in relation to the breach of permit on 5 February 2026.

7.2 We will consider whether further enforcement action is necessary, taking into account your response to the existing Regulation 36 Notice.

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.	X

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			
A1	C2	- Comply with the steps in the 5 February 2026 Regulation 36 Notice, namely: - Remove all non-permitted waste from the site to an appropriately authorised facility by 08/07/2026 - Ensure all individual waste streams are stored separately on the site by 08/07/2026	08/07/2026
C2	C2	- Ensure that sufficient resource is provided to deliver compliance with the Regulation 36 Notice. Ensure all associated risks (e.g. from leachate, odour etc) are adequately mitigated in the meantime. To do this, ensure that management system provisions (leachate and odour management plans) are adequate and implemented.	08/07/2026

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

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.

Section 6 – General Information

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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
- 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
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Disclosure of information

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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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: UP3830NT/0447948

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

Site	Oak Farm Quarry Landfill - EPR/UP3830NT			Permit Ref	UP3830NT		
Operator/ Permit holder	HIMLEY ENVIRONMENTAL LIMITED						
Date	16/01/2023			Time in	14:00	Out	15:40
What parts of the permit were assessed	surface water management, security, gas management, overtipped waste						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Dan Waring - Director						
Officer's name	Iain Storer, Clive Wall			Date issued	24/01/2023		

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	C4	1.2.1
b) Infrastructure	**1.** Engineering for prevention & control of pollution	A	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	**1**. Staff competency/ training	A	
	2. Management system & operating procedures	N	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	**1**. Site security	C3	1.1.1
	2. Accident, emergency & incident planning	N	
e) Emissions	**1.** Air	C3	2.10.1
	2. Land & Groundwater	N	
	3. Surface water	C3	3.1.2
	4. Sewer	N	
	5. Waste	N	
f) Amenity	**1**. Odour	A	
	2. Noise	N	
	3. Dust/fibres/particulates & litter	N	
	4. Pests, birds & scavengers	N	
	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	N	
	2. Energy	N	

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	4	**Total compliance score** (see section 5 for scoring scheme)	12.1

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.

Previous CAR actions
You have failed to deliver the commitments set out in your written action plan of 3 November 2022, by the dates you indicated, I have lifted the suspension of the two non-compliance scores on CAR UP3830NT/0442651.
The actions remain outstanding and are:

Installation of the approved surface water management plan, or submission of an amended design for approval;
Installation of appropriate security measures to prevent unauthorised access to the site, together with the locking of gas manifolds, gas well heads and leachate well heads;
Replacement of lost/missing monitoring boreholes together with clear labelling of existing points to correspond with an accurately surveyed monitoring plan (MEPP);
Confirmation of the location and volumes of unauthorised waste deposits outside the landfill footprint and submission of a plan for approval for its removal;
Implementation of the full monitoring programme required by the permit, including leachate levels and leachate quality.

Introduction
This inspection was arranged at the request of a shareholder of Himley Environmental Ltd, to understand and begin to cost up, the works required to comply with the outstanding permit requirements listed above. We were accompanied on the inspection by George Adam Taylor, shareholder HEL; Ian Fenny of OPES, consultant working with HEL; and Julie Todd, expected to take over as COTC from Tanya Weston of OPES.

Inspection summary
There were no indications of any works having taken place to comply with the written action plan supplied by the operator to address the outstanding permit non-compliances listed above.
The flare was operational.
We showed and explained to Taylor the nature of the ongoing breaches of concern as listed above.
During the inspection we observed:

the site access road, owned by HEL, is subject to commercial-scale flytipping which is now hindering access to site and poses a fire risk (a small fire was taking place whilst we were on site);
a number of unauthorised surface water discharges to the Holbeache Brook that were laden with solids;
an unauthorised person walking freely across the top of the landfill;
apparent damage to some of the recently installed well head covers, several of which had been opened;
acrid malodour downwind of the leachate well in the area which is believed to be subject to a sub-surface fire;
a leachate well which was venting landfill gas at a significant flow through a gaffer-taped pipe - the well had no connection to recently installed gas management system.

ACTIONS:
In addition to the actions set out in your documented plan which are overdue, you need to connect

the venting leachate well into the gas collection system - by 31 January 2023.
Submit written proposals to improve security of the site access road by 28 February 2023.
AT agreed to submit comprehensive, timebound CQA plans for all the overdue works by 28 February 2023.



Permit non-compliance
In addition to the reimposed scores from CAR UP3830NT/0442651 you have been given the following non-compliance scores:

Condition 1.1.1 General Management - Site Security (criterion d1, CCS Category 3)
The operator shall manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution.
The insecure nature of the site poses a risk of pollution if trespassers were to interfere with site infrastructure.

Condition 2.10.1 Landfill gas management (criterion e1, CCS category 3)
The operator shall take appropriate measures...to collect landfill gas.
Landfill gas is freely venting from a leachate well at a significant flow rate. The well is not connected to the gas collection system.

Condition 3.1.2 Emissions to water and air (criterion e3, CCS category 3)
There shall be no point source emissions to water except from the sources and emission points listed in schedule 3, table S3.3.
Uncontrolled solids contaminated run-off is entering the Holbeache Brook at unauthorised points.
Landfill gas is venting to atmosphere from a leachate well.

You are in breach of Condition 1.2.1 of your permit which states:
The financial provision for meeting the obligations under this permit set out in the operator's letter dated 25th November 2013 shall be **maintained** by the operator throughout the subsistence of this permit and the operator shall produce evidence of such provision whenever required by the Environment Agency.

This is scored as a Category 4 breach under criterion a1.

The financial provision you have in place for this site is not up to date.
You are required to make top-up payments throughout the life of the site in line with Retail Prices Index (RPI) increases.
As at August 2022 your financial provision was in deficit to the value of £189,231.70 (Oak Farm Quarry)

Your total score for the 2022 compliance year now stands at 91.3 points, which is band E, meaning you will pay 200% of your subsistence bill in 2023-24.
Your total score for 2023 so far stands at 12.1 points, which is band C - this will impact your subsistence bill in 2024.

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.	X

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			
A1	C4	Contact our financial provision team to arrange top-up	31/03/2023
D1	C3	Submit timebound plan for installation of security systems to prevent unauthorised access	28/02/2023
E1	C3	Connect leachate well to the gas collection system	31/01/2023
E3	C3	Submit CQA plan for surface water management	28/02/2023

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

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.

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
- 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?

A permit holder can challenge any part of the CAR form by writing to the Environment Agency office local to the site within 28 days of receipt. If the issue cannot be resolved by the local office, a permit holder can raise a dispute through our official complaints procedure.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: UP3830NT/0455605

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

Site	Oak Farm Quarry Landfill - EPR/UP3830NT			Permit Ref	UP3830NT		
Operator/ Permit holder	HIMLEY ENVIRONMENTAL LIMITED						
Date	23/03/2023			Time in	11:15	Out	12:30
What parts of the permit were assessed	Surface water & gas management, site security, amenity						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Richard Longley - Director						
Officer's name	Iain Storer, Paul Rushton			Date issued	27/03/2023		

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	N	
b) Infrastructure	**1.** Engineering for prevention & control of pollution	A	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	A	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	**1**. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	**1**. Site security	C3	1.1.1
	2. Accident, emergency & incident planning	N	
e) Emissions	**1.** Air	C3	2.10.1
	2. Land & Groundwater	N	
	3. Surface water	C3	3.1.2
	4. Sewer	NA	
	5. Waste	N	
f) Amenity	**1**. Odour	A	
	2. Noise	N	
	3. Dust/fibres/particulates & litter	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
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	N	
	2. Energy	N	

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	3	**Total compliance score** (see section 5 for scoring scheme)	12

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.

This was an announced inspection/site meeting to discuss the recently proposed interim surface water management scheme, submitted by e-mail on 3 March 2023. We were accompanied by the TCM and their engineering consultant.

Previous CAR actions

You have failed to deliver the commitments set out in your written action plan of 3 November 2022, by the dates you indicated. The actions remain outstanding and are:

Installation of an approved surface water management plan;
Installation of appropriate security measures to prevent unauthorised access to the site, together with the locking of gas manifolds, gas well heads and leachate well heads;
Implementation of the full monitoring programme required by the permit, including leachate levels and leachate quality;
Replacement of lost/missing monitoring boreholes together with clear labelling of existing points to correspond with an accurately surveyed monitoring plan (MEPP);
Confirmation of the location and volumes of unauthorised waste deposits outside the landfill footprint and submission of a plan for approval for its removal.

CAR UP3830NT/0447948 included the additional following actions:
To connect the venting leachate well into the gas collection system - by 31 January 2023 - this has not been complied with.
Submit written proposals to improve security of the site access road by 28 February 2023 - this has not been complied with.
To submit comprehensive, timebound CQA plans for all the overdue works by 28 February 2023 - this was not complied with.

Surface water management

The proposed interim scheme includes a settlement pond with discharge to the Holbeach Brook at the permitted location. After viewing the site conditions there has been major erosion in this area that will require significant engineering to address. The operator's engineer is going to revise the interim scheme and then resubmit for approval.
In the meantime, uncontrolled surface water emissions continue to scour the flanks of the landfill and discharge contaminated water at unpermitted points into the Holbeach Brook.
ACTION: submit revised interim surface water management scheme by 6 April 2026.



Erosion at the designated discharge point



Apparent telemetry for the flare

Gas management

Upon arrival to site it was noted that the flare had gone out. The TCM was previously unaware of this and was unable to tell us when the failure had first occurred, although she confirmed the flare had only been re-started on the previous Wednesday when excess condensate had caused it to trip out. We inspected the flare unit, which appears to be set up for remote telemetry, but this clearly isn't being utilised by the operator for real-time alerts of failure.

ACTION: you must implement and operate an appropriate system to enable constant, remote monitoring of flare functioning, with real-time alerts of flare failure. In the event of flare failure, you must have a system in place which ensures that a) the Environment Agency is notified without delay and b) an engineer is despatched to site to remedy the fault as soon as reasonably practicable. Submit a written report confirming the implementation of procedures to address this action by 6 April 2026.

During the site walkover we noted at least two leachate wells that were venting landfill gas to atmosphere at significant flow rate. These wells had no connection to the gas collection system (see outstanding action above). Pungent, acrid landfill gas malodour was noted downwind of these points and would be likely to lead to public complaints under different weather conditions.

Site security

The boundary of the facility remains totally insecure and unauthorised persons are regularly accessing the site - this poses a high risk of injury to those persons and the potential for damage to pollution control infrastructure. During the inspection we noted a recently burnt out car on the top of the site; an unauthorised person walking their dog on the site whilst smoking (see risk from venting gas above) and members of the public who had driven well down the site haul road, looking for the Crooked House pub.

ACTION: complete the perimeter security improvements set out in your 3 November 2022 action plan - submit a timetable for completion by 6 April 2026.

Permit non-compliance

Condition 1.1.1 General Management - Site Security (criterion d1, CCS Category 3)

The operator shall manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution.

The insecure nature of the site poses a risk of pollution if trespassers were to interfere with site infrastructure.

Condition 2.10.1 Landfill gas management (criterion e1, CCS Category 3)
The operator shall take appropriate measures.....to collect landfill gas.
Landfill gas is freely venting from at least two leachate wells at a significant flow rate. The wells are not collected to the gas collection system.

Condition 3.1.2 Emissions to water and air (criterion e3, CCS category 3)
There shall be no point source emissions to water except from the sources and emission points listed in schedule 3, table S3.3.
Uncontrolled solids contaminated run-off is entering the Holbeache Brook at unauthorised points.

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.	X

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			
D1	C3	Provide a time for completion of the perimeter infrastructure in your Nov 2022 action plan	06/04/2023
E1	C3	Connect leaking leachate wells to the gas collection system	10/04/2023
E3	C3	Submit revised interim SW scheme for approval	06/04/2023

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

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.

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
- 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?

A permit holder can challenge any part of the CAR form by writing to the Environment Agency office local to the site within 28 days of receipt. If the issue cannot be resolved by the local office, a permit holder can raise a dispute through our official complaints procedure.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: UP3830NT/0463923

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

Site	Oak Farm Quarry Landfill - EPR/UP3830NT			Permit Ref	UP3830NT		
Operator/ Permit holder	HIMLEY ENVIRONMENTAL LIMITED						
Date	06/06/2023			Time in	13:30	Out	14:20
What parts of the permit were assessed	amenity, gas management, surface water management						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Richard Longley - Director						
Officer's name	Iain Storer			Date issued	08/06/2023		

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	A	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	A	
c) General management	**1**. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	NA	
	4. Storage handling, labelling, segregation	N	
d) Incident management	**1**. Site security	C3	1.1.1
	2. Accident, emergency & incident planning	N	
e) Emissions	**1.** Air	C3	2.10.1
	2. Land & Groundwater	N	
	3. Surface water	C3	3.1.2
	4. Sewer	N	
	5. Waste	N	
f) Amenity	**1**. Odour	A	
	2. Noise	N	
	3. Dust/fibres/particulates & litter	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
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	C3	4.3.1
h) Resource efficiency	**1**. Efficient use of raw materials	N	
	2. Energy	N	

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	4	**Total compliance score** (see section 5 for scoring scheme)	16

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.

This was an unnanounced inspection. Weather: fine, cloudy, largely still, 17c.

Previous CAR actions

You have failed to deliver the commitments set out in your written action plan of 3 November 2022, by the dates you indicated. The actions remain outstanding and are:

Installation of an approved surface water management plan;
Installation of appropriate security measures to prevent unauthorised access to the site, together with the locking of gas manifolds, gas well heads and leachate well heads;
Implementation of the full monitoring programme required by the permit, including leachate levels and leachate quality;
Replacement of lost/missing monitoring boreholes together with clear labelling of existing points to correspond with an accurately surveyed monitoring plan (MEPP);
Confirmation of the location and volumes of unauthorised waste deposits outside the landfill footprint and submission of a plan for approval for its removal.

CAR UP3830NT/0447948 included the additional following actions:
To connect the venting leachate well into the gas collection system - by 31 January 2023 - this has not been complied with.
Submit written proposals to improve security of the site access road by 28 February 2023 - this has not been complied with.
To submit comprehensive, timebound CQA plans for all the overdue works by 28 February 2023 - this was not complied with.

CAR UP3830NT/0455605 included the additional following actions:
To submit a revised interim surface water management scheme by 6 April 2026 - a proposed scheme was submitted late on 24 April 2023 (see below).
To implement and operate an appropriate system to enable constant, remote monitoring of flare functioning, with real-time alerts of flare failure. In the event of flare failure, you must have a system in place which ensures that a) the Environment Agency is notified without delay and b) an engineer is despatched to site to remedy the fault as soon as reasonably practicable. Submit a written report confirming the implementation of procedures to address this action by 6 April 2026 - this was not complied with.

Surface water management

You supplied your interim SW management plan on 24 April 2023. We reviewed the plan and provided comments for additional information that needed to be included, on 4 May 2023. No revision to the plan has yet been submitted.

No groundwork has yet started on the revised surface water management scheme so any future run-off from the site is likely to be contaminated with solids and emitted at a number of unauthorised points into the Holbeache Brook in contravention of Condition 3.1.2. Conditions on site remain largely unchanged although the current very dry and warm weather will be causing further cracking of eroded flanks that could further undermine slope stability.

Gas management
The gas flare was not operating. Upon querying this by email with the operator I was informed the flare went out on 5 June 2023 due to methane levels dropping too low to sustain combustion. An engineer visited site on 7 June 2023 to re-start the flare as methane now at 53%. We should have been notified of the flare failure without delay - this is a breach of Condition 4.3.1 of your permit (criterion g4, CCS category 3).

There were localised gas malodours at various points on site, likely resulting from the failure of positive extraction associated with the flare downtime. No malodour was detected off site.
Work to connect venting leachate wells into the gas collection system has not been completed - this remains in breach of Condition 2.10.1 (criterion e1, CCS category 3).

Site security
The boundary of the facility remains totally insecure and unauthorised persons are regularly accessing the site - this poses a high risk of injury to those persons and the potential for damage to pollution control infrastructure.
ACTION: complete the perimeter security improvements set out in your 3 November 2022 action plan.

Several borehole covers are not secured, either because locks have not been fitted, or because the fitted locks have been removed by trespassers.

Permit non-compliance
Condition 1.1.1 General Management - Site Security (criterion d1, CCS Category 3)
The operator shall manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution.
The insecure nature of the site poses a risk of pollution if trespassers were to interfere with site infrastructure.

Condition 2.10.1 Landfill gas management (criterion e1, CCS Category 3)
The operator shall take appropriate measures.....to collect landfill gas.
Landfill gas is freely venting from at least two leachate wells at a significant flow rate. The wells are not collected to the gas collection system.

Condition 3.1.2 Emissions to water and air (criterion e3, CCS category 3)
There shall be no point source emissions to water except from the sources and emission points listed in schedule 3, table S3.3.
Uncontrolled solids contaminated run-off will continue to enter the Holbeache Brook at unauthorised points until the revised surface water management scheme is implemented.

Condition 4.3.1 Notification (criterion g4, CCS category 3)
In the event that the operation of the activities gives rise to an incident or accident which significantly affects, or may significantly affect the environment, the operator must immediately inform the Environment Agency.
You did not notify us of the failure of the gas flare for three days. The lack of positive extraction and gas destruction during this time will have led to emissions of landfill gas.

I am considering service of an Enforcement Notice to require completion of the outstanding actions.

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.	X

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			
D1	C3	No action specified	N/A
E1	C3	No action specified	N/A
E3	C3	No action specified	N/A
G4	C3	No action specified	N/A

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

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.

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
- 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?

A permit holder can challenge any part of the CAR form by writing to the Environment Agency office local to the site within 28 days of receipt. If the issue cannot be resolved by the local office, a permit holder can raise a dispute through our official complaints procedure.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: UP3830NT/0470612

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

Site	Oak Farm Quarry Landfill - EPR/UP3830NT			Permit Ref	UP3830NT		
Operator/ Permit holder	HIMLEY ENVIRONMENTAL LIMITED						
Date	08/08/2023			Time in	10:20	Out	11:50
What parts of the permit were assessed	amenity, surface water management, gas management						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Richard Longley - Director						
Officer's name	Iain Storer, Michelle Pardoe			Date issued	08/08/2023		

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	A		
	2. Closure & decommissioning	N		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	N		
	3. Materials acceptance	NA		
	4. Storage handling, labelling, segregation	N		
d) Incident management	**1**. Site security	C3		1.1.1
	2. Accident, emergency & incident planning	N		
e) Emissions	**1.** Air	C3		2.10.1
	2. Land & Groundwater	N		
	3. Surface water	C3		3.1.2
	4. Sewer	NA		
	5. Waste	N		
f) Amenity	**1**. Odour	A		
	2. Noise	N		
	3. Dust/fibres/particulates & litter	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
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	N		
	2. Energy	N		

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	3	**Total compliance score** (see section 5 for scoring scheme)	12

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.

This was an unnanounced inspection. Weather: light drizzle, calm, 14c.

Previous CAR actions

You have failed to deliver the commitments set out in your written action plan of 3 November 2022, by the dates you indicated. The actions remain outstanding and are:

Installation of an approved surface water management plan;
Installation of appropriate security measures to prevent unauthorised access to the site, together with the locking of gas manifolds, gas well heads and leachate well heads;
Implementation of the full monitoring programme required by the permit, including leachate levels and leachate quality;
Replacement of lost/missing monitoring boreholes together with clear labelling of existing points to correspond with an accurately surveyed monitoring plan (MEPP);
Confirmation of the location and volumes of unauthorised waste deposits outside the landfill footprint and submission of a plan for approval for its removal.

CAR UP3830NT/0447948 included the additional following actions:
To connect the venting leachate well into the gas collection system - by 31 January 2023 - this has not been complied with.
Submit written proposals to improve security of the site access road by 28 February 2023 - this has not been complied with.
To submit comprehensive, timebound CQA plans for all the overdue works by 28 February 2023 - this was not complied with.

CAR UP3830NT/0455605 included the additional following actions:
To submit a revised interim surface water management scheme by 6 April 2026 - a proposed scheme was submitted late on 24 April 2023 (see below).
To implement and operate an appropriate system to enable constant, remote monitoring of flare functioning, with real-time alerts of flare failure. In the event of flare failure, you must have a system in place which ensures that a) the Environment Agency is notified without delay and b) an engineer is despatched to site to remedy the fault as soon as reasonably practicable. Submit a written report confirming the implementation of procedures to address this action by 6 April 2026 - this was not complied with.

Surface water management

You supplied your interim SW management plan on 24 April 2023. We reviewed the plan and provided comments for additional information that needed to be included, on 4 May 2023. No revision to the plan has yet been submitted despite me chasing you by email subsequently.

No groundwork has yet started on the revised surface water management scheme so any future run-off from the site is likely to be contaminated with solids and emitted at a number of unauthorised points into the Holbeache Brook in contravention of Condition 3.1.2. Conditions on site remain largely unchanged although any rainfall will likely to be causing further cracking of eroded flanks that could further undermine slope stability.

Gas management
The gas flare was operating but we noted malodour in its vicinity. An engineer last visited site on 2 August 2023, according the site-based guard.

There were localised gas malodours at various points on site, likely emitting from leachate wells not under extraction for gas control. No malodour was detected off site.
Work to connect venting leachate wells into the gas collection system has not been completed - this remains in breach of Condition 2.10.1 (criterion e1, CCS category 3).

Site security
The majority of the boundary of the facility remains totally insecure and unauthorised persons are regularly accessing the site - this poses a high risk of injury to those persons and the potential for damage to pollution control infrastructure. Since my last inspection you have made repairs to the wooden fencing running alongside the main haul road.
ACTION: complete the perimeter security improvements set out in your 3 November 2022 action plan.



Several borehole covers are not secured, either because locks have not been fitted, or because the fitted locks have been removed by trespassers.

Permit non-compliance
Condition 1.1.1 General Management - Site Security (criterion d1, CCS Category 3)
The operator shall manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution.
The insecure nature of the site poses a risk of pollution if trespassers were to interfere with site infrastructure.

Condition 2.10.1 Landfill gas management (criterion e1, CCS Category 3)
The operator shall take appropriate measures.....to collect landfill gas.
Landfill gas is freely venting from at least two leachate wells at a significant flow rate. The wells are not connected to the gas collection system.

Condition 3.1.2 Emissions to water and air (criterion e3, CCS category 3)
There shall be no point source emissions to water except from the sources and emission points listed in schedule 3, table S3.3.
Uncontrolled solids contaminated run-off will continue to enter the Holbeache Brook at unauthorised points until the revised surface water management scheme is implemented.

I am considering service of an Enforcement Notice to require completion of the outstanding actions.

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.	X

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			
D1	C3	No action specified	N/A
E1	C3	No action specified	N/A
E3	C3	No action specified	N/A

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

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.

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
- 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?

A permit holder can challenge any part of the CAR form by writing to the Environment Agency office local to the site within 28 days of receipt. If the issue cannot be resolved by the local office, a permit holder can raise a dispute through our official complaints procedure.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: UP3830NT/0473418

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

Site	Oak Farm Quarry Landfill - EPR/UP3830NT			Permit Ref	UP3830NT	
Operator/ Permit holder	HIMLEY ENVIRONMENTAL LIMITED					
Date	07/09/2023			Time in	11:00	Out 12:06
What parts of the permit were assessed	amenity, surface water & gas management, security					
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op	Water Discharge	
Recipient's name/position	Richard Longley - Director					
Officer's name	Iain Storer			Date issued	08/09/2023	

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	N		
	3. Site drainage engineering (clean & foul)	A		
	4. Containment of stored materials	N		
	5. Plant and equipment	A		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	N		
	3. Materials acceptance	NA		
	4. Storage handling, labelling, segregation	N		
d) Incident management	**1**. Site security	C3		1.1.1
	2. Accident, emergency & incident planning	N		
e) Emissions	**1.** Air	C3		2.10.1
	2. Land & Groundwater	N		
	3. Surface water	C3		3.1.2
	4. Sewer	N		
	5. Waste	N		
f) Amenity	**1**. Odour	A		
	2. Noise	N		
	3. Dust/fibres/particulates & litter	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
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	N		
	2. Energy	N		

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	3	**Total compliance score** (see section 5 for scoring scheme)	12

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.

Weather: hot and sunny, calm

Previous CAR actions

You have failed to deliver the commitments set out in your written action plan of 3 November 2022, by the dates you indicated. The actions remain outstanding and are:

Installation of an approved surface water management plan;
Installation of appropriate security measures to prevent unauthorised access to the site, together with the locking of gas manifolds, gas well heads and leachate well heads;
Implementation of the full monitoring programme required by the permit, including leachate levels and leachate quality;
Replacement of lost/missing monitoring boreholes together with clear labelling of existing points to correspond with an accurately surveyed monitoring plan (MEPP);
Confirmation of the location and volumes of unauthorised waste deposits outside the landfill footprint and submission of a plan for approval for its removal.

CAR UP3830NT/0447948 included the additional following actions:
To connect the venting leachate well into the gas collection system - by 31 January 2023 - this has not been complied with.
Submit written proposals to improve security of the site access road by 28 February 2023 - this has not been complied with.
To submit comprehensive, timebound CQA plans for all the overdue works by 28 February 2023 - this was not complied with.

CAR UP3830NT/0455605 included the additional following actions:
To submit a revised interim surface water management scheme by 6 April 2026 - a proposed scheme was submitted late on 24 April 2023 (see below).
To implement and operate an appropriate system to enable constant, remote monitoring of flare functioning, with real-time alerts of flare failure. In the event of flare failure, you must have a system in place which ensures that a) the Environment Agency is notified without delay and b) an engineer is despatched to site to remedy the fault as soon as reasonably practicable. Submit a written report confirming the implementation of procedures to address this action by 6 April 2026 - this was not complied with.

Surface water management

You supplied your interim SW management plan on 24 April 2023. We reviewed the plan and provided comments for additional information that needed to be included, on 4 May 2023. No revision to the plan has yet been submitted despite me chasing you by email subsequently.

No groundwork has yet started on the revised surface water management scheme so any future run-off from the site is likely to be contaminated with solids and emitted at a number of unauthorised points into the Holbeache Brook in contravention of Condition 3.1.2. Conditions on site remain largely unchanged although any rainfall will likely to be causing further cracking of eroded flanks that could further undermine slope stability.

Gas management
The gas flare was operating but malodour was noted in its vicinity.

There were localised gas malodours at various points on site, likely emitting from leachate wells not under extraction for gas control. No malodour was detected off site.
Work to connect venting leachate wells into the gas collection system has not been completed - this remains in breach of Condition 2.10.1 (criterion e1, CCS category 3).

Site security
The majority of the boundary of the facility remains totally insecure and unauthorised persons are regularly accessing the site - this poses a high risk of injury to those persons and the potential for damage to pollution control infrastructure. Since my last inspection you have made repairs to the wooden fencing running alongside the main haul road.
ACTION: complete the perimeter security improvements set out in your 3 November 2022 action plan.

Several borehole covers are not secured, either because locks have not been fitted, or because the fitted locks have been removed by trespassers.

Permit non-compliance
Condition 1.1.1 General Management - Site Security (criterion d1, CCS Category 3)
The operator shall manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution.
The insecure nature of the site poses a risk of pollution if trespassers were to interfere with site infrastructure.

Condition 2.10.1 Landfill gas management (criterion e1, CCS Category 3)
The operator shall take appropriate measures.....to collect landfill gas.
Landfill gas is freely venting from at least two leachate wells at a significant flow rate. The wells are not connected to the gas collection system.

Condition 3.1.2 Emissions to water and air (criterion e3, CCS category 3)
There shall be no point source emissions to water except from the sources and emission points listed in schedule 3, table S3.3.
Uncontrolled solids contaminated run-off will continue to enter the Holbeache Brook at unauthorised points until the revised surface water management scheme is implemented.

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.	X

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			
D1	C3	No action specified	N/A
E1	C3	No action specified	N/A
E3	C3	No action specified	N/A

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

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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
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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
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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.

Section 6 – General Information

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- offering/providing you with its literature/services relating to environmental matters
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- carrying out statistical analysis, research and development on environmental issues
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- 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

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

A permit holder can challenge any part of the CAR form by writing to the Environment Agency office local to the site within 28 days of receipt. If the issue cannot be resolved by the local office, a permit holder can raise a dispute through our official complaints procedure.

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.

Environment Agency	**EPR Compliance Assessment Report**	Report ID: UP3830NT/0477645

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

Site	Oak Farm Quarry Landfill - EPR/UP3830NT			Permit Ref	UP3830NT		
Operator/ Permit holder	HIMLEY ENVIRONMENTAL LIMITED						
Date	13/10/2023			Time in	13:00	Out	13:45
What parts of the permit were assessed	security, amenity, surface water & gas management						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Richard Longley - Director						
Officer's name	Iain Storer			Date issued	16/10/2023		

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	C2		2.10.2
	2. Closure & decommissioning	N		
	3. Site drainage engineering (clean & foul)	A		
	4. Containment of stored materials	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	N		
	3. Materials acceptance	C3		2.10.1
	4. Storage handling, labelling, segregation	N		
d) Incident management	**1**. Site security	C3		1.1.1
	2. Accident, emergency & incident planning	N		
e) Emissions	**1.** Air	N		
	2. Land & Groundwater	N		
	3. Surface water	C3		3.1.2
	4. Sewer	N		
	5. Waste	N		
f) Amenity	**1**. Odour	A		
	2. Noise	N		
	3. Dust/fibres/particulates & litter	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
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	N		
	2. Energy	N		

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	4	**Total compliance score** (see section 5 for scoring scheme)	43

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.

This was an unannounced inspection. Weather: heavy rain, cool, breeze from northwest.

Previous CAR actions

You have failed to deliver the commitments set out in your written action plan of 3 November 2022, by the dates you indicated. The actions remain outstanding and are:

Installation of an approved surface water management plan;
Installation of appropriate security measures to prevent unauthorised access to the site, together with the locking of gas manifolds, gas well heads and leachate well heads;
Implementation of the full monitoring programme required by the permit, including leachate levels and leachate quality;
Replacement of lost/missing monitoring boreholes together with clear labelling of existing points to correspond with an accurately surveyed monitoring plan (MEPP);
Confirmation of the location and volumes of unauthorised waste deposits outside the landfill footprint and submission of a plan for approval for its removal.

CAR UP3830NT/0447948 included the additional following actions:
To connect the venting leachate well into the gas collection system - by 31 January 2023 - this has not been complied with.
Submit written proposals to improve security of the site access road by 28 February 2023 - this has not been complied with.
To submit comprehensive, timebound CQA plans for all the overdue works by 28 February 2023 - this was not complied with.

CAR UP3830NT/0455605 included the additional following actions:
To submit a revised interim surface water management scheme by 6 April 2026 - a proposed scheme was submitted late on 24 April 2023 (see below).
To implement and operate an appropriate system to enable constant, remote monitoring of flare functioning, with real-time alerts of flare failure. In the event of flare failure, you must have a system in place which ensures that a) the Environment Agency is notified without delay and b) an engineer is despatched to site to remedy the fault as soon as reasonably practicable. Submit a written report confirming the implementation of procedures to address this action by 6 April 2026 - this was not complied with.

Surface water management

You supplied your interim SW management plan on 24 April 2023. We reviewed the plan and provided comments for additional information that needed to be included, on 4 May 2023. No revision to the plan has yet been submitted despite me chasing you by email subsequently.

No groundwork has yet started on the revised surface water management scheme.

Today the heavy rain was causing solids-laden run-off to emit from the site at a number of unauthorised locations into the Holbeche Brook in contravention of Condition 3.1.2. Conditions on site remain largely unchanged although rainfall will likely to be causing further cracking of eroded flanks that could further undermine slope stability.

Gas management

The gas flare has gone out. Your security man confirmed that no-one has been out to site to check on the gas system for quite some time. The failure to maintain effective gas collection and treatment is in breach of Condition 2.10.2 of your permit. In the event of flare failure, you must have a system in place which ensures that a) the Environment Agency is notified without delay and b) an engineer is despatched to site to remedy the fault as soon as reasonably practicable.

No gas odours were detected today, but this is probably only due to the effects of the heavy rain. Work to connect venting leachate wells into the gas collection system has not been completed - this remains in breach of Condition 2.10.1 (criterion e1, CCS category 3).

Site security

The majority of the boundary of the facility remains totally insecure and unauthorised persons are regularly accessing the site - this poses a high risk of injury to those persons and the potential for damage to pollution control infrastructure. I issue an enforcement notice on you today requiring installation of an effective security fencing system.

Several borehole covers are not secured, either because locks have not been fitted, or because the fitted locks have been removed by trespassers.

Permit non-compliance

Condition 1.1.1 General Management - Site Security (criterion d1, CCS Category 3)
The operator shall manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution.
The insecure nature of the site poses a risk of pollution if trespassers were to interfere with site infrastructure.

Condition 2.10.1 Landfill gas management (criterion e1, CCS Category 3)
The operator shall take appropriate measures.....to collect landfill gas.
Landfill gas is freely venting from at least two leachate wells at a significant flow rate. The wells are not connected to the gas collection system.

Condition 2.10.2 Landfill gas treatment (criterion b1, CCS Category 2)
The operator shall use appropriate measures to flare or treat the gas in accordance with an approved landfill gas management plan.
The gas flare has gone out so landfill gas is not currently being effectively treated.

Condition 3.1.2 Emissions to water and air (criterion e3, CCS category 3)
There shall be no point source emissions to water except from the sources and emission points listed in schedule 3, table S3.3.
Uncontrolled solids contaminated run-off will continue to enter the Holbeache Brook at unauthorised points until the revised surface water management scheme is implemented.





Insecure perimeter and unauthorised surface water discharges

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.	X

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			
B1	C2	No action specified	N/A
C3	C3	No action specified	N/A
D1	C3	No action specified	N/A
E3	C3	No action specified	N/A

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

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.

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
- 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?

A permit holder can challenge any part of the CAR form by writing to the Environment Agency office local to the site within 28 days of receipt. If the issue cannot be resolved by the local office, a permit holder can raise a dispute through our official complaints procedure.

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.

Environmental Permitting (England and Wales) Regulations 2016
Regulation 36

Environment Agency

ENFORCEMENT NOTICE TO TAKE SPECIFIED STEPS IN RELATION TO A BREACH

To: Himley Environmental Limited
Colinton House
Leicester Road
Bedworth
Warwickshire
CV12 8AB

Company No. 08257162

Environmental permit: EPR/UP3830NT
Regulated facility: Oak Farm Quarry Landfill, Crooked House Lane, Himley, Dudley, West Midlands, DY3 4DA

The Environment Agency considers that the following conditions of the environmental permit are being contravened:

1.1.1 The operator shall manage and operate the activities:
(a) In accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints.

Your Environmental Management System (version 1.0, dated 3 January 2013) under the sub-heading of `Vandalism` states that the site shall have a secure gate and perimeter fence.

Because:

You are not operating the activities in accordance with a written management system that identifies and minimises the risks of pollution as:

1. You have failed to keep your site secure by installing and maintaining appropriate security perimeter fencing and signage to prevent unauthorised access to the operational areas; and

2. The free and unfettered access onto the landfill site by unauthorised persons and/or members of the public increases the risks of pollution caused by:

   i) The effects from the direct exposure to toxic landfill gas resulting in a risk of harm to human health;
   ii) The effects of a fire or explosion were landfill gas to become ignited resulting in a risk of harm to human health;
   iii) The emissions to air of toxic landfill gas should trespassers interfere with the gas infrastructure on the site.

You are required to take the steps set out in Schedule 1 by the date(s) specified in order to remedy the contravention.

Date 13 October 2023 **Signed**

Iain Storer
Installations Technical Leader

Environment Agency
Sentinel House
9 Wellington Crescent
Fradley Park
Lichfield
WS13 8RR

Please see over for notes.

Notes:

General

1. Failure to comply with this notice is an offence under Regulation 38(3) of the Environmental Permitting (England and Wales) Regulations 2016 and may result in legal action being taken against you.

2. Without prejudice to the requirements of this notice, failure to comply with a condition of an environmental permit is an offence and may result in legal action being taken against you.

3. You may wish to seek independent legal advice.

Appeal provisions

You are entitled to appeal against this notice under Regulation 31(1)(f) of the Environmental Permitting (England and Wales) Regulations 2016. Notice of appeal must be made within two months of the date of this notice. An appeal does not affect the requirements of this notice.

You must send written notice of the appeal and the documents listed below to:

Secretary of State
The Planning Inspectorate
Room 3A Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

At the same time, you must send a copy of the appeal notice and documents to us.

The required documents are:

- a statement of the grounds of appeal;
- a copy of any relevant application;
- a copy of any relevant environmental permit;
- a copy of any relevant correspondence between the appellant and the regulator;
- a copy of any decision or notice which is the subject matter of the appeal; and
- a statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

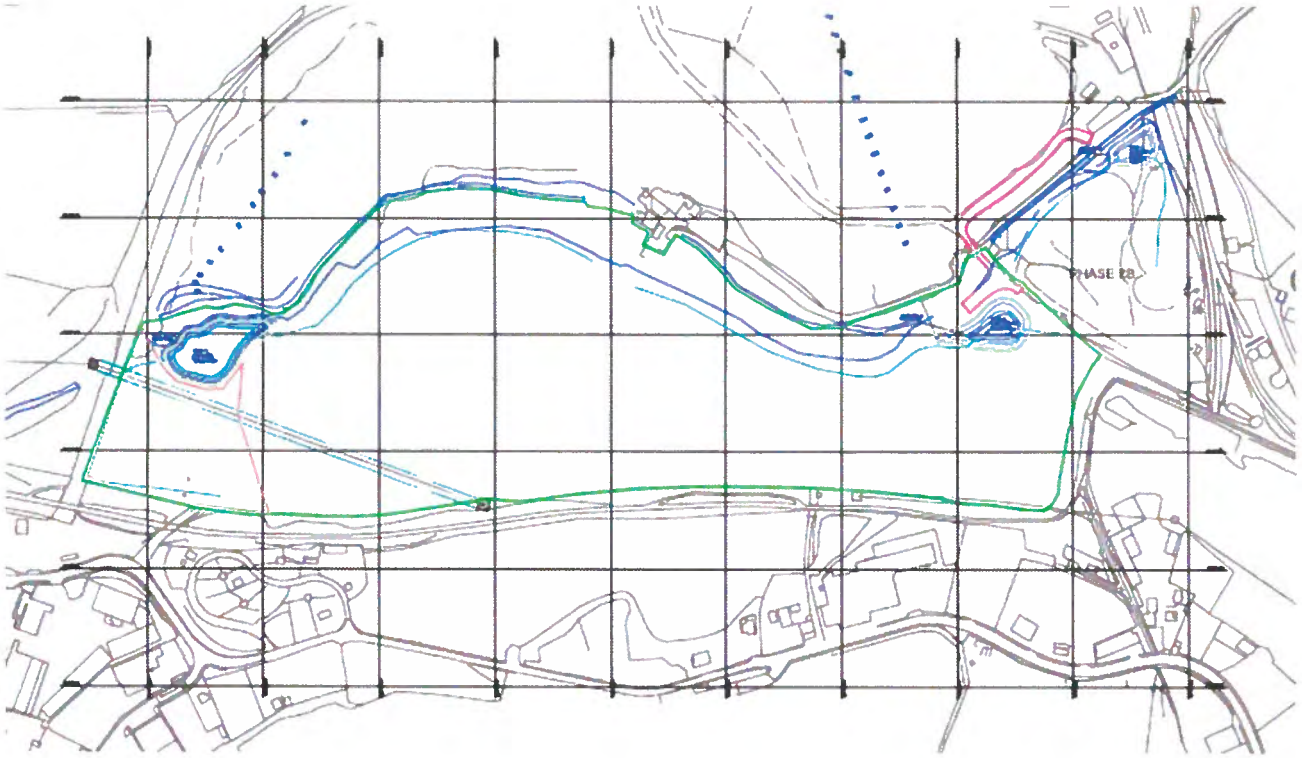
You may withdraw an appeal by notifying the Secretary of State in writing and sending a copy of that notification to us.

Further information about making an appeal and the forms that you will need are available from the Planning Inspectorate.

In addition, you can request an independent internal review of our decision to issue this notice. Asking us to review our decision will not affect the time limits within which any statutory appeal must be made. We expect any request to review a regulatory decision to be made promptly, usually within 14 days.

SCHEDULE 1 STEPS TO BE TAKEN		
Condition number	**Steps to be taken**	**By date**
1.1.1(a)	1. Install security fencing around the perimeter of the boundary of Oak Farm Quarry landfill site, this being the area edged in green on the site plan at Appendix 1, to a minimum height of 2 metres above the ground and so that the boundary is completely enclosed and secure.	08/12/2023
1.1.1(a)	2. Install durable signage at 100m intervals around the perimeter fencing system detailed above, warning those outside the site of the risk of harm posed by unauthorised access.	08/12/2023
1.1.1(a)	3. Provide updated written details of the measures you will take to adequately secure your site and prevent unauthorised access to the site, which will form part of your written management system. The measures shall include, but may not be limited to, the measures to inspect and maintain the security fencing once installed.	08/12/2023

Appendix 1 – Site plan showing permit boundary edged in green



Environment Agency	**EPR Compliance Assessment Report**	Report ID: UP3830NT/0480902

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

Site	Oak Farm Quarry Landfill - EPR/UP3830NT			Permit Ref	UP3830NT		
Operator/ Permit holder	HIMLEY ENVIRONMENTAL LIMITED						
Date	16/11/2023			Time in		Out	
What parts of the permit were assessed	failure to submit Q3-2023 environmental monitoring data						
Assessment	Report/data review	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Richard Longley - Director						
Officer's name	Iain Storer			Date issued	16/11/2023		

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	N		
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	N		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	N		
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	N		
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	NA		
	5. Waste	N		
f) Amenity	**1**. Odour	N		
	2. Noise	N		
	3. Dust/fibres/particulates & litter	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
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	C3		4.2.3
h) Resource efficiency	**1**. Efficient use of raw materials	N		
	2. Energy	N		

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

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.

You have failed to submit your Q3-2023 (Jul-Sep) environmental monitoring data by the required deadline of 28 October 2023.

This is in breach of Condition 4.2.3 of your permit (criterion g4, CCS category 3).

ACTION: either a) submit the overdue data or b) confirm that the required monitoring has not been carried out - by 30 November 2023

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.	X

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			
G4	C3	submit overdue monitoring data	30/11/2023

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

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.
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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
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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.

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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.

Section 6 – General Information

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- providing public register information to enquirers
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Environment Agency	**EPR Compliance Assessment Report**	Report ID: UP3830NT/0484288

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

Site	Oak Farm Quarry Landfill - EPR/UP3830NT			Permit Ref	UP3830NT		
Operator/ Permit holder	HIMLEY ENVIRONMENTAL LIMITED						
Date	12/12/2023			Time in	11:15	Out	12:50
What parts of the permit were assessed	check on compliance with security system Notice, surface water, gas						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Richard Longley - Director						
Officer's name	Iain Storer			Date issued	15/12/2023		

Section 1 - Compliance Assessment Summary

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a) Permitted activities	**1**. Specified by permit	N		
b) Infrastructure	**1.** Engineering for prevention & control of pollution	C2		2.10.2
	2. Closure & decommissioning	N		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	N		
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	N		
d) Incident management	**1**. Site security	A		
	2. Accident, emergency & incident planning	C2		1.1.1
e) Emissions	**1.** Air	C2		2.10.1
	2. Land & Groundwater	N		
	3. Surface water	C3		3.1.2
	4. Sewer	N		
	5. Waste	N		
f) Amenity	**1**. Odour	C3		3.3.1
	2. Noise	N		
	3. Dust/fibres/particulates & litter	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
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	N		
	2. Energy	N		

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	5	**Total compliance score** (see section 5 for scoring scheme)	101

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.

This was an unannounced inspection, primarily to assess compliance with an Enforcement Notice which required installation of an effective perimeter security fencing system by 8 December 2023.

Previous CAR actions

You have failed to deliver the commitments set out in your written action plan of 3 November 2022, by the dates you indicated. The actions remain outstanding and are:

Installation of an approved surface water management plan;
Installation of appropriate security measures to prevent unauthorised access to the site, together with the locking of gas manifolds, gas well heads and leachate well heads;
Implementation of the full monitoring programme required by the permit, including leachate levels and leachate quality;
Replacement of lost/missing monitoring boreholes together with clear labelling of existing points to correspond with an accurately surveyed monitoring plan (MEPP);
Confirmation of the location and volumes of unauthorised waste deposits outside the landfill footprint and submission of a plan for approval for its removal.

CAR UP3830NT/0447948 included the additional following actions:
To connect the venting leachate well into the gas collection system - by 31 January 2023 - this has not been complied with.
Submit written proposals to improve security of the site access road by 28 February 2023 - this has not been complied with.
To submit comprehensive, timebound CQA plans for all the overdue works by 28 February 2023 - this was not complied with.

CAR UP3830NT/0455605 included the additional following actions:
To submit a revised interim surface water management scheme by 6 April 2026 - a proposed scheme was submitted late on 24 April 2023 (see below).
To implement and operate an appropriate system to enable constant, remote monitoring of flare functioning, with real-time alerts of flare failure. In the event of flare failure, you must have a system in place which ensures that a) the Environment Agency is notified without delay and b) an engineer is despatched to site to remedy the fault as soon as reasonably practicable. Submit a written report confirming the implementation of procedures to address this action by 6 April 2026 - this was not complied with.

Surface water management

You supplied your interim SW management plan on 24 April 2023. We reviewed the plan and provided comments for additional information that needed to be included, on 4 May 2023. No revision to the plan has yet been submitted despite me chasing you by email subsequently.

No groundwork has yet started on the revised surface water management scheme.

Recent heavy rain has caused solids-laden run-off to emit from the site at a number of unauthorised locations into the Holbeche Brook in contravention of Condition 3.1.2. Conditions on site have deteriorated since my last inspection increasing the risk of slope instability.





Gas management

The gas flare was again not operating. Your security man confirmed that no-one has been out to site to check on the gas system since my last inspection. The failure to maintain effective gas collection and treatment is in breach of Condition 2.10.2 of your permit. In the event of flare failure, you must have a system in place which ensures that a) the Environment Agency is notified without delay and b) an engineer is despatched to site to remedy the fault as soon as reasonably practicable.



Freely venting leachate well



Flare not operating

Pungent landfill gas odours were detected beyond the site boundary and are the result of the failure to maintain effective gas collection and treatment - this is in breach of Condition 3.3.1.
Work to connect venting leachate wells into the gas collection system has not been completed and a number of these were observed to be venting landfill gas at a significant flow rate to atmosphere - this remains in breach of Condition 2.10.1 (criterion e1, CCS category 2).

Site security

The majority of the boundary of the facility remains totally insecure and unauthorised persons are regularly accessing the site - this poses a high risk of injury to those persons and the potential for damage to pollution control infrastructure. I issued an enforcement notice on you requiring installation of an effective security fencing system by 8 December 2023. No action has been taken

to comply and we will now consider our enforcement response for this ongoing breach.




Perimeter bordering the old rail line path whilst overgrown is not fenced to prevent access




There is some old wire fencing along the rail line path boundary (near Oak Lane) but it is breached in several places where unauthorised off-roading vehicles have gone onto site
























Unhindered access from the footpath from the end of Crooked House Lane





Multiple unauthorised vehicle access points





Footpath L landfill haul road R



There is some adequate fencing bordering the Holbeache Brook but this can be easily walked around.

Several borehole covers are not secured, either because locks have not been fitted, or because the fitted locks have been removed by trespassers.

Permit non-compliance

Condition 1.1.1 General Management - Site Security (criterion d1, CCS Category 3)
The operator shall manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution.
The insecure nature of the site poses a risk of pollution if trespassers were to interfere with site infrastructure.

Condition 2.10.1 Landfill gas management (criterion e1, CCS Category 3)
The operator shall take appropriate measures.....to collect landfill gas.
Landfill gas is freely venting from at least two leachate wells at a significant flow rate. The wells are not connected to the gas collection system.

Condition 2.10.2 Landfill gas treatment (criterion b1, CCS Category 2)
The operator shall use appropriate measures to flare or treat the gas in accordance with an approved landfill gas management plan.
The gas flare has gone out so landfill gas is not currently being effectively treated.

Condition 3.1.2 Emissions to water and air (criterion e3, CCS category 3)
There shall be no point source emissions to water except from the sources and emission points listed in schedule 3, table S3.3.
Uncontrolled solids contaminated run-off will continue to enter the Holbeache Brook at unauthorised

points until the revised surface water management scheme is implemented.

Condition 3.3.1 Odour
Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures...to prevent or ...to minimise the odour.

Pungent landfill gas odour was detected off site and appropriate measures have not been taken by you to prevent this.

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.	X

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			
B1	C2	No action specified	N/A
D2	C2	No action specified	N/A
E1	C2	No action specified	N/A
E3	C3	No action specified	N/A
F1	C3	No action specified	N/A

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

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.

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
- 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?

A permit holder can challenge any part of the CAR form by writing to the Environment Agency office local to the site within 28 days of receipt. If the issue cannot be resolved by the local office, a permit holder can raise a dispute through our official complaints procedure.

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.

Environment Agency

ENFORCEMENT NOTICE TO TAKE SPECIFIED STEPS IN RELATION TO A BREACH

To: Himley Environmental Limited
Colinton House
Leicester Road
Bedworth
Warwickshire
CV12 8AB

Company No. 08257162

Environmental permit: EPR/UP3830NT
Regulated facility: Oak Farm Quarry Landfill, Crooked House Lane, Himley, Dudley, West Midlands, DY3 4DA

The Environment Agency considers that the following conditions of the environmental permit are being contravened:

3.5 Monitoring
3.5.1 The operator shall, unless otherwise agreed in writing by the Environment Agency, undertake the monitoring and any other actions specified in the following tables in schedule 3 to this permit:
(a) Leachate specified in tables S3.1 and S3.10.

Table S3.1 Leachate level limits and monitoring requirements			
Monitoring point reference/Description	*Limit*	*Monitoring frequency*	*Monitoring standard and method*
Operational Cells or Phases (any cells or phases that do not have a final engineered cap agreed in accordance with the landfill engineering condition, 2.6)			
Leachate compliance and monitoring points *Cell 1: LPC1, LMP1.1* *Cell 2: LPC2, LMP2.1* *Cell 3: LPC3, LMP3.1, LMP3.2* *Cell 4: LPC4, LMP4.1, LMP4.2 on Plan ESID8*	*0.3m above cell base*	*Monthly*	*As specified in Environment Agency guidance TGN02 (February 2003) or such other subsequent guidance as may be agreed in writing with the Environment Agency. Or as otherwise agreed with the Agency as part of a leachate monitoring plan.*
Cell 6: LPC6, LMP6.1, LMP6.2 *Cell 7: LPC7, LMP7.1, LMP7.2* *Cell 8: LPC8, LMP8.1, LMP8.2 on Plan ESID8*	*1m above cell base*	*Monthly*	

Table S3.10 Leachate – other monitoring requirements				
Monitoring point reference or description	*Parameter*	*Monitoring frequency*	*Monitoring standard or method*	*Other specifications*
Operational cells or phases (Any cell or phases that do not have a final engineered cap agreed in accordance with condition 2.6)				
MEPP	*pH, EC, total alkalinity, ammoniacal nitrogen, chloride, COD, BOD, cadmium, chromium, copper, lead, nickel iron, arsenic, magnesium, potassium, total sulphate, calcium, sodium, zinc, manganese, cyanide, PCB,*	*Quarterly*	*At leachate compliance point as listed in table S3.1. As specified in Environment Agency Guidance TGN02 (February 2003) and Horizontal Guidance Note H1 – Environmental Risk Assessment for permits, Annex J3, version 2.1 (Dec*	*None*

	mercury, naphthalene, toluene, phenol, trichloroethene		*2011) with one sampling point per cell / phase or such other subsequent guidance as may be agreed in writing with the Environment Agency.*	
MEPP	*Hazardous substances*	*Annually*		*None*
MEPP	*Depth to base (mAOD)*	*Annually*		*None*

And

4.2 Reporting
4.2.3 Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by the Environment Agency, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:
(a) in respect of the parameters and emission points specified in schedule 4 table S4.1

Table S4.1 Reporting of monitoring data		
Parameter	*Reporting period*	*Period ends*
Leachate and/or groundwater level *As specified by schedule 3, table S3.1*	*Every 3 months*	*31 March, 30 June, 30 September, 31 December*
Other leachate monitoring *As specified by schedule 3, table S3.10*	*Every 12 months*	*31 December*

Because:

You have not undertaken the required leachate monitoring, or submitted the required leachate monitoring data, since quarter 3 (01 July to 30 September) of 2019.

You are required to take the steps set out in Schedule 1 by the date(s) specified in order to remedy the contravention.

Date 18th December 2023 **Signed** MJStorer

Iain Storer
Installations Technical Leader

Environment Agency
Sentinel House
9 Wellington Crescent
Fradley Park
Lichfield
WS13 8RR

Please see over for notes.

Notes:

General

1. Failure to comply with this notice is an offence under Regulation 38(3) of the Environmental Permitting (England and Wales) Regulations 2016 and may result in legal action being taken against you.

2. Without prejudice to the requirements of this notice, failure to comply with a condition of an environmental permit is an offence and may result in legal action being taken against you.

3. You may wish to seek independent legal advice.

Appeal provisions

You are entitled to appeal against this notice under Regulation 31(1)(f) of the Environmental Permitting (England and Wales) Regulations 2016. Notice of appeal must be made within two months of the date of this notice. An appeal does not affect the requirements of this notice.

You must send written notice of the appeal and the documents listed below to:

Secretary of State
The Planning Inspectorate
Room 3A Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

At the same time, you must send a copy of the appeal notice and documents to us.

The required documents are:

- a statement of the grounds of appeal;
- a copy of any relevant application;
- a copy of any relevant environmental permit;
- a copy of any relevant correspondence between the appellant and the regulator;
- a copy of any decision or notice which is the subject matter of the appeal; and
- a statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying the Secretary of State in writing and sending a copy of that notification to us.

Further information about making an appeal and the forms that you will need are available from the Planning Inspectorate.

In addition, you can request an independent internal review of our decision to issue this notice. Asking us to review our decision will not affect the time limits within which any statutory appeal must be made. We expect any request to review a regulatory decision to be made promptly, usually within 14 days.

SCHEDULE 1 STEPS TO BE TAKEN		
Condition number	**Steps to be taken**	**By date**
3.5.1	1a. Carry out the leachate level monitoring in accordance with the requirements set out in Table S3.1 of Environmental Permit UP3830NT. 1b. Carry out the leachate quality and other monitoring in accordance with the requirements set out in Table S3.10 of Environmental Permit UP3830NT.	31 March 2024 31 March 2024
4.2.3	2a. Submit the results of the leachate level monitoring undertaken for step 1a (Table s3.1 requirements) above to the Environment Agency in writing, either by post or email. 2b. Submit the results of the leachate quality monitoring undertaken for step 1b (Table S3.10 requirements) above to the Environment Agency in writing, either by post or email. All data and correspondence should be sent to: Iain.storer@environment-agency.gov.uk Or C/O Iain Storer, Environment Agency, Mance House, Arthur Drive, Hoo Farm Ind Est, Kidderminster DY11 7RA.	30 April 2024 30 April 2024