



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

Site	A1 Wokingham Car Spares			Permit Ref	EPR/FP3390EU		
Operator/ Permit holder	Mr Russell James Pike						
Date	24/02/2021			Time in	09:28	Out	09:50
What parts of the permit were assessed	C2 & C4						
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge	
Recipient's name/position	Russel Pike, Sally Pike, Clive Owen Chloe Djemal						
Officer's name	Faith Van Jaarsveld, Lara Murphy			Date issued	04/03/2021		

### Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations (EPR). A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our [Compliance Classification Scheme](#) (CCS). CCS scores can be consolidated or suspended, where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your [local office](#).

Permit Conditions and Compliance Summary			Condition(s) breached
a) Permitted activities	1. Specified by permit	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	C3	3.4.2
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	C3	2.2.1
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	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).

<b>Number of breaches recorded</b>	2	<b>Total compliance score</b> (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.

Unannounced site visit carried out by Faith van Jaarsveld and Lara Murphy, to investigate possible permit breach reported through our Incident Communication Service reference: NIRS 01894218. We were escorted around the site by Clive Owen and Gary Webb.

On entering the site a large pile of scrap metal waste was visible on the left hand side of the permitted area. Gary explained that they had moved the scrap there so that the repairs to the concrete requested by the Environment Agency could be carried out. They had initially intended to work at the weekend and longer hours to reduce the waste on site, prior to carrying out the works but felt they were unable to do this due to a noise abatement order issued by the council and concern over an increase in noise complaints from local residents.

The concreting has now been completed in the metal storage area (**Photograph 1**) and the waste will be moved back, concreting on the rest of the site will be able to take place without further need to move any waste.

A Code B was issued under Section 108 of the Environment Act 1995 as photographs were taken as evidence. Reference EA 22776

### Non Compliances

**C2 Management - Management Systems & Operating Procedures** we have scored you a **Category 3 breach (4 points)** for not adhering to the sites Noise Management Plan because the pile height of the waste exceeded that of the noise barrier (**Photograph 2**)

**Permit Condition 3.4.2 (b)** *implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.*

**Noise Management Plan V2.4 (November 2020) Table A2 Reference 13** *All stockpiles of scrap/ELV's kept below the top of the noise barrier*

**Action** ensure that you follow the ways of working outlined in the sites Noise Management Plan with immediate effect.

**C4 Management - Storage, Handling, Labelling & Segregation:** we have scored you a **category 3 breach (4 points)** because waste had escaped the permitted area (**Photograph 3**)

**Permit condition 2.2.1** *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.*

**Action** ensure that all waste is kept within the permitted area with immediate effect.

**The Total Non Compliance** from this inspection is **8 points** which currently makes you a Band B operator in 2021 and your subsistence for 2022/2023 will be 100% of the base rate charge.

**Update:** Following a phone conversation with Gary Webb on 25/02/2021, I understand that the waste outside the permitted area was moved back onto site after our visit and the rest of the waste was moved back into the storage area by the 26/02/2021.

**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.	X
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			
C2	C3	ensure that you follow the ways of working outlined in the sites Noise Management Plan	N/A
C4	C3	ensure that all waste is kept within the permitted area	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 <b>major</b> environmental effect	60
C2	A non-compliance which could have a <b>significant</b> environmental effect	31
C3	A non-compliance which could have a <b>minor</b> environmental effect	4
C4	A non-compliance which has <b>no</b> 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?

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