



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

Site	Holly Tree Farm		Permit Ref	73017		
Operator/ Permit holder	SID DENNIS AND SONS LIMITED					
Date	25/10/2024		Time in	11:35	Out	13:30
What parts of the permit were assessed	See below					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	[REDACTED], TCM					
Officer's name	[REDACTED]		Date issued	31/10/2024		

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	NA	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	A	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	C3	MSA/MSB
	2. Management system & operating procedures	A	
	3. Materials acceptance	C3	1.2.1
	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	A	
	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)	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.

Overview

This was a pre-arranged site inspection carried out with my colleague [REDACTED]. The weather at the time of this inspection was cloudy. We met with [REDACTED] (TCM /Site Manager) and your consultant in the site office. After introductions and some discussion we inspected the site accompanied by [REDACTED] and your consultant. Whilst on site we inspected this site and the adjacent permitted area covered by EAWML [REDACTED] which is detailed in a separate report.

The site was clear of waste except for some soil and stones, which is not permitted at your site.

Some crushed hardcore was found on site which is being used under a U1 exemption to form hardstanding in your permitted area, this material appeared to be of good quality and the quantity on site appeared to be in line with what would be required to finish creating the described area of hardstanding.

Non-compliances

Permit Breach – C3 - Management - Materials Acceptance – Permit Condition 1.2.1 – Category 3 CCS Score

Your permit states, in condition 1.2.1: “No wastes shall be accepted at the site other than the waste caravans specified in Table 1.2.”

Whilst inspecting your permitted site, I found waste soils stored inside your permitted area. Storing wastes not specified in your site permit is a permit breach. For the above permit breaches, you have been given a score of CCS3.

Action 1

Please remove waste soil from your site to a suitably permitted site.

Deadline: 29-11-2024

Root Cause

Permit Breach - C1, Management - Management Systems & Operating Procedures - Permit condition MSA/MSB – Category 3 CCS Score

Management System condition A (“MSA”) is that the operator must manage and operate the waste operation in accordance with a written management system which identifies and minimises the risks of pollution arising from the waste operation, including those –

- arising from operations (including maintenance);
- arising from an accident or other incident;
- arising from a failure to comply with or from a contravention of the environmental permit in question;
- identified following a complaint; or
- arising from the closure of the operation.

Management System condition B (“MSB”) requires the operator to review the management system from time to time and keep it up to date. The operator must also keep a written record of activities carried out in accordance with the management system including any review or update.

The root cause of these non-compliances is that your Management System and Fire Prevention Plan are not being followed, leading to the risk of potential pollution to the environment. For this reason, you have been given a score of CCS 3.

Action 2

Please ensure that staff are made aware of your management system and fire prevention plan and that adequate training is given to ensure that those documents are followed.

Deadline: 29-11-2024

Total Score and Compliance Band

The total non-compliance score for this inspection is 8 CCS points. The total CCS score for the year (2024) to date is 16 points, which makes you a Band C operator and means that your subsistence fee is currently 110% of the charge for 2025.

Enforcement Response

In regard to the permit non-compliances detailed above we will now consider what further enforcement action is necessary. Due to historical non-compliances, we are concerned about the risks posed to the environment. Should issues fail to be addressed we will consider further action.

Section 3- Enforcement Response		Only one of the boxes below should be ticked
<p>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.</p> <p><small>*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.</small></p>		
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	C3	Action 2 Please ensure that staff are made aware of your management system and fire prevention plan and that adequate training is given to ensure that those documents are followed. Deadline: 29-11-2024	29/11/2024

C3	C3	Action 1 Please remove waste soils and stones to a suitably permitted site. Deadline: 29-11-2024	29/11/2024
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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 may request an appeal of the regulatory decision by emailing enquiries@environment-agency.gov.uk within 14 days of receipt of the outcome.

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.