



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	21/03/2025			Time in	11:10	Out	13:00
What parts of the permit were assessed	Permitted Activities; Infrastructure; General Management; Incident Management; Amenity; Monitoring and records, Maintenance and reporting.						
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge	
Recipient's name/position	Technically Competent Manager						
Officer's name	[REDACTED]			Date issued	04/04/2025		

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 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	A	
	2. Management system & operating procedures	C3	MSA/MSB;
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	A	
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	C3	7.2;
	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.

Introduction

On Friday 21st March 2025 myself and [REDACTED] conducted an unannounced compliance inspection of Holly Tree Farm, *Sid Dennis and Sons Limited*. This site owns two permits: EAWML70920 and EAWML73017. This compliance assessment report covers EAWML73017 only. The compliance assessment report for EAWML70920 can be found in report reference 70920/0548143. We met with two of the companies directors and the Technically competent manager (TCM) on site, carried out an inspection, and then had conversations in the office regarding the site fire prevention plan and waste returns.

Previous CAR form actions

Your previous CAR form: 73017/0524871 issued on 31/10/2024 contained two actions:

- *Please remove waste soils from your site to a suitably permitted site.*
- *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.*

Both of these actions were complete within the deadlines given.

Non-compliances

During this inspection, I observed one breach of your permit.

G2: Monitoring and records, maintenance and reporting – Records of activity, site diary, journal & events.

Category 3 Breach (CCS3).

Permit condition: 7.2

Permit condition 7.2 states "A record shall be kept of each load of waste accepted and each load of waste removed from site. This record shall include the following details: (A) Loads in :- unit type and quantity (numbers), date received and date processed; (B) Loads out :- unit type and quantity (numbers) and date removed".

During your inspection last year carried out on 25/10/2024 you were breached for storing waste soil, a waste not on your permit, within this permitted area. These were removed from site as instructed, however there was no record of this having been received or being removed from the site in your waste returns. You submitted Nil returns for every quarter last year.

Under your permit, a record of any waste accepted or removed from the permitted area must be

kept (a waste transfer note), even if this waste is being stored in breach of your permit. Your waste returns (required under condition 7.2.1 of your permit) must reflect this. Failure to do so means there is no record of the waste that has been stored under your permit. This can be an issue for site condition reports, should this be required if the permit were to be surrendered or varied. For this, you have been scored 4 points (category 3 breach).

Action: You are required to resubmit your waste returns for 2024. For future, all waste entering or leaving the permitted area must be recorded and included in your waste returns.

Due: 18th April 2025.

Root Cause

The root cause of the category 3 score raised for site records is not following the procedures outlined in your management system.

C2: General management – Management system and operating procedures.

Category 3 Breach (CCS3).

Permit Condition: MSA/MSB.

Management System Condition A (Environmental Permitting Regulations (England and Wales) 2016 Schedule 9 Part 3) states that: “*The operator must manage and operate the waste operation in accordance with a system (a “written management system”), described in a document or documents, which identifies and minimises the risks of pollution arising from the waste operation, including (but not limited to) those- (A) arising from operations (including maintenance); (B) arising from an accident or other incident; (C) arising from a failure to comply with or from a contravention of the environmental permit in question; (D) identified following a complaint; (E) arising from the closure of the operation”.*

Management System Condition B (Environmental Permitting Regulations (England and Wales) 2016 Schedule 9 Part 3) states that: “*The operator must- (A) from time to time, review the written management system and keep it up to date; and (B) keep a written record of- (I) activities carried out in accordance with the written management system; and (II) any review or update under paragraph A”.*

Within section 3 of your management system you outline your waste acceptance procedures and the need for waste transfer / consignment notes. You state that all incoming waste is reported to the site weighbridge office and a completed waste transfer note must be provided. All of these records should have been included in your waste returns but were not. As a result of this, you have been scored 4 points (category 3 breach).

Action: Please ensure that the procedures within your management system are followed and all records are included in your waste returns.

Due: 18th April 2025.

Advice and Guidance

On 1st April 2024 a requirement for management systems / working plans to include a climate change introduction was introduced. Information regarding this was cascaded to operators in September 2023 and January 2024.

The Environment agency would like to remind you of the requirement to comply with the revised requirement to embed good adaptation planning within your management system and specifically to ensure compliance with the with requirement to complete a climate change risk assessment by 1st

April 2024.

From reviewing your management system we can see that within your contingency plans set out in section 5 you have included both a flood action plan and a severe weather action plan. The links provided below give some more examples on what to include in a climate change risk assessment and will highlight other risks that are worth considering in order to complete your climate change risk assessment, which will help you prepare for such risks and improve your business resilience.

Please see the links below for guidance on this and where to find industry specific examples:

<https://www.gov.uk/guidance/climate-change-risk-assessment-and-adaptation-planning-in-your-management-system>

<https://www.gov.uk/government/publications/adapting-to-climate-change-industry-sector-examples-for-your-risk-assessment>

Total non-compliance score

The site's non-compliance score from this inspection is 8 points.

This means the site's total non-compliance score for 2025 is currently 8. This places you in compliance band B for the compliance year 2025, meaning you will pay 100% of your subsistence fee.

For more information on how we assess and score environmental permit compliance, please see the following government policy paper:

<https://www.gov.uk/government/publications/assessing-and-scoring-environmental-permit-compliance>

Enforcement Response

In regard to the permit non-compliances detailed above we will now consider what further enforcement action is necessary. Due to historic 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

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	C3	Please ensure that the procedures within your management system are followed and all records are included in your waste returns.	18/04/2025
G2	C3	You are required to resubmit your waste returns for 2024. For future, all waste entering or leaving the permitted area must be recorded and included in your waste returns.	18/04/2025

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.