



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

Site	Bournemouth Inert Landfill Site		Permit Ref	210058		
Operator/ Permit holder	Bournemouth Sand And Gravel Ltd					
Date	28 February 2022		Time in	11:30	Out	13:00
What parts of the permit were assessed	Site Inspection, joined by Bromley Planning Officers					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	Cathal Cuinnea – Director, Bournemouth Sand and Gravel Ltd.					
Officer's name	John D Radclyffe, Paul Bennett		Date issued	4 April 2022		

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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

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	C2 2.7.3
	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	C3 2.8.1
	4. Storage handling, labelling, segregation	C3 3.3.1
d) Incident management	1. Site security	N
	2. Accident, emergency & incident planning	N
e) Emissions	1. Air	N
	2. Land & Groundwater	C3 3.3.4
	3. Surface water	C3 3.1.1
	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	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

Number of breaches recorded	6	Total compliance score (see section 5 for scoring scheme)	51
------------------------------------	----------	---	-----------

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.

Site inspection walk-over.

Site inspection, accompanied by Paul Bennett and three representatives of Bromley Council, to establish the current activities, management of the facility and to review the volumes and storage of wastes.

David Bord and I of Bromley Planning Department signed everyone into the site office and on request, I showed my warrant to Mr. Smith who I had met on the previous site visit in October. Mr Smith took a photograph of my warrant.

A representative from Killoughery accompanied us on our site walk over.

Screening and Processing of wastes.

It was noted that heavy plant used to screen and process materials, (including screening / trommel machines, and 360 excavators) previously located in Area C, close to the site office and adjacent to the site boundary with the railway line, had been moved to Area B, adjacent to the site boundary with the footpath.

However, there was evidence of waste soils and aggregates recently processed with numerous stockpiles of different processed materials. I took photographs of this area showing stockpiles in Area C of the site.



Wastes volumes deposited and stored on Area A and C.

I understand from the Killoughery representative that a recent meeting has been held with Network Rail to discuss the potential instability of the wastes stored adjacent to the boundary of the railway line.

Network Rail has previously expressed concern to Bromley Planning Authority and the Environment Agency about wastes stockpiled close to the railway line, which could impact on Network Rail Infrastructure.

ACTION. Please update the Environment Agency of the results of this meeting and any remedial actions agreed and that have been taken.



Note

The height of the wastes stockpiled in Area A and Area C, should meet pre-settlement levels, shown on drawing No. ESID4 included in the permit and in accordance with permit condition 2.8.5.

We have been advised that a topographical Survey was undertaken at the end of 2021. A drawing was submitted, which was unclear and provided no details or explanation. Further explanation and narrative following the topographical survey has been requested which should reference the pre settlement levels detailed in drawing ESID4, referred to in permit condition 2.8.5.

Area B - Remaining void, remediation and processing of materials.

There was evidence of screening machinery, recent stockpiles of screened materials within Area B, (as shown in the photographs below)



*** Please note:**

- **The partial revocation Notice dated 26 July 2021 removed the receipt, handling, storage, treatment and disposal of waste materials from the Environmental Permit. As a result, none of those activities are currently permitted under the remaining conditions of current Environmental Permit.**
- **A new permit variation will need to be applied for and issued before any of the activities permitted previously can be undertaken.**
- **Any continuation of the activities revoked from the existing permit will result in further enforcement action being taken.**

Actions:

Cease any activities detailed above that are not permitted under the current environmental permit.

Storage of Wood and Vegetation

- We observed shredded wood and vegetative wastes stored on site. There was evidence of a leachate, leaching at the base of the material. This was flowing into a surface water pond located in a hollow adjacent to the area where the material was stored.



Action.

Remove all wood / organic material that is stored in the area identified in the photographs, to a suitably permitted facility.



Action.

There is potential that the leachate being released into the ponded area could cause pollution. Therefore, take an appropriate sample from the ponded area. Please provide the analytical results to the Environment Agency.

Fuel / Oil Storage.

We observed a number of containers that appeared to contained oil being stored outside the bunded area.

These drums were not contained within a bunded area or decanted into the adjacent oil tank.

One drum laying on its side, and there was evidence of oil leaking oil from the drum onto the ground.

An inspection of the on-site bunded fuel tank, showed that there was a quantity of liquid already present within the bund. You are reminded to maintain 110% capacity of the fuel stored within the bund.

All the above points were raised with the representative from Killoughery. He advised that the drums were due to be emptied and the oil removed off site. We advised that the oil leaking on the ground was required to be cleaned up and all drums must be placed in a bunded area to contain 110% of the volume of the capacity of the drums.



Action. Please provide a copy of your management plan, specifically related to the storage of fuels/oils within the permitted boundary within 7 days from receipt of this CAR form.

The following permit breaches were observed.

A)1. Permitted Activities – Specified by Permit.

Breach of condition 2.1.1. Schedule 1, table S1.1.

Evidence of Screening and processing activities having been carried out on the site which is not permitted currently under the environmental Permit. *

CCS3.

B)1. Infrastructure - Engineering for prevention and control of Pollution.

Breach of condition 2.7.3

No CQA validation report has been submitted to the Environment Agency confirming that the required basal and sidewall engineering has been emplaced prior to the disposal of waste in Area B, as shown on installation boundary plan ESID4.Rev.4.

CCS2.

C)3. General Management - Materials Acceptance

Breach of condition 2.8.1. Vegetation and shredded wood are stored on site and are not within the permitted waste types within Table 3.1 in Schedule 3 of the permit. Leachate is forming from these stockpiles and potentially contaminating surface water.

CCS3.

C)4. General Management - Storage Handling, labelling segregation.

Breach of condition 3.3.1. Fuel / waste oil drums are not stored within a secondary containment bund. One drum is on its side and leaking.

CCS3.

E)2. Emissions – Land and Water

Breach of condition 3.3.4. Unbundled oil drums stored on site. Oil is leaking from an oil drum laying on its side. Some oil is spilling onto the surface of the site.

CCS3.

E)3. Emissions to surface water.

Breach of condition 3.1.1. A large pond of surface water is being contaminated by a black liquid running off the stockpile of shredded wood and vegetation

CCS3.



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

Site	Bournewood Inert Landfill Site	Permit	210058
Operator/ Permit	Bournewood Sand And Gravel Ltd	Date	28 February 2022

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>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.</p>	<input type="checkbox"/>
<p>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.</p>	<input type="checkbox"/>
<p>We will now consider what enforcement action is appropriate and notify you, referencing this form.</p>	<input checked="" type="checkbox"/>

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	<ul style="list-style-type: none"> Cease all activities that were revoked within the Partial Revocation Notice dated 26 July 2021, and therefore not permitted under the current Environmental Permit. 	Immediately
B1	C2	<ul style="list-style-type: none"> Ensure compliance with permit condition 2.7.3, by demonstrating engineering is in place as required by this condition. 	Ongoing
C3	C3	Only accept permitted wastes within the waste types listed in the permit.	Ongoing
C4	C3	<ul style="list-style-type: none"> Ensure all liquids are stored within a secondary containment bund to prevent any pollution. Ensure the bund around the current oil tank can contain 110% of the volume of liquids contained within the tank. Provide a copy of your management system which covers storage of liquids, including fuel and oils within the site boundary. 	Immediately
E2	C3	<ul style="list-style-type: none"> Clean up any spillages to prevent pollution of the environment. Ensure all drums are standing upright, not leaking and stored within a contained secondary containment bund. 	Immediately
E3	C3	<ul style="list-style-type: none"> Prevent further contamination of surface water from the black coloured liquid entering the pond from the shredded wood stockpile. Take samples of the surface water pond and provide analytical results to the Environment Agency. Following sampling of the surface water pond and the receipt of analytical results, arrange for a tanker to remove the surface water within the pond, and provide duty of care waste transfer notes to the Environment Agency, showing the suitable disposal of this surface water. 	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

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.

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 you are unable to resolve the issue with your site officer, you should firstly discuss the matter with the officer's line managers. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 03708 506 506 (Mon to Fri 08.00–18.00) and ask for the Customer Contact team or send an email to enquiries@environment-agency.gov.uk. If you are still dissatisfied, you can make a complaint to the Ombudsman. For advice on how to complain to the [Parliamentary and Health Service Ombudsman](#) phone their helpline on 0345 015 4033.