



Site Address	New Farm, Froyle Lane, South Warnborough, Hook, RG29 1SH.				<b>Exemption Reference</b>	<b>WEX241439</b>	
Operator/ Exemption holder	T.G. Porter						
Number of registered activities at time of assessment	1	Date	29 May 2020	Time in	N/A	Out	N/A
Recipient's name/position	T.G. Porter; Site Operator. M. Thompson; Mike Thompson Partnership Ltd.						
Officer's name	William Edwards						

### Section 1 - Exemption Assessment

Key to abbreviations: N/A – Not Assessed, FIR – Further investigation required.  
For exemption activity descriptions see Section 5 at end of document.

Exemption	Status	Compliance			Harm	Activity Result
		Limits	Waste	Conditions		
S2	In use and assessed for RPSC17	N/A	N/A	Assessment of whether storage limit can be exceeded under RPSC17	None	Document only check indicates compliant with RPSC17

### Section 2 – Inspection Notes and Critical Observations

#### RPS C17

Regulatory position statement RPS C17: *Covid-19 and storing waste at unpermitted sites due to exceeding your storage limits*. This RPS details when you can temporarily store waste at an unpermitted site or exceed registered waste exemption storage limits as a result of coronavirus (COVID-19) restrictions.

This RPS only applies:

- To waste you are already allowed to handle under the waste exemption S2 that you have registered.
- Where you can demonstrate that you have taken all reasonable steps to avoid relying on this COVID-19 RPS.

On 24 May 2020 you requested permission to use RPS C17 to exceed registered waste exemption storage limits under the S2 exemption (WEX241439) at New Farm, Froyle Lane, South Warnborough, Hook, RG29 1SH.

**I confirm that you are now permitted to use RPS C17 under the above registered exemption until 30 September 2020 when this RPS expires. By this date you must have removed all waste from the site or removed enough waste to comply with your registered exemption.**

**You must comply with all the procedures, working methods etc., set out in the application document – MHTPNF20-01; V2; dated 29 May 2020 and appendices 1 – 8 attached to that document.**

## You must also

- have written agreement from the landowner to store waste on the site before you start doing so, if you are not the landowner
- store all waste within an agreed site boundary
- keep all storage areas secure to prevent unauthorised access
- make sure that you store waste in a way that meets the objectives of current fire prevention guidance
- have a written system in place to prevent, detect, contain and mitigate fires
- make sure you remove all waste from the site, or remove enough waste to comply with your registered exemption, as soon as possible - and in all cases by the expiry date of this COVID-19 RPS

You must also carry out a written risk assessment and identify how any risks will affect people and the environment. You must take all reasonable steps to mitigate those risks. If you cannot manage the risks, the site is unsuitable and you cannot use it to store waste under this COVID-19 RPS.

You must keep records for 2 years to show how much waste is stored at any one time. Include the associated waste codes and waste descriptions. You must make these records available to the Environment Agency on request.

## You must not store:

- waste types that are not authorised in your permit or under your registered waste exemption
- at any one time, more waste than we have agreed with you
- a different type of waste than we have agreed with you
- waste for longer than is needed unless we have agreed to this in writing
- You must make sure that your activity does not endanger human health or harm the environment. You must not:
  - cause a risk to water, air, soil, plants or animals
  - cause a nuisance through noise or odours
  - adversely affect the countryside or places of special interest

Please, see the following link for more information on RPS C17:

<https://www.gov.uk/government/publications/covid-19-and-storing-waste-at-unpermitted-sites-due-to-exceeding-your-storage-limits-rps-c17/covid-19-and-storing-waste-at-unpermitted-sites-due-to-exceeding-your-storage-limits-rps-c17>

## Section 3 – Action

You must take immediate action to rectify any non-compliance and prevent repetition.

Non-compliance with the exemption conditions constitutes an offence and can result in criminal prosecutions and/or revocation of the exemption. The action required by you is summarised in this section.

Our enforcement action is also identified. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

Activity	CICS Category	Action Required by the Operator	Due Date	Recommended Action	Registration Action
S2	Compliant	None		None	None

## Section 4 – Notes to the recipient

This compliance assessment report may highlight non-compliance with the waste exemption(s) registered, as observed by the Environment Agency officer.

This does not relieve you of your responsibility to comply with the limits and conditions set out in the exemption(s) registered and to prevent pollution of the environment. You are reminded that:

- You should comply with the conditions of the exemption at all times;
- You should comply with the objectives of Article 13 of the Waste Framework Directive at all times;
- Compliance with the exemption criteria and relevant objectives does not remove your obligation to comply with any other legislative provision which may apply.

**The objectives of Article 13 are: The waste must be recovered or disposed of without endangering human health or causing harm to the environment and in particular without:-**

- Risk to water, air, soil, plants or animals
- Causing nuisance through noise or odours
- Adversely affecting the countryside or places of special interest

### Advice and guidance

We will normally provide advice and guidance to assist you to come back into compliance. This is without prejudice to any enforcement response that we consider may be required.

### Enforcement Action

Operating outside any of the conditions of an exemption means the activity is no longer an exempt facility. We may remove the exemption from the register. We may take enforcement action for the offence of operating without a permit. This may include:

- Warning: A warning is our minimum enforcement response and this may be escalated should further information come to light.
- Service of notice to remove waste.
- Formal caution/prosecution. Depending on the offence the penalties imposed by a Court can include substantial fines and even imprisonment.

We have published our Enforcement and sanctions statement and guidance, which seeks to achieve a consistent approach to enforcement across all our regulated activities.

## Understanding the Common Incident Classification Scheme (CICS)

This scheme categorises incidents according to their environmental impact. The table below provides the four classifications and their impact on the environment. If you wish to discuss further any comments made by the officer on this form, contact your local area office or for more details of the CICS scheme, see the Environment Agency's website or contact your local office.

### Non-compliance scores and categories

CICS category	Description
1	A non-compliance which could have a <b>major</b> environmental effect
2	A non-compliance which could have a <b>significant</b> environmental effect
3	A non-compliance which could have a <b>minor</b> environmental effect
4	A non-compliance which has <b>no</b> potential environmental effect

### 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
- 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.

### 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 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.

### Section 5 - Key to Exemption Activity Codes

Code	Description
D1	Deposit of waste from dredging of inland waters; Deposit of waste from dredging of inland waters on a linear networks
D6	Disposal by incineration
D7	Burning waste in the open
S2	Storage of waste in a secure place
S3	Storage of sludge
T1	Cleaning; washing; spraying or coating relevant waste
T23	Aerobic composting and associated prior treatment
T32	Treatment of waste in a biobed or biofilter
T6	Treatment of waste wood and waste plant matter by chipping; shredding; cutting or pulverising
U1	Use of waste in construction; Use of waste in construction on a linear networks
U10	Spreading waste on agricultural land to confer benefit
U12	Use of mulch; Use of mulch on a linear network
U13	Spreading of plant matter to confer benefit
U14	Incorporation of ash into soil
U4	Burning of waste as a fuel in a small appliance
U8	Use of waste for a specified purpose

[For more information on the exempt activities shown above follow this link](#)