

Compliance Assessment Report

Report ID:
CAR_NRW0034183

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

Site			Permit Ref	WA/065/0001/007	
Operator/Permit holder	Gors Hydro Cyf				
Regime	Water Abstraction				
Date of assessment	20/07/2018	Time in	14:45	Out	15:30
Assessment type	Site Inspection				
Parts of the permit assessed	Permit compliance				
Lead officer's name	Thomas, Llyr				
Accompanied by					
Recipient's name/position	Gors Hydro Cyf/ Owner of licence	Date issued	14/11/2018		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). 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	CCS Category	Condition(s) breached
A1 - Specified by permit	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
------------------------------------	----------	---------------------------------------------------------------------	----------

If the Number of breaches recorded is greater than zero, please see Section 3 for 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 (eg. 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 advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

On the 20/07/2018, I, Llyr Thomas Environment Officer for Natural Resources Wales undertook a regulatory assessment inspection of the impounding structure for abstraction no: WA065/0001/007.

The weather was fair, but the preceding 2 months had been near drought conditions, therefore it was very low flows.

The structure looked generally in good condition. There was some build-up of organic matter on the intake screen, but flows had been low for several weeks and likely not been abstracting and consequently not maintained. There was a build-up of gravel and rocky material on river right near the compensation flow notch.

I spoke to the landowner briefly after the inspection to ask if he was having any issues and he explained that he didn't extract if flows were too low. I explained to him over the phone that I had found no non-compliance but failed to mention the possible issues with the build-up of gravel on the compensation flow notch.

CONDITIONS:

9.1 and 9.2: The structure was measured and has been built in accordance with the specification and drawings (Impoundment licence serial number WA/065/0001/009. This was done using a measuring tape and a spirited leveller. the structure was level. Plunge pool was sufficiently deep, the screen sizing and spacing was correct, the GPS location of the structure was correct (SH758359 recorded on GPS app on phone), and a rocky ramp was present. The only observed inconstancy with the schematics is the compensation flow notch was larger than required. It was meant to be 1500mm but was 1550mm. However, this means more flow in the depleted reach which is environmentally beneficial and was somewhat counteracted by a build-up of gravel on river right. The gravel might be present because of prolonged low flow and a lack of potential energy / scouring (see pictures 1, 2 and 3).

9.3: The flow was too low and was only flowing through the hands-off notch.

9.4: Due to access issues and health and safety, i.e. there was no safe place to park and walk along the busy highway, I could not assess the outfall.

9.5: All flow was flowing through the hands off V-notch flow, and no abstraction was taking place. There was an appropriate, moveable iron blocker in place to ensure a 50/50 split flow as of the condition to have a variable abstraction percentage above 8 l/s (see picture 4).

9.6: Screen with correct sized apertures (see picture 5).

9.7: Could not access this to assess and I did not ask to see any records.

9.8 – 9.10: Not applicable

ACTION POINT: Scrape back / Clear the gravel from the compensation flow notch to allow the water level to be the same as the abstraction notch as soon as reasonably possible.

Please feel free to contact me for further discussion



Photo 1: General overview of the impoundment structure.



Photo 2: Gravel build up on the compensation flow section possibly minimising the flow



Picture 3: Gravel and stone build artificially raising the level of the compensation flow which will reduce the compensation flow proportionally to the abstraction notch flow.



Picture 4: Showing the blocking of the abstraction notch to ensure a 50/50 split flow.



Picture 5: Appropriate sized screen and screen spacing.

G. Llyr Thomas BSc, MSc, AMIEnvSc
[Swyddog Amgylcheddol](#) / Environment Officer
[Siaradwr Cymraeg](#)
[Cyfoeth Naturiol Cymru](#) / Natural Resources Wales
[Adeiladau'r Llywodraeth](#)
[Ffordd Pont yr Arran,](#)
[DOLGELLAU.](#)
[LL40 1LW](#)
[0300 0655254](#)
[07717421260](#)
geraint.l.thomas@cyfoethnaturiolcymru.gov.uk

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0034183**

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

Site		Permit Ref	WA/065/0001/007
Operator/Permit holder	Gors Hydro Cyf	Date	20/07/2018

Section 3 – Enforcement Response

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.

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.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			

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 verbally or 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.

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 that 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 Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW 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 (eg. 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
- Assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Regulations request

The NRW 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 NRW 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 fifteen working 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 officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.