

Compliance Assessment Report CAR_NRW0040408

Permit being assessed: CG0151702

For: Hafan Y Mor Holiday Park, held by Bourne Leisure Ltd

At: Hafan Y Mor Holiday Park, Chwilog, Pwllheli, Gwynedd, LL53 6HX.

Type of assessment carried out: Site Inspection, Reason: Incident Response (Incident number: 2202513).

On 02/09/2022, between 10:00 and 12:15.

Parts of permit assessed: 2.2 The Site

NRW Lead Officer: Simon Roberts, accompanied by: Euryr Roberts.

Report sent to: Denise Bossons, General Manager, on 26/09/2022.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-C1 - Emissions and monitoring - Emissions to water	C3 Minor	A non compliance with permit condition 2.2 The site - 2.2.1 The discharge activities shall take place at the discharge point marked on the site plan at schedule 7 to this permit, and as listed in table S3.2

Result types are explained in more detail in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
WQ-C1	Ensure compliance with permit conditions, in that discharge only occurs at permitted discharge point outlined in table S3.2 of permit.	01/03/2023

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

This Compliance Assessment Report (CAR) form is being issued in regards to a non-compliance of Permit Condition 2.2 The site -

2.2.1 The discharge activities shall take place at the discharge point marked on the site plan at schedule 7 to this permit, and as listed in table S3.2.

On the 19th of August 2022 and 2nd of September 2022 Natural Resources Wales (NRW) undertook a site visit to Hafan Y Môr Holiday Park, Chwilog, following pollution incident reports claiming that sewage discharges were being made into a watercourse at Hafan y Môr. During the site visit on the 2nd of September a substantial amount of liquid was seen discharging from a black corrugated discharge pipe into a unnamed watercourse. The liquid appeared slightly turbid.

The report of unpermitted discharges had earlier been raised as a concern to Hafan y Môr, which resulted in the investigation into discharges from the black corrugated pipe into the watercourse.

It has since been confirmed (email dated 21st July 2022) that this black corrugated pipe is acting as an emergency overflow from the head of the outfall, which should be to sea at SH 44404 35985.

It is suspected that the diffuser at the end of the outfall which prevents sediments and sand from entering the pipe together with decent dispersal of the flows down the pipe has been lost together with the marker buoy. In the absence of the diffuser, it is suspected that the outfall has become blocked. Due to the high possibility of the outfall blockage, treated final effluent is now discharging to the watercourse from the unpermitted black corrugated discharge pipe.

Seeing as Hafan y Môr's permitted discharge point for secondary treated sewage effluent is via the outlet into the sea at SH 44404 35985, any discharge into the watercourse via the black corrugated discharge pipe would constitute an unpermitted discharge and therefore an offence under **Regulation 38(1)(a)** of the **Environmental Permitting (England and Wales) Regulations 2016**, which would be to -

"(a)contravene regulation [12\(1\)](#)," -

Regulation 12(1): Requirement for an environmental permit

12.—(1) A person must not, except under and to the extent authorised by an environmental permit—

(b)cause or knowingly permit a water discharge activity or groundwater activity."

Although as has been previously stated, the unpermitted discharge into the unnamed

watercourse from the black corrugated pipe is secondary treated sewage effluent and not crude sewage, NRW do remain concerned about the impact this discharge is having on the receiving watercourse as well as any amenity impact on the Hafan y Môr beach.

Water Quality samples taken during the site visit on the 19th of August 2022 and 2nd of September 2022 have provided the following results -

Date	Sample	Suspended	Ammonia	BOD
		Solids (mg/l)	(mg/l)	(mg/l)
19/08/2022	Sample 25440 - UPSTREAM	7	0.039	3
	Sample 25441 - DOWNSTREAM	17	5.11	3.22
02/09/2022	Sample 25406 - Discharge from pipe	42	62.5	45

Although sample 25406 taken on the 2nd of September 2022 was of the effluent discharging from the black corrugated pipe and was not taken from the official final effluent sampling point at SH 43759 37067 we are concerned with the high Ammonia result and the BOD result, which would be above the permitted BOD limit of 40mg/l had the sample been taken at the official sampling point.

The incident has been categorised as 'low level to water' on WIRS, NRW's incident recording system, and has been given a CCS category 3 (a non-compliance which could have a minor environmental impact).

NRW appreciate the effort thus far undertaken by Hafan y Môr to investigate this non-compliance, and Bourne Leisure's understanding of the utmost prioritisation in rectifying this unpermitted discharge.

NRW also note 'Bratherton Park Design Consultants' (acting on behalf of Bourne Leisure and Hafan y Môr) action plan/list of steps submitted to NRW on the 7th of September 2022.

As part of this Compliance Assessment Report Form we would like to request, and as a next stage to the 'action plan', that Bourne Leisure provide NRW with a clear timeframe for the proposed steps, so that any progress can be monitored against the expected timeframe. Although we appreciate the complexity of the required work and difficulty in coming up with a realistic timeframe, we nevertheless consider the creation and submission of a timeframe to be essential in ensuring that the work of stopping the unpermitted discharge is given constant priority and so that NRW can be satisfied that any necessary works are progressing as intended.

We would appreciate that this timeframe could be provided to NRW at your earliest convenience, and no later than 31st October 2022.

We would also ask that Bourne Leisure investigate the high Ammonia and BOD results provided by sample 25406 on the 2nd of September 2022. What is the cause of these elevated results, and although within the consented limits, what could be the cause of the suspended solids seen in the discharge?

We would also request, as mentioned in the above action table, that every effort is given to rectify the issues to stop any unpermitted discharges at Hafan y Môr by the 1st of March 2023 (the start of the new 2023 season).

We would appreciate if you could keep us updated on any progress made.

Please note any reference within the CAR/ permit to the Environment Agency means Natural Resources Wales.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm to the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

If your assessment result in Section 1 is suspended, what does this mean?

In line with our guidance, we may suspend non-compliance for up to six months to allow time for remedial action to be taken. These will be re-instated if the action is not completed.

Full list of water quality action criteria (used in section 1 and 2):**WQ A: Management**

- WQ-A1 General management

WQ B: Operations

- WQ-B1 Permitted activities
- WQ-B2 The site
- WQ-B3 Operating techniques
- WQ-B4 Improvement programme
- WQ-B5 Pre-operational conditions

WQ C: Emissions and monitoring

- WQ-C1 Emissions to water
- WQ-C2 Emissions to land
- WQ-C3 Emissions of substances not controlled by emission limits
- WQ-C4 Installation of monitoring boreholes

WQ D: Information

- WQ-D1 Records
- WQ-D2 Reporting
- WQ-D3 Notifications

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be

added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.