

## Compliance Assessment Report CAR\_NRW0042911

**Licence being assessed:** 21/58/44/0031.

For: Fish farming at Hillside Fisheries, Bridgend, held by Maidenhead Aquatics.

At: .

**Type of assessment:** Audit, Reason: Routine.

On 30/11/2023, between 13:30 and 14:00.

Parts of licence assessed: All

**NRW Lead Officer:** Paul Latham, accompanied by Sion Evans.

**Report sent to:** Max Gear, Permit Holder, on 21/12/2023.

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

| Part of licenced activity assessed (criteria)                         | Assessment result | Licence condition |
|---|-------------------|-------------------|
| WR-B2 - Abstraction measurement and records - Recording               | C3 Minor          | 7                 |
| WR-B1 - Abstraction measurement and records - Means of measurement    | C3 Minor          | 8                 |
| WR-B2 - Abstraction measurement and records - Recording               | C3 Minor          | 9                 |
| WR-A8 - Abstraction specified by licence - Other specified on licence | C3 Minor          | 10.5              |

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

### 2. What action is required?

| Criteria | Action needed   | Complete by |
|----------|---|-------------|
| WR-B2    | Install a meter to accurately record quantities abstracted.   | 22/01/2024  |
| WR-B1    | Install and maintain a meter to record the quantities of water abstracted as per condition 8 of your license. | 22/01/2024  |
| WR-B2    | Carry out actions to comply with condition 9 of your license.   | 22/01/2024  |
| WR-A8    | Remove gateboard when not abstracting as shown in condition 10.5  | 22/01/2024  |

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 or civil sanctions being imposed depending on the circumstances of the offence.

**At this time, we do not intend to take any further action.**

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

Thank you to Mr Watkins for taking the time to facilitate our unannounced regulatory inspection on 30 November 2023.

Below is our observations, details of any non compliances recorded and any required actions.

On Thursday the 30th November 2023, Officers Latham and Evans undertook a permit inspection of permit 21/58/44/0031 . Officers were met by Manager, Mr Watkins. The weather was windy and overcast.

During the visit Mr Watkins escorted us to the abstraction point and witnessed us take photos and NGRs of the abstraction point and gateboard.

As discussed at the time, there is a requirement for the license holder to have a meter in place to record the volume of water abstracted, and you were uncertain if one was currently being used.

Condition 8 of the license states that:

### **8. MEANS OF MEASUREMENT OF WATER ABSTRACTED**

#### 8.1.

*The licence holder shall use a meter to measure quantities of water abstracted. The licence holder shall provide and install the meter before any abstraction takes place. The licence holder shall position and install the meter in accordance with any written directions given by the Agency. The licence holder shall maintain the meter in a condition so as to measure quantities of water abstracted accurately and efficiently, shall calibrate it regularly, in accordance with the recommendations of the manufacturer or at any time when required by the Agency, and shall replace it as necessary. The licence holder shall retain evidence of current certification for inspection by the Agency.*

Could you please confirm if you have a meter or not as we will also require volumes of water abstracted over this calendar year, 01/01/2023 – 30/11/2023. This is also a condition of your license as shown in condition 7 and 9.

### **7. MAXIMUM QUANTITY OF WATER TO BE ABSTRACTED DURING THE SPECIFIED PERIOD**

*31.5 cubic metres per hour*

*315.0 cubic metres per day*

*9000.0 cubic metres per year*

## **9. RECORDS**

*9.1. The licence holder shall take and record readings of the meter specified in condition 8.1 at the same time each day during the whole of the period during which abstraction is authorised or as otherwise approved in writing by the Agency.*

*9.2. A copy of the record or summary data from it as requested by the Agency shall be sent to the Agency within 14 days of being so directed in writing by the Agency.*

*9.3. Each record shall be kept and be made available during all reasonable hours for inspection by the Agency for a period of not less than 7 years.*

**Condition 10.5** is also worth bringing to your attention for the purpose of compliance.

*10.5. The licence holder shall remove the gateboard when abstraction is not authorised and when abstraction is not taking place.*

An email was sent to [hillside@maidenheadaquatics.co.uk](mailto:hillside@maidenheadaquatics.co.uk) on 5/12/23 requesting information prior to completing this compliance report, but the requested information was not received by NRW.

### **Actions:**

- 1: license holder to install and maintain a meter to enable accurate recordings of abstraction volumes as per conditions 7 and 8 of the license.
- 2: license holder to comply with condition 9 of the license and provide evidence of this.
- 3: license holder to comply with condition 10.5 of the license.

Please provide evidence of completion of the actions before 22nd January 2024

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 licence is issued to you under the Water Resources Act 1991 as amended by the Water Act 2003. You have a responsibility to comply with the conditions of your licence 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.

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 resource action criteria** (used in section 1 and 2):**WR A: Abstraction specified by Licence**

- WR-A1 Source of supply
- WR-A2 Points of abstraction
- WR-A3 Means of abstraction
- WR-A4 Purposes of abstraction
- WR-A5 Period of abstraction
- WR-A6 Quantities
- WR-A7 Land
- WR-A8 Other specified on licence

**WR B: Abstraction measurement and records**

- WR-B1 Means of measurement
- WR-B2 Recording
- WR-B3 Reporting

**WR C: Surface / Groundwater level and protected flow**

- WR-C1 Minimum hands-off flow/level requirements
- WR-C2 Flow/level measurement devices
- WR-C3 Recording
- WR-C4 Reporting

**WR D: Environmental monitoring and information**

- WR-D1 Recording
- WR-D2 Reporting
- WR-D3 Notifications

**WR E: Fish and eel passage**

- WR-E1 Infrastructure specified by licence
- WR-E2 Maintenance and records

**WR F: Discharge**

- WR-F1 Point of discharge
- WR-F2 Infrastructure
- WR-F3 Measurement
- WR-F4 Recording
- WR-F5 Reporting

**WR G: Impoundment specified by licence**

- WR-G1 Inland water to be impounded
- WR-G2 Manner and extent of impoundment
- WR-G3 Point(s) of impoundment
- WR-G4 Construction and removal requirements
- WR-G5 Other specified on licence

**WR H: Borehole infrastructure**

- WR-H1 Infrastructure and accessibility
- WR-H2 Maintenance and calibration

**Enforcement response**

Any licence condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution or civil sanctions. 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 (Mon to Fri 08:00 – 18:00), or email [enquiries@naturalresourceswales.gov.uk](mailto: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](mailto: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.