Compliance Assessment Report

Report ID: CAR_NRW0033835

This form will report compliance with your permit as determined by an NRW officer					
Site	Abstraction from borehole at Penllyn	Permit Ref	21/58/21/0018		
Operator/Permit holder	Penllyn Estate Farm Partners				
Regime	Water Abstraction				
Date of assessment	09/08/2018	Time in	13:40	Out	14:30
Assessment type	Site Inspection				
Parts of the permit assessed	Abstraction licence				
Lead officer's name	Lewis, Kirsty				
Accompanied by	Falk, Tamarind				
Recipient's name/position	Andrew Shackell/ Estate Manager	Date issued	14/09/2018		

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	C3	(g) Means to be used for measuring or assessing quantities of water authorised by this licence to be abstracted. A meter shall be provided, installed and used by the licence holder to measure quantities of water abstracted to the satisfaction of the authority. The meter shall be maintained and tested in accordance with the requirements specified.
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C4	Part III (h): Readings of the meter(s) specified in section (g) above shall be taken and recorded by the licence holder at the same time each month. Each record shall be kept and be made available during all reasonable hours for inspection, by a duly authorised officer of the

		Authority, for a period of not less than two years.

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	**2**	**Total compliance score** (see section 5 for scoring scheme)	4.1

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

Visit/Report/Comments

Environment Officers Kirsty Lewis and Tamarind Falk visited Penllyn Estate Farm on 9th August 2018 at 13.40 to undertake an inspection of Abstraction Licence 21/58/21/0018 given the recent dry weather spell. The estate manager directed officers to the location of the borehole as stipulated in the permit where the abstraction is permitted to take place. Use is for domestic and agricultural.

On starting the inspection,the borehole was inaccessible and located within a sealed and locked shed therefore means of abstraction unable to be inspected. It is a requirement for this to be accessible.

There was two meters on the pipework that were not installed to required guidelines to ensure accurate readings with one pipe being unmetered entirely. It was noted that there was a leaking pipe which needs rectifying.

On inspecting the meters itself serial number M17 1383. They were clearly visible and accessible. The figures on the meter confirmed the quantities abstracted were within compliance with the permit but this does not take into account the extra pipework before the meters. No records kept after November 2017 to assess compliance of the specified abstraction amounts per hour/day/year.

Breaches of permit conditions

1. Condition (h) = Readings of the meter(s) specified in section (g) above shall be taken and recorded by the licence holder at the same time each month. Each record shall be kept and be made available during all reasonable hours for inspections, by a duly authorised officer of the Authority, for a period of not less than two years.

2. Condition (g) = Means to be used for measuring or assessing quantities of water authorised by this licence to be abstracted. A meter shall be provided, installed and used by the licence holder to measure quantities of water abstracted to the satisfaction of the authority. The meter shall be maintained and tested in accordance with the requirements specified.

Actions

1. Records of abstraction as per condition (h) always to be available for inspection.

2. Borehole always available for inspection.

3. Rectify the leaking pipe.

4. One certified water meter is required to capture all water abstracted from the borehole, and should be placed as per guidelines (a copy is enclosed for your records) and/or place one meter to capture all water abstracted from the borehole before filtering off to separate pipework.

Deadline Thursday 1st November 2018

Please contact Kirsty Lewis (kirsty.lewis@cyfoethnaturiolcymru.gov.uk) if you have any queries regarding this report.

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Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0033835**

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Site	Abstraction from borehole at Penllyn	Permit Ref	21/58/21/0018
Operator/Permit holder	Penllyn Estate Farm Partners	Date	09/08/2018

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			
G1	C4	When abstracting, monthly records to be taken and recorded. Submit monthly records for two months upon receipt of this CARS form.	22/10/2018
A1	C3	Ensure the unmetered pipe becomes metered. In addition, to the two current meters adhering to the correct guidelines to give an accurate metered reading,	01/11/2018

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.