

Compliance Assessment Report CAR_NRW0043238

Licence being assessed: WA/062/0002/0006.

For: Llandysul Paddlers Canoe Training Lake, held by Llandysul Paddlers Canoe Centre Ltd.

At: Canolfan Ceufad Llandysul Paddle, Pont Tyweli, Llandysul, Carmarthenshire, SA44 4AA.

Type of assessment: Site Inspection, Reason: Routine.

On 07/07/2023, between 09:00 and 17:00.

Parts of licence assessed: 1 through to 5, 9.1 & 9.2

NRW Lead Officer: James Slowgrove.

Report sent to: Llandysul Paddlers Canoe Centre Limited, Company Secretary, on 02/02/2024.

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

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
WR-C1 - Surface/groundwater level and protected flow - Minimum hands-off flow/level requirements	C3 Minor	9.1 (i) No abstraction of water shall take place unless the level in the Afon Teifi as measured at Llanfair Monitoring Station is equal to or greater than 0.3 metres
WR-C2 - Surface/groundwater level and protected flow - Flow/level measurement devices	C3 Minor	9.1 (ii) No abstraction shall take place unless the Licence Holder has provided and installed a gauge board.
WR-E1 - Fish and Eel passage - Infrastructure specified by licence	C3 Minor	9.2 (i) No abstraction shall take place unless the Licence Holder has installed a fish screen with spacing no greater than 5 millimetres to the two inlet pipes and manual water pump to prevent entrapment, entrainment or impingement of fish at the point of abstraction.

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

2. What action is required?

Criteria	Action needed	Complete by
WR-C1	Ensure abstraction does not take place outside of licence conditions. See comments section.	29/02/2024
WR-C2	Install gauge board to ensure abstraction takes place within licence conditions.	31/03/2024
WR-E1	Install fish screens on all abstraction points.	29/02/2024

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.

You are non-compliant with your licence.

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

As you are aware Environment Officers from Natural Resources Wales inspected the abstraction licence operated by Llandysul Paddlers Canoe Centre Limited on 5th and 7th July 2023. Several breaches of the abstraction licence conditions were identified during these visits. We have brought these breaches to your companies attention in our letter of the 8th August 2023. We are now issuing this compliance report warning in response to these identified breaches. Action requirements are detailed to bring the operations into compliance with the licence conditions.

Condition 9.1 (i) states no abstraction of water shall take place unless the level in the Afon Teifi as measured at Llanfair Monitoring Station is equal to or greater than 0.3 metres. During our inspection on the 5th and 7th July 2023 the level at Llanfair Monitoring station was below 0.3 metres, with levels being 0.225 and 0.213 metres respectively. However an abstraction was still taking place at the time of our visit.

Conditions 9.1 (ii) to 9.1(v) require a gauge board to be installed and calibrated before any abstraction commenced. There was no gauge board installed at the time of our inspections on 5th and 7th of July 2023.

Condition 9.2 (i) No abstraction shall take place unless the Licence Holder has installed a fish screen with spacing no greater than 5 millimetres to the two inlet pipes and manual water pump to prevent entrapment, entrainment or impingement of fish at the point of abstraction. During our inspection on the 5th and 7th July 2023 there was an abstraction

taking place via one inlet pipe, no fish screen was in place.

If the company believes that the licence does not reflect the business operations then you should consider the need to vary the abstraction licence. Please note that any works that could impact on the watercourse are likely to require a Flood Risk Activity Permit. Details of these permitting processes can be found on our website.

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 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.