

## Compliance Assessment Report CAR\_NRW0043752

**Permit being assessed:** WB3293HB

For: TY NEWYDD COUNTRY HOTEL, held by Lumina Investments Limited

At: PENDERYN ROAD, HIRWAUN, ABERDARE, RHONDDA CYNON TAFF, CF44 9SX.

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

On 20/02/2024, between 11:30 and 13:15.

Parts of permit assessed: All

**NRW Lead Officer:** Callum Murray, accompanied by: Ceri Malone.

**Report sent to:** Gemma Price, Reception, on 15/03/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-A1 - Management - General management	C3 Minor	1.1.1(a)
WQ-D1 - Information - Records	C3 Minor	1.1.2
WQ-C2 - Emissions and monitoring - Emissions to land	C3 Minor	S3.1

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

### 2. What action is required?

Criteria	Action needed	Complete by
WQ-A1	Produce/provide a written management plan	10/05/2024
WQ-D1	Provide records of servicing and maintenance, and make them available on site	10/05/2024
WQ-C2	Investigate and remedy the cause of the emission limit breach	10/05/2024

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 and/or suspension or revocation of your permit.

**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

**20/02/24**

Officers Callum Murray and Ceri Malone carried out a compliance inspection visit at the Ty

Newydd Country Hotel, Penderyn Rd, Hirwaun, Aberdare. The weather was dry with occasional light showers.

Upon arrival, receptionist Gemma Price informed us that there was no manager present at the site and therefore nobody with knowledge of the permit or able to show us the Package Treatment Plant (PTP).

No written management plan, monitoring or maintenance records were supplied at the time of visit, breaching sections 1.1.1(a) and 1.1.2 of the permit.

A 2L gen sample was taken from the sample point of the PTP for analysis. This was split equally by Callum Murray into 2 x 1L Gen bottles. Gemma Price chose one at random to keep, so Ty Newydd could conduct their own analysis if they chose to do so.

Results from NRW's analysis show the sample to contain 22.2mg/L of Ammonia (N). This is in breach of the 20mg/L permitted limit. Results also showed a BOD reading of 415mg/L, and a COD reading of 970mg/L. Although these parameters are not permitted, these high readings indicate the Package Treatment Plant is not working as intended.

**Actions:**

- Provide a written management plan that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents and incidents
- Provide records of all maintenance and servicing carried out for the last 6 years.
- Investigate and fix the cause of the breach of permitted limits.

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](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.