

## Compliance Assessment Report CAR\_NRW0043913

**Licence being assessed:** 24/67/5/0081.

For: Kronospan Ltd abstraction from Llangollen canal, held by Canal and River Trust.

At: .

**Type of assessment:** Site Inspection, Reason: Routine.

On 21/03/2024, between 11:00 and 12:00.

Parts of licence assessed: 2.1 - points of abstraction. 6.1 - Quantity limits 7 - means of measurement. 8 records and reporting

**NRW Lead Officer:** Philip Barrett, accompanied by Victoria Griffin, Julian Whitehead.

**Report sent to:** Helen Cook, Contact for licence holder (Canal and River Trust), on 05/04/2024.

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

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
WR-A2 - Water Abstraction - Abstraction specified by licence - Points of abstraction	C4 No impact	2.1 Points of abstraction - Marked as 'point A' and 'point B' on the licence map
WR-A6 - Water Abstraction - Abstraction specified by licence - Quantities	Assessed (A)	
WR-B1 - Water Abstraction - Abstraction measurement and records - Means of measurement	Assessed (A)	
WR-B2 - Water Abstraction - Abstraction measurement and records - Recording	Assessed (A)	
WR-B3 - Water Abstraction - Abstraction measurement and records - Reporting	Assessed (A)	

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

### 2. What action is required?

Criteria	Action needed	Complete by
WR-A2	Confirm what infrastructure is in place. Are there 2 points of abstraction as per the licence? Ensure flow of water observed on the bank is not leaking from the pipe at the point of abstraction.	01/06/2024

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

A visit was carried out on the 21st March 2024 to the abstraction that takes place from the Llangollen canal for use in production by Kronospan under licence 24/67/5/0081.

The reason for the visit was a result of the abstraction returns portal flagging up an annual over abstraction for the returns submitted for 2019 to 2020, 2020 to 2021, 2021 to 2022 and 2022 to 2023.

The visit found that the abstraction is operated by the Kronospan site. The water is pumped to a holding tank before being treated for use as process water and for evaporative cooling. The inlet meter was observed to have a reading of 5079047 m<sup>3</sup>. Pumping was taking place at the time, with the meter showing a flow of 62.183 m<sup>3</sup> per hour, which is below the 66.7 m<sup>3</sup> per hour in the licence. This equates to an instantaneous flow of 17.27 litres a second, which is below the 18.53 litres a second in the licence.

Daily meter readings are recorded by the site in line with condition 8.1:

*The licence holder shall take and record readings of the meter specified in condition 7 at the same time each day during the whole of the period during which abstraction is authorised or at other such intervals as may be approved by the agency in writing.*

The spreadsheet that the readings are entered onto will flag up any abstraction quantity that is above 1,000 cubic metres a day. This is below the 1,600 cubic metres a day in the licence, which shows the precautionary approach the site take to complying with the licence.

The previous 2-3 months of records were checked during the visit and found that the abstractions flagged by the spreadsheet were below the licence daily limit of 1,600 cubic.

The annual quantity limit in the licence is 475,800 cubic metres.

The annual abstraction quantity and resulting over abstraction in the returns report were:

2019 to 2020 - 814,096 cubic metres  
2020 to 2021 - 541,776 cubic metres  
2021 to 2022 - 765,632 cubic metres  
2022 to 2023 - 701,616 cubic metres

Upon review, the actual submitted returns data to the portal were significantly lower, as follows:

2019 to 2020 - 407,048 cubic metres.  
2020 to 2021 - 270,888 cubic metres.  
2021 to 2022 - 382,816 cubic metres.  
2022 to 2023 - 350,808 cubic metres.

These are all below the annual quantity limit of the licence and therefore should not be flagged in the report as an over abstraction.

A check of the portal system has found that the quantities were multiplied in error. The reason for this is that the licence is shown to have 2 points of abstraction. The system has incorrectly taken this into account and multiplied the returns data by 2.

On the 3rd April 2024, a check was carried out of the points of abstraction. It appears that there is only 1 point of abstraction in place.

Please can you confirm how many points of abstraction are in place. This should be carried out by the 1st June 2024.

A flow of water was seen to be making it's way into a culvert. This seemed to be in line with the abstraction pipe. It appears that work has been carried out to reduce the impact this flow is having on the canal tow path with the introduction of hardcore gravel. There is a small board in place covering where the flow has cut through the bank. It is unknown if the water is flowing through the bank directly from the canal, or if there is a leak on the abstraction pipe.

The water efficiency note in the licence states:

*The licence holder shall use the water abstracted under the terms of this licence in an efficient manner.*

Please can the flow of water along the pipe be investigated. If this is found to be coming from the pipe, a fix should be carried out to prevent further leakage from taking place. This will ensure water efficiency and the correct abstraction quantities are recorded at the meter. This must be carried out by 1st June 2024.

Although the abstraction is controlled by the Kronospan site. I must remind you that it is the Canal and River Trusts responsibility as the licence holder to ensure compliance with the conditions of the licence.

If you would like to discuss any of the above further, please do not hesitate to contact me on the details below.

Phil Barrett  
0300 065 3670  
[Philip.barrett@cyfoethnaturiolcymru.gov.uk](mailto:Philip.barrett@cyfoethnaturiolcymru.gov.uk)

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.