

This form will report compliance with your permit as determined by an NRW officer

Site	Water supply to lakes	Permit Ref	21/57/31/0048		
Operator/Permit holder	Gwyn Morris				
Regime	Water Abstraction				
Date of assessment	16/07/2019	Time in	11:40	Out	12:20
Assessment type	Site Inspection				
Parts of the permit assessed	All				
Lead officer's name	Lewis, Kirsty				
Accompanied by	Tucny, Emma				
Recipient's name/position	Gwyn Morris/ Permit Holder/ Landowner	Date issued	31/07/2019		

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	C4	2. Point of abstraction at National Grid Reference ST 1080 7570
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3	8. The licence holder shall use a meter to measure the quantities abstracted. The licence holder shall provide and install the meter before any abstraction takes place. The licence holder shall maintain the meter in a condition so as to measure the quantities abstracted accurately and efficiently.

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
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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

Site Visit Comments

Environment Officers Kirsty Lewis and Emma Tucny attended The Old Rectory on 16/07/2019 to assess Water Abstraction Licence 21/57/31/48. Mr Morris Permit Holder led Officers around the site.

The point of abstraction was not situated at national grid reference ST 1080 7570 as stipulated within the permit. Nor was the abstraction point near this location. Based on using OS maps, there are only surface water drainage channels in this location which would not have been the point of abstraction as there was nothing feeding the channel apart from land drainage/rainfall. Thus highlighting an error with the initial permit application. The source of supply stipulated within the permit

Upon walking around the lake, to identify the abstraction point, there was a gravity fed pipe from the lake that was leading to the Nant Drope upon searching. The gravity fed pipe inlet did not have a meter to measure abstracted quantities. Due to no meter being in place to assess quantities resulted with no records.

The lake had an outlet which was discharging into the Nant Drope. The outlet was not metered. However, it did have an overflow setting controlling what was being discharged.

Breaches

2. Point of Abstraction: At National grid reference St 1080 7570.

8. Means of Measurement of Water Abstracted: The licence holder shall use a meter to measure the quantities abstracted. The licence holder shall provide and install the meter before any abstraction takes place. The licence holder shall maintain the meter in a condition so as to measure the quantities abstracted accurately and efficiently or the licence holder shall use some other device or method as may be directed or approved for measuring or assessing the quantity of water abstracted in pursuance of this licence.

9. Records: The licence holder shall take place and record readings of the meter, specified in condition 8 above, at the same time each month during the whole of the period during which abstraction is authorised or as otherwise approved in writing by the Agency. The records shall be available for inspection and taken as evidence of the quantities abstracted.

Actions

1. Abstraction point NGR needs to be changed. Apply for a minor variation by signing and dating the attached WRF form.

2. Install a meter (using abstraction meter guidelines) at the point of abstraction in the Nant Drope and limit abstraction quantities to that stated within the permit. A copy of the permit is attached with this CAR form along with abstraction meter guidelines.

3. Record readings of the meter, at the same time during the whole period of abstraction to

ensure compliance with the permit.

Please contact Kirsty Lewis when the actions have been completed. A deadline of 31st August to install the meter has been placed upon this compliance report. Please get in touch if this is not practical. If you have any questions or issues, please do not hesitate and contact Kirsty Lewis on 03000 653518 or email kirsty.lewis@cyfoethnaturiolcymru.gov.uk

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0035441**

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Operator/Permit holder	Gwyn Morris	Date	16/07/2019

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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	C3	Install a meter to measure abstracted amounts.	31/08/2019
A1	C4	Complete and return form WRF for minor variation to include the correct national grid Reference	31/07/2019

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.