

## Compliance Assessment Report CAR\_NRW0044935

**Licence being assessed:** WA/065/0004/008.

For: , held by National Trust Renewable Energy Limited.

At: .

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

On 03/07/2024, between 10:30 and 12:15.

Parts of licence assessed: All

**NRW Lead Officer:** Laura Jones, accompanied by Sioned Jones.

**Report sent to:** Mr Wynn Owen, Caretaker, on 13/08/2024.

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

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
WR-G1 - Water Abstraction - Impoundment specified by licence - Inland water to be impounded	Assessed (A)	
WR-G2 - Water Abstraction - Impoundment specified by licence - Manner and extent of impoundment	C4 No impact	3
WR-G3 - Water Abstraction - Impoundment specified by licence - Point(s) of impoundment	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-G2	Apply for a variation to the permit to include new drawings showing the built structure	31/03/2025

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

The impoundment licence to abstract water for river known as the Afon Gorsen at Hafod Y Llan near Beddgelert is due for renewal on the 31<sup>st</sup> March 2025. Laura Jones from the Conwy Environment Management team and Sioned Jones from the Dwyfor and Meirionydd Environment Management Team visited the site on the 2<sup>nd</sup> August 2024 and met with the caretaker Mr Wynn Jones.

### **Name of Inland Water to Be Impounded**

Inland water (stream) known as the Afon Gorsen at Hafod Y Llan near Beddgelert, Gwynedd.

No issues were identified

### **Point Of Impoundment**

At National Grid Reference SH 62247 50915 marked 'Point A' on the map.

No issues were identified

### **Manner and Extent of Impoundment**

The modifications to an existing weir structure to install an intake screen, residual flow notch and 160 millimetre diameter gravity feed penstock pipe shall be undertaken in accordance with specifications in drawings

Issues were identified, the structure built does not match the drawings attached to the licence, a variation needs to be applied for and new drawings submitted to reflect the built structure

### **Further Conditions**

For the purpose of this licence, references to 'intake works' shall mean all works consisting of a concrete weir equipped with a Coanda screen, 160 millimetre diameter gravity feed penstock pipe, residual flow notch, pelton turbine and screen situated on the discharge outlet pipe.

The licence holder shall construct, operate and maintain the intake works in accordance with the specifications and drawings referred to in condition 3.1 of this licence and keep them free from leakage and obstruction at all times

Issues were identified with the impoundment structure, the set up and measurements do not match those on the licence, although the structure was very well maintained and no over abstraction has been identified from the returns the permit needs a variation to reflect

the correct structure.

The structure that has been constructed does not replicate the drawings in the structure. Before the licence is renewed a technical variation needs to be applied for to change the drawings to what has been built. Measurements also need to be checked to make sure flow conditions specified in the licence are still being met with this set up.

I would like to thank Mr Wynn Owen for taking the time during the visit to take us to the weir structure and the turbine house.

Laura Jones

Swyddog Amgylchedd/ Environment Officer

Tim Amgylchedd Conwy/ Conwy Environment Team  
Cyfoeth Naturiol Cymru / Natural Resources Wales  
Ffon Symudol/Mobile Phone 07766248453

Siaradwr Cymraeg  
Maes y Ffynnon, Penrhosgarnedd, Bangor, Gwynedd, LL57 2DW.

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.