

Compliance Assessment Report CAR_NRW0044668

Licence being assessed: WA/064/0004/0038.

For: Pant Clyd, held by Geraint Edwards.

At: Pant Clyd, Llanuwchllyn, Bala, Gwynedd, LL23 7UL.

Type of assessment: Site Inspection, Reason: Incident Response (Incident number 2403781).

On 25/04/2024, between 09:00 and 15:00.

Parts of licence assessed: All

NRW Lead Officer: Sioned Jones, accompanied by Jenny Rees-Jones, Arfon Hughes.

Report sent to: Mr Geraint Edwards, Licence Holder, on 20/08/2024.

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

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
WR-A8 - Water Abstraction - Abstraction specified by licence - Other specified on licence	C3 Minor	Section 9.5(ii)

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

2. What action is required?

Criteria	Action needed	Complete by
WR-A8	Ensure that the quantity of the water abstracted does not exceed 70% of the available flow in the Nant Rhos Goch	Already completed

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.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

CAR_NRW0044668

ABSTRACTION LICENCE WA/064/0004/0038 – NANT WAL-LWYD

A Water Resources compliance visit was carried out by Sioned Jones, Jenny Rees-Jones, and

Arfon Hughes from the Dwyfor & Meirionnydd Environment Team on the 25th of April 2024. **Please ensure that you read this compliance assessment reports and act on the actions noted within.** Once the actions have been completed, please let us know at your earliest convenience through emailing Sioned Jones at sioned.w.jones@cyfoethnaturiolcymru.gov.uk.

Please be aware that the given due dates are the final deadlines. We strongly encourage you to complete the actions ahead of these dates.

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(1) SOURCE OF SUPPLY

Water is abstracted from Nant Wal-Lwyd, a tributary of the Afon Wnion at Pant Clyd, Llanuwchllyn, Bala, Gwynedd. However, it was noted during the inspection that the stream is receiving extra water through the unlicensed transfer of water from the Nant Waen-Lwyd. This issue will be dealt with separately to this CAR form.

(2) POINT OF ABSTRACTION

At SH 85001 25123

Licence stipulates SH 85013 25114, 10m upstream from where the scheme is built.

Please see CAR_NRW0044669 for scoring and actions against this condition.

(3) MEANS OF ABSTRACTION

Please see CAR_NRW0044669 for comments and actions on intake works.

(4) PURPOSE OF ABSTRACTION

Water is abstracted for the purpose of power production.

(5) PERIOD OF ABSTRACTION

Water is abstracted all year.

(6) MAXIMUM QUANTITIES OF WATER TO BE ABSTRACTED

VOLUME ABSTRACTED – AGGREGATE QUANTITY WITH LICENCE NO. WA/064/0004/0029 (m ³)			
LICENCE MAX (ANNUAL)	2023/24	2022/23	2021/22
2,365,200	1,216,397	581,651	609,830

Table 1: Annual abstracted quantities of abstraction licence WA/064/0004/0038

Annual abstracted quantities were compliant with licence limits for 2021/22, 2022/23, and 2023/24.

No issues were identified.

(7) MEANS OF MEASUREMENT OF WATER ABSTRACTED

The licence holder noted that they determine the quantity of water abstracted by reference to the kilowatt-hours generated, as measured by a kilowatt-hours meter multiplied by the conversion factor.

(8) RECORDS

No issues were identified.

(9) FURTHER CONDITIONS

Section 9.5(ii) of the licence notes that the quantity of water abstracted shall not exceed 70% of the available flow in the Nant Wal-Lwyd in excess of 4 litres per second. Due to the fact that the HOF was built to be smaller than that was licenced, abstraction rate of the Nant Wal-Lwyd was greater than 70%.

ACTION: Ensure that the quantity of the water abstracted does not exceed 70% of the available flow in the Nant Rhos Goch C3 – already completed

No further issues were identified.

We would like to thank the Licence Holder for their time on site.

Sioned W. Jones

Uwch Swyddog / Senior Officer

Tîm yr Amgylchedd (Dwyfor a Meirionnydd) / Environment Team (Dwyfor and Meirionnydd)

Hi / She/her

Sioned.w.jones@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 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.