

## Compliance Assessment Report CAR\_NRW0045318

**Licence being assessed:** 20/56/72/0033.

For: Abstractions from Pond at Caerleon, held by Celtic Manor Resort.

At: .

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

On 19/09/2024, between 10:00 and 12:00.

Parts of licence assessed: Site Operations

**NRW Lead Officer:** Gavin Dodd, accompanied by Gavin Summerhill.

**Report sent to:** Neil Shepherd , Head of Irrigation and Special Projects, on 09/10/2024.

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

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
WR-A3 - Water Abstraction - Abstraction specified by licence - Means of abstraction	C3 Minor	Condition 3 Means of Abstraction
WR-B1 - Water Abstraction - Abstraction measurement and records - Means of measurement	C3 Minor	Condition 7 Means of Measurement of Water Abstracted

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

### 2. What action is required?

Criteria	Action needed	Complete by
WR-A3	Provide access to pumphouse so that an appropriate assessment may be carried out or provide evidence that the infrastructure for the licence cannot be used.	31/12/2024
WR-B1	Prior to abstraction taking place, calibration of the meter must take place (as this has never been done) and a meter reading must be taken	31/12/2024

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

I (Environment Officer Gavin Dodd) arrived at Celtic Manor Resort, Newport on Thursday 19th September 2024 at 10:00 to conduct an inspection regarding a licence to abstract water. (Permit Number 20/56/72/0033). Head of Irrigation and Special Projects Neil Shepherd and assistant Noel O' Connell were also present.

The source of supply for the abstraction was impounded inland water (pond) at NGR ST3590 9018. The means of abstraction was via a surface mounted pump.

As had been the case during the previous visit, it was not possible to inspect the pumphouse and infrastructure associated with the permit due to access issues caused by overgrown vegetation. The site operators explained that the abstraction had not been in use for a number of years and the infrastructure for the pond (including lining) was too damaged to be able to retain any water. The below photo shows the access issues.



### Breaches

**1.) Condition 3- Means of Abstraction:** A mobile surface mounted pump with a maximum output not exceeding 14 litres per second

**Justification:** Pumphouse and associated infrastructure for the licence could not be inspected due to access issues.

**2.) Condition 7- Means of Measurement of Water Abstracted:** The Licence Holder shall

position and install the meter in accordance with any written directions given by the Agency.

**Justification:** Access issues prevented inspection of the meter

**Actions Required by Date Specified**

- 1.) Provide access to pumphouse so that an appropriate assessment may be carried out **or** provide evidence that the infrastructure for the licence cannot be used.
- 2.) Prior to abstraction taking place, calibration of the meter must take place (as this has never been done) and a meter reading must be taken

**The deadline for the above actions is 31/12/2024.**

**Advisories**

Consider surrender of the permit as it is not currently in use.

**Contact details:**

If you have any queries regarding this CAR form or to provide an update on any actions above, please contact me using the following details: Gavin Dodd, Environment Officer, [gavin.dodd@cyfoethnaturiolcymru.gov.uk](mailto:gavin.dodd@cyfoethnaturiolcymru.gov.uk), 07929 749861

**If we do not receive the information requested within specified deadline and have not been informed as to why there is a delay then we may serve a Regulation 60 Notice requiring the information under Environmental Permitting (England and Wales) Regulations 2016.**

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.