

## Compliance Assessment Report CAR\_NRW0039992

**Licence being assessed:** WA/056/0053/011.

For: , held by Rhodri Jones.

At: .

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

On 01/06/2022, between 12:20 and 13:20.

Parts of licence assessed: Whole permit

**NRW Lead Officer:** Chris Gurney.

**Report sent to:** Rhodri Jones, Permit Holder, on 08/06/2022.

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

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
WR-A3 - Abstraction specified by licence - Means of abstraction	Ongoing (O)	9.2
WR-F2 - Discharge - Infrastructure	C3 Minor	9.7 (i)
WR-E1 - Fish and Eel passage - Infrastructure specified by licence	Ongoing (O)	9.8 (i)

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	Amend drawings as required by previous CAR	18/07/2022
WR-F2	Install and maintain screen as described in Permit	30/09/2022
WR-E1	Improve/Repair/Install fish easement as required by Permit	30/09/2022

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.

**At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.**

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

Please note this report also applies for Impoundment License WA/056/0053/020

I attended site on the 1st June 2022. There was no screen on the discharge pipe, as required by the Permit (although this is a minor breach due to the distance from the watercourse). Please install an appropriate screen no later than 30 September 2022.

The measurements of the scheme, taken on site, do not match the specifications drawn and provided within the permit - please amend the permit to confirm the measurements of the scheme as required by the permit conditions. This was highlighted to yourselves in a previous CAR form on 6/8/2018 but has not yet been actioned. The existing measurements have been confirmed to comply with the volumes/rates required by the permit.

There is a requirement within the permit to install and maintain a fish/eel easement which was not appropriate at the time of my visit. A further visit will be conducted by NRW staff during high flows to confirm the requirements for any easement, however if you wish to construct/amend/improve any existing easement in the meantime please contact NRW to discuss before beginning any works. The final assessment of a fish easement will be covered by a subsequent CAR form.

The scheme was found to be otherwise compliant.

Regards

Chris Gurney TechCIWEM

Swyddog Amgylchedd / Environment Officer

Tîm Amgylchedd De Powys / South Powys Environment Team

Cyfoeth Naturiol Cymru / Natural Resources Wales

Ffôn / Phone: 03000 65 4421

Symudol / Mobile: 07970 987919

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.