

Compliance Assessment Report CAR_NRW0045862

Licence being assessed: WA/058/0033/0006.

For: Gaens Quarry, held by TS Rees Limited.

At: Porthcawl Road, South Cornelly, Bridgend, Bridgend, CF33 4RN.

Type of assessment: Site Inspection, Reason: Routine.

On 26/11/2024, between 11:35 and 13:30.

Parts of licence assessed: All

NRW Lead Officer: Natalie Wrangham, accompanied by Martyn Davies.

Report sent to: Sam Rees, Operator, on 19/12/2024.

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

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
WR-A2 - Water Abstraction - Abstraction specified by licence - Points of abstraction	Assessed (A)	
WR-A3 - Water Abstraction - Abstraction specified by licence - Means of abstraction	Assessed (A)	
WR-A4 - Water Abstraction - Abstraction specified by licence - Purposes of abstraction	Assessed (A)	
WR-A6 - Water Abstraction - Abstraction specified by licence - Quantities	C3 Minor	Condition 6.2
WR-B1 - Water Abstraction - Abstraction measurement and records - Means of measurement	Assessed (A)	
WR-B1 - Water Abstraction - Abstraction measurement and records - Means of measurement	C3 Minor	Condition 7.3
WR-B2 - Water Abstraction - Abstraction measurement and records - Recording	C3 Minor	Condition 8.2 and 8.4

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

2. What action is required?

Criteria	Action needed	Complete by
WR-A6	Keep records of abstraction for inspection	20/12/2024
WR-B1	Keep records of abstraction for inspection	20/12/2024
WR-B2	Keep records of abstraction for inspection	20/12/2024

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

Site Inspection of Gaens Quarry 26.11.2024

Site report

Inspection report for licence number WA/058/0033/0006.

Arrived on site at 11.35. We had originally arranged to be on site between 10.30 and 11, however traffic meant that we were later than planned. Weather was dry.

The Operator was not present on site when we arrived, so we were escorted around by another site worker who described his role as the accountant.

We were shown the abstraction records in the office for 2024 and the meter records for the pump used in the void for dewatering. There was a calibration certificate for the pump meter serial number R2009386 dated 21/06/2021, however I was advised that the pump has not been operational since 2021 and has currently been removed and is awaiting maintenance. The meter was not visually inspected. Pumps and pipework could not be seen during the inspection of the void, supporting the claim that dewatering is not currently taking place.

Tankers for the purpose of filling up the wheel wash and dust suppression do take water from the void directly. The 2024 abstraction records shown to us show the weekly quantities for the wheel wash and dust suppression. It was unclear from the records whether water had been used for mineral processing (condition 6.2).

Abstraction records for dust suppression and wheel wash are within the licensed maximum abstraction quantities for those purposes (condition 6.3 and 6.4 respectively).

Breach of licence conditions

- *Condition 7.3 – For the purpose of Industrial: Mineral processing: The quantity of water abstracted shall be determined by the quantity of mineral extracted multiplied by the water usage per tonne of mineral as agreed in writing by NRW.*
- *Condition 8.2 – Quantities of water calculated by the means specified in Condition 7.2, Condition 7.3 and Condition 7.4 above shall be recorded by the Licence Holder at the same time each week during the whole of the period during which abstraction is authorised or as otherwise approved in writing by NRW.*
- *Condition 8.4 – Each record shall be kept and be made available during all reasonable hours for inspection by NRW for at least 6 years.*

There were no records available for Condition 7.3. Records must be kept on site, even just to demonstrate no abstraction for this purpose.

Actions

- Ensure all abstraction records are kept up to date and are available for inspection as per licence condition 8.4 – **Immediately**

If you have any queries regarding this CAR form or to provide an update on any actions above, please contact me using the following email address:

cwm Daf&bridgendconsultations@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.