

## Compliance Assessment Report CAR\_NRW0045957

**Licence being assessed:** WA/065/0005/0007.  
For: Ffridd Uchaf Hydro, held by Ffridd Uchaf Hydro Limited.  
At: Plas Einion, Furnace, Machynlleth, Ceredigion, SY20 8PG.

**Type of assessment:** Site Inspection, Reason: Routine.  
On 20/08/2024, between 17:00 and 18:00.  
Parts of licence assessed: See report

**NRW Lead Officer:** Swyn Spencer, accompanied by Ceris Evans.  
**Report sent to:** Nick Bard, Licence Holder, on 05/02/2025.

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

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
WR-G5 - Water Abstraction - Impoundment specified by licence - Other specified on licence	Assessed (A)	

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

### 2. What action is required?

No action required.

### 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

#### **CAR\_NRW0045957** **IMPOUNDMENT**

**This report is in reference to the Impoundment Licence WA/065/0005/0007**

The Ffridd Uchaf Hydro Ltd scheme was visited on the 20.08.2024 by Environment Officers Swyn Spencer and Ceris Evans. Not all conditions in the licence are mentioned in this report. You should

always familiarise yourselves with the two licences in full to ensure compliance.

The scheme was abstracting, and it was sunny. Water was going through the abstraction screen at Point A.

#### 1. NAME OF INLAND WATER TO BE IMPOUNDED

Inland water (river) known as Afon Colwyn at Ffridd Uchaf, Rhyd Ddu, Caernarfon.

#### 2. POINT OF IMPOUNDMENT – Point A:

As noted in the impoundment licence. National Grid Reference SH 58409 52154. Correct.

**Compliant.**

#### 3. MANNER AND EXTENT OF IMPOUNDMENT:

No Dimensions were taken on the day, due to high flow.

However the general arrangement of the intake weir is the same as shown on the licence drawings.

**For future visit check.**

#### 4. FURTHER CONDITIONS:

Condition 4.5 was assessed:

*“The Licence Holder shall construct, operate and maintain the intake works in accordance with the specification and drawings referred to in condition 3.1 of the licence and keep them free from leakage and obstruction at all times”.*

During 20.08.2024 visit there were no blockages. The Hof (Hands Off Flow) was clear.

**Compliant.**

The Licence Holder shall maintain a flow as explained in Abstraction Licence/ and in the CAR report for abstraction licence under condition 9.5. Keeping Hof clear will contribute to this being achieved. Through compliance with the rates of abstraction and maintenance as per licences, the in river ecology is also protected.

Please continue to keep the sediment directly behind the compensation flow area / Hof area clear and ensure that you maintain it regularly.

*Condition 4.8 was assessed:*

The condition states that there should be a plunge pool, with a minimum depth of 300 millimetres, across the width of the watercourse immediately downstream of the intake works specified in condition 3.1 to ensure the safe downstream passage of fish.

We are satisfied that there is a plunge pool present.

**Compliant**

**In Addition - further note on our planned visits:**

We wish to confirm in writing that according to Water Resources legislations, we have a legal right to enter the land to do our compliance checks, without prior notification. This is the procedure I take when visiting Hydropower schemes for compliance checks. We will always contact landowner on departure, to say that we have been, and that a report will be sent to the Licence Holder. We need to be able to visit a scheme prior to notifying the landowner or licence holder, in the first instance.

For reference please familiarise yourself with Section 169, Water Resources Act, 1991 – for our planned routine visits (which are unannounced):

<https://www.legislation.gov.uk/ukpga/1991/57/section/169>

This clearly states that we are able to legally enter premises to carry out inspections.

In addition we will always have a sign on the car and a telephone number to call NRW. In future we will also leave a works mobile number, so that you can contact us, if you see a NRW vehicle parked on site, and wish to query it.

In addition on some visit we may also ask the Licence Holder or Land Owner to accompany us, in order to discuss aspect of the scheme or to enter the turbine house.

If you have any queries regarding this compliance report or your abstraction and impoundment licences then please do not hesitate to contact me on the number or e-mail address below.

Please contact me if you require further information:

[swyn.spencer@cyfoethnaturiolcymru.gov.uk](mailto:swyn.spencer@cyfoethnaturiolcymru.gov.uk)

[swyn.spencer@naturalresourceswales.gov.uk](mailto:swyn.spencer@naturalresourceswales.gov.uk)

07854 377 319

*Please note any reference within the CAR/ permit to the Environment Agency means Natural Resources Wales.*

*In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order*

2012.

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.