

Compliance Assessment Report CAR_NRW0046624

Licence being assessed: WA/366/0004/0008.

For: Hafod y Rhedrwydd Pico-Hydro Scheme, held by Roger William Moss.

At: Hafod Y Rhedrwydd, Cwm Penmachno, Betws-y-Coed, Conwy, LL24 0RF.

Type of assessment: Site Inspection, Reason: Other.

On 17/03/2025, between 10:05 and 11:00.

Parts of licence assessed: 2, 3 & 4

NRW Lead Officer: Laura Jones, accompanied by Sarah Aubrey.

Report sent to: Dr Roger William Moss, Licence Holder, on 21/03/2025.

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

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
WR-G1 - Water Abstraction - Impoundment specified by licence - Inland water to be impounded	Assessed (A)	
WR-G2 - Water Abstraction - Impoundment specified by licence - Manner and extent of impoundment	C3 Minor	3.1
WR-G4 - Water Abstraction - Impoundment specified by licence - Construction and removal requirements	C3 Minor	4.5

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

2. What action is required?

Criteria	Action needed	Complete by
WR-G2	Remove screen covering coanda screen and tie the wingwall of the structure securely to the bedrock	16/10/2025
WR-G4	Remove screen covering coanda screen and tie the wingwall of structure securely into the bedrock	16/10/2025

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

The impoundment licence to abstract water for Afon Y Foel at Cwm Penmachno was visited by compliance officer Laura Jones from the Conwy Environment Management team on the 17th March 2025. The following sections of the licence were inspected;

2. Points of Impoundment

2.1 At National Grid Reference SH 76171 45680 marked 'Point A' on the map

2.2 At National Grid Reference SH 76173 45683 marked 'Point B' on the map

No issues were identified here, the impoundment is in the correct location

3. Manner and Extent of Impoundment

Intake works consisting of three Coanda screen boxes with spacing no greater than 1 millimetres, a small intake tank equipped with a 19 millimetre internal diameter orifice pipe into larger intake tank, a larger intake, downstream concrete barrage, two plunge pools, a level sensor and 141 millimetre internal diameter gravity feed penstock pipe controlled by four spear valves in accordance with the specifications and drawings.

4. Further Conditions

4.5 The licence holder shall construct, operate and maintain the intake works in accordance with the specifications and drawings referred to in condition 3.1 of the licence and keep them free from leakage and obstruction at all times.

Some non-compliances were noted here, whilst the size and location of the sections are correct there was a metal cover over the Coanda screen, this is not shown on the licence drawings and needs to be removed. This structure could easily trap peat and earth sods naturally eroded from upstream and could have potential for causing blockages to the hands off flow notch and increase erosion around the structure.

A second non-compliance was noted on the wing wall section of the structure. The licence drawings show this should be tied into the bedrock however it has been tied into a loose dry stoned wall with concrete tied into that, this section has now started to erode. This section of the structure needs to be corrected as per the original licence so the wingwall is securely tied into the bedrock.

Please see below picture for reference



The concrete weir fish pass has infilled with gravel from upstream and is no longer functioning as it was designed to, however the site is very hard to access with machinery as well as concerns that this kind of works would cause damage to the protected site. The gravel levels have settled and the reach does look as passable as the downstream reach and it has also been mentioned that no fish were recorded during an electrofishing survey. Therefore no works should take place to this part of the structure.

Please see below picture for reference



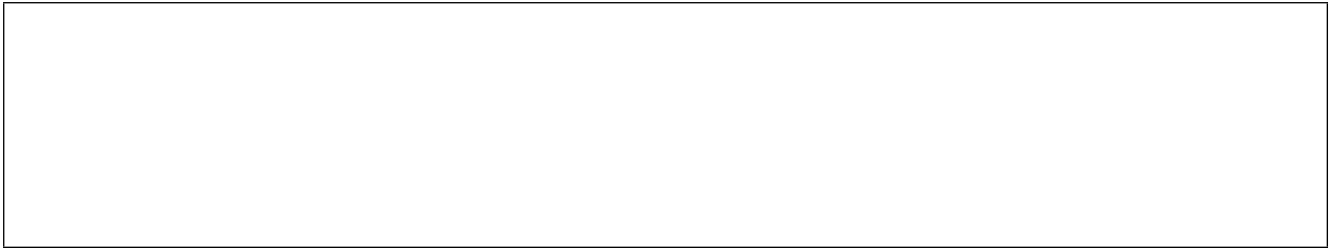
Works to rectify the issues identified should only take place between the dates of 16th May 2025 and should be completed before the 16th October 2025 this is to protect fish during the spawning season.

Once the works have been completed please contact the compliance officer so a further compliance inspection can take place. If you have any questions about this report or would like to have a meeting on site to discuss please do not hesitate to contact me using the details below

Laura Jones

Swyddog Amgylchedd/ Environment Officer

Tim Amgylchedd Conwy/ Conwy Environment Team
E-bost / Email laura.jones@cyfoethnaturiolcymru.gov.uk
Ffon Symudol/Mobile Phone 07766248453



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.