

Compliance Assessment Report CAR_NRW0048120

Licence being assessed: WA/065/0018/0029.

For: Afon Llafar and Caseg, held by Gerlan Hydro Limited.

At: Powerhouse at confluence of Caseg & Llafar, Bangor, Gwynedd, LL57 3SS.

Type of assessment: Site Inspection, Reason: Routine.

On 12/09/2024, between 14:00 and 15:00.

Parts of licence assessed: See report

NRW Lead Officer: Swyn Spencer, accompanied by Walter Hanks.

Report sent to: Jamie Needle, Licence Holder, on 09/06/2025.

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

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
WR-A6 - Water Abstraction - Abstraction specified by licence - Quantities	C3 Minor	6.1

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	Ensure maintenance and monitoring of scheme, to avoid over abstraction.	13/06/2025

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.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

Afon Caseg Scheme - Gerlan Hydro Limited.

Please Note: This report does not relate to the Afon Llafar scheme which shares an Abstraction licence with the Afon Caseg scheme.

ABSTRACTION**CAR_NRW0048120****This report is in reference to the Abstraction Licence 23/65/18/0029****Afon Caseg Hydro site only.**

The Gerlan Hydro Ltd scheme on the Afon Caseg was visited on the 12.09.2024 by Environment Officers Swyn Spencer and Fisheries Officer Walter Hanks. 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.

Water was going through the abstraction screen at Point A on Map in Abstraction licence. However the scheme was not abstracting. The turbine was clearly not in operation.

1. SOURCE OF SUPPLY:

Inland water (river) known as Afon Caseg, Bethesda.

2. POINT OF ABSTRACTION:

2.1 As noted in the Abstraction licence on the Afon Caseg: **Point A - SH 64643 66432**. Marked A on the Map on Abstraction Licence (as Abstraction Licence is also shared with a nearby scheme).

Compliant.**4. PURPOSE OF ABSTRACTION**

Power generation: micro hydroelectric power generation.

No issues.

5. PERIOD OF ABSTRACTION

All year.

No issues.

6 MAXIMUM QUANTITIES OF WATER TO BE ABSTRACTED**Afon Caseg – POINT A:**

2.304 Megalitres per hour

55.296 Megalitres per day

8,930,000 Megalitres per year

At a rate not exceeding 640 litres per second.

Note: an hour means any period of 60 consecutive minutes, a day means any period of 24 consecutive hours, and a year means the 12 month period beginning on 1 April and ending on 31 March.

Returns data have been sent to NRW on a regular basis since 2019. I have checked records in the last 5 years (April to April):

2019 – 2020 Compliant

2020 – 2021 Compliant

2021 – 2022 Compliant

2022 – 2023 Compliant

2023 – 2024 Non Compliant. Return calculated is: 9,562,672

The returns for the years 2019 – April 2023 were within abstraction limits noted in the licence.

However between April 2023 and April 2024 it shows an over abstraction. Therefore I have breached on this report on that basis.

On the report i have had to note a completion date. However please note monitoring and maintenance of the scheme to avoid over abstraction needs to ensure that the condition in the licence is compliant at all times.

9. FURTHER CONDITIONS

9.1 *No Abstraction shall take place through the turbine if the Licence Holder is unable to generate electricity.*

9.2 Relating to Afon Caseg:

(i) From 16 March to 30 September inclusive in any year, no abstraction shall take place when the flow in the Afon Caseg upstream of the authorised point of abstraction (point A as specified in condition 2.1 above) is equal to or less than 700 litres per second.

(ii) From 1 October to 15 March inclusive in any year, no abstraction shall take place when the flow in the Afon Caseg upstream of the authorised point of abstraction (point "A" as specified in condition 2.1 above) is equal to or less than 180 litres per second and the abstraction hereby shall not cause the flow immediately downstream of point "A" to fall below 60 litres per second.

If Hands off Flow / Compensation flow is restricted by sediment build up, this will mean the required hands-off flow as described in condition 9.2 above, will not be delivered. Therefore would be breach of the condition in the Abstraction licence.

Blockage will reduce the amount of water needed by ecology in the downstream watercourse. **Please continue to keep the Hands Off Flow clear.**

Compliant. Please continue to keep the Hands Off Flow clear to comply with your licences.

9.4

Part iv) The Licence Holder shall install and maintain a staff gauge board at each intake to the satisfaction of the Agency. Each staff gauge board shall be clearly marked with the water level corresponding to each residual flow as specified in Conditions 9.2 above.

This was not fully checked on the day. Please maintain.

9.5 Water shall be returned to the Afon Caseg at National Grid Reference SH63547 66037 marked "Q" on the map.

Compliant.

Summary

One official breach marked as non compliant because of the 2023 - 2024 data showing over abstraction of water.

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

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 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.