

Compliance Assessment Report CAR_NRW0048509

Licence being assessed: WA/058/0042/0003.

For: Gilfach Orfydd Farm, held by Carl Bryan Platel and Helen Louise Platel.

At: Dimbath, Dimbath, CF35 6EF.

Type of assessment: Site Inspection, Reason: Routine.

On 10/06/2025, between 10:05 and 12:10.

Parts of licence assessed: All

NRW Lead Officer: Natalie Wrangham, accompanied by Paul Latham, Callum Murray, Ceri Malone.

Report sent to: Craig reed, Operator, on 25/06/2025.

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

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
WR-A1 - Water Abstraction - Abstraction specified by licence - Source of supply	Assessed (A)	
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-C1 - Water Abstraction - Surface/groundwater level and protected flow - Minimum hands-off flow/level requirements	C2 Significant	No abstraction of water shall take place unless the rate of flow in the unnamed tributary immediately downstream of the pond and the authorised point of abstraction, marked as 'Point A' as specified in Condition 2.1, is equal to or greater than 0.5 litres per second and the abstraction shall not cause the flow immediately downstream of said abstraction point to fall below that rate.
WR-A8 - Water Abstraction - Abstraction	C3 Minor	condition 9.2 The

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
specified by licence - Other specified on licence		Licence Holder shall construct, operate and maintain the hydropower scheme in accordance with the specifications and drawings: Drawing no. 21102802 'Dimbath Intake 2 General Layout' dated 28/10/2021; Drawing no. 21102801 'Dimbath Intake 2 : Elevations and Calculations V2' dated 28/10/2021; Drawing no. 21102702 'Dimbath Outfall V2' dated 27/10/2021, copies of which are appended to this licence, or such minor amendments to those documents that are accepted in writing by NRW prior to the date of commencement of construction

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

2. What action is required?

Criteria	Action needed	Complete by
WR-C1	Notch has already been cleared by officers whilst on site and photos taken. The structure requires clearing of the debris covering it which also partially obstructs the notch, and the notch should remain clear of obstruction at all times.	30/06/2025
WR-A8	Maintain structure regularly so that it does not lead to blockages	16/07/2025

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

Site Report

Officers from the Cwm Taf and Bridgend Environment Team attended site to carry out routine regulatory compliance inspection on 10/06/2025 at 10.05am. Weather was dry, however it had been raining on the days prior to the visit.

Licences inspected were WA/058/0042/0001 (transfer), WA/058/0042/0002 (impoundment) and WA/058/0042/0003 (abstraction).

This report is for licence number WA/058/0042/0003.

Officers found a blockage to the Hands off flow notch (see images below) with a piece of wood and stones. These materials appeared to have been deliberately placed. Flow to ditch downstream upon arrival was negligible. Upon removal of materials flow to downstream ditch greatly improved. Screen in concrete ring was also blocked with dead grass and mud and in need of maintenance.



Image 1: Concrete ring structure clogged with dead vegetation



Image 2: Piece of wood and large stones arranged around and blocking Hands off flow notch



Image 3: Flow restored through notch after removal of wood and large stones.

Turbine could be heard in shed near the outfall point demonstrating that abstraction was ongoing.

Breaches of licence conditions

- Condition 9.2: The Licence Holder shall construct, operate and maintain the hydropower scheme in accordance with the specifications and drawings:
Drawing no. 21102802 'Dimbath Intake 2 General Layout' dated 28/10/2021;
Drawing no. 21102801 'Dimbath Intake 2 : Elevations and Calculations V2' dated 28/10/2021;
Drawing no. 21102702 'Dimbath Outfall V2' dated 27/10/2021, copies of which are appended to this licence, or such minor amendments to those documents that are accepted in writing by NRW prior to the date of commencement of construction.
- Condition 9.5 (i): No abstraction of water shall take place unless the rate of flow in the unnamed tributary immediately downstream of the pond and the authorised point of abstraction, marked as 'Point A' as specified in Condition 2.1, is equal to or greater than 0.5 litres per second and the abstraction shall not cause the flow immediately downstream of said abstraction point to fall below that rate.

Actions required

- Hands off flow notch to be kept clear of obstruction. This should be regularly inspected, with frequency of inspections increased during dry weather.
- Hands off flow notch and concrete ring structure to be maintained and kept clear of debris and soil / vegetation build up which could also prevent the structure fulfilling its correct function. Maintenance to be completed on structure by **16th July 2025**. Please provide update and photographs to demonstrate this has been completed.

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.