

Compliance Assessment Report CAR_NRW0049002

Licence being assessed: WA/065/0016/012.

For: Afon Dudodyn, held by Dudodyn Hydro Ltd.

At: Nant Peris, Caernarfon, Gwynedd, LL55 4UN.

Type of assessment: Site Inspection, Reason: Routine.

On 19/06/2025, between 10:15 and 12:00.

Parts of licence assessed: See Report

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

Report sent to: Wiliam Alan Jones, Licence Holder, on 01/08/2025.

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

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
WR-A8 - Water Abstraction - Abstraction specified by licence - Other specified on licence	C3 Minor	9.5

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

2. What action is required?

Criteria	Action needed	Complete by
WR-A8	As described in Impoundment Licence, the sediments/gravel on the approach to the intake needed to be removed. Officer removed obstruction directly behind notch and the stone within the notch. This affects the flow agreed to enter downstream river as per permit.	03/08/2025

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

This HEP scheme is licenced by Abstraction Licence 23/065/0016/012 and

Impoundment Licence WA/065/0016/013**This report is in reference to the Abstraction Licence: 23/065/0016/012**

A compliance visit was undertaken on **Dudodyn Hydro Ltd** hydro scheme on the Afon Dudodyn. It was visited on the 19.06.2025 by Environment Officers Swyn Spencer and Fisheries Officer Walter Hanks.

You should always familiarise yourselves with the two licences in full to ensure compliance. Water was going through the abstraction screen at Point A. The scheme was abstracting.

1. SOURCE OF SUPPLY:

1.1 Inland water (river) known as Afon Dudodyn, at Nant Peris, Caernarfon, Gwynedd.

2. POINT OF ABSTRACTION:

2.1 National Grid Reference: SH 61344 60142

Compliant.

4 PURPOSE OF ABSTRACTION

Power generation

No issues.

5. PERIOD OF ABSTRACTION

All year.

No issues.

6 MAXIMUM QUANTITIES OF WATER TO BE ABSTRACTED

Afon Dudodyn

18,057.6 cubic metres per day

5,056,128 cubic meters per year

At an instantaneous rate not exceeding 209 litres per second.

Note: A day means any period of 24 consecutive hours and a year means the 12 months period beginning on 1 April and ending on 31st April.

Returns data have been sent to NRW on a regular basis since 2019. These have been checked and no

over abstraction of water has been identified.

April to end of March:

2019 – 2020

2020 – 2021

2021 – 2022

2022 – 2023

2023 – 2024

2024 – 2025

All data returns compliant.

FURTHER CONDITIONS

Outfall Screen

9.1 The scheme requires an outfall pipe screen with 10 millimetre spacing.

9.4 (ii) This condition states that the outfall shall be placed as parallel to the bank as possible to reduce cross-flow and erosion.

(iii) The discharge velocity shall be below 4 metres per second. 'Discharge velocity' is the water velocity at the exit of the outfall.

9.7 No abstraction shall take place unless the Licence Holder has installed a screen with spacing no greater than 10 millimetres to the outlet to prevent the entrapment, entrainment or impingement of fish. Send photos of the outlet and screen.

Action Needed:

We were unable to locate the screen due to the vegetation growth. Please ensure it has the appropriate screen, and send a photo to the email in this report, as soon as practically possible. At the latest by 1st November, 2025.

9.2 This condition relates to maintaining the hydropower scheme. See CAR form which relates to the Impoundment licence conditions; **CAR_NRW0049003** where a breach for condition 4.5 is given.

9.4 (i) Point Q - Grid Reference: **Correct.**

9.5 (i) *'No abstraction of water shall take place unless the rate of flow in the Afon Dudodyn immediately downstream of the authorised point of abstraction, marked as 'Point A' as specified in condition 2.1, is equal to or greater than 15 litres per second and the abstraction shall not cause the flow immediately downstream of said abstraction point to fall*

below that rate.'

(ii) From 1 April to 31 december each year, the quantity of water abstracted shall not exceed 50% of the available flow in the Afon Dudodyn in excess of 15 litres per second.

(iii) From 1 January to 31 March each year, the quantity of water abstracted shall not exceed 70% of the available flow in the Afon Dudodyn in excess of 15 litres per second.

If Hands off Flow / Compensation flow is restricted by sediment build up, as well as the approach to the intake in the upstream river this will mean the required hands-off flow as described in condition 9.5 above, will not be delivered. Therefore would be breach of the condition in the Abstraction licence. Obstructions will reduce the amount of water needed by ecology in the downstream watercourse.

Conditions 9.5 has been marked as non compliant.

Please keep the Hands Off Flow, and the approach to the intake clear at all times.

9.6 Installation of Conada screen 1 millimetre bar spacing, at the point of Abstraction.
Compliant.

Summary:

There is one non-compliance recorded for this Abstraction Licence compliance visit: Condition 9.5. For this report. Part of the obstructions were cleared on the day to restore flow.

As noted in both CAR forms there were actions to clear the obstructions that affects the flow in the depleted reach.

Action Completed: (relating to obstruction clearance)

You have sent photos of the upstream sediment/gravel trail, and the area directly behind the V – notch following clearance works, as well as confirmation that the build up of moss in the HoF area has been cleared, in an email on 31.7.2025. An email on 24.6.2025 contained method statement procedures. Thank you for your cooperation.

I attach the photos sent to me by Licence Holder in this report. Photos show no obstructions, and a good flow coming out of the HoF.

I have also attached photos taken by me on the day; photos DSCN1088 and DSCN1089, which show the flow whilst obstruction was present, and photo DSCN1092 of the flow streaming from the HoF following part removal of obstructions. To show a comparison of the flows on the day. Obstructions to the upstream part of river, and directly behind the HoF will greatly affect flows as agreed per licences.

Action (ensure screen present on outfall pipe): Ensure that there is a suitable screen on the outlet. Send Photo/Photos by 1st November, 2025, or as soon as practical. This is not

marked on any breach as we could not see the outlet on the day of our compliance visit. However this will need to be confirmed.

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.