

Compliance Assessment Report CAR_NRW0049228

Licence being assessed: WA/065/0005/0008.

For: Hafod Wydr, held by Colwydr Cyf.

At: Nr Beddgelert Forest, Hafod Ruffydd Isaf, Beddgelert, Gwynedd, LL55 4UU.

Type of assessment: Site Inspection, Reason: Routine.

On 17/06/2025, between 10:30 and 11:00.

Parts of licence assessed: whole

NRW Lead Officer: Sioned Jones, accompanied by Laura Jones.

Report sent to: ., ., on 02/09/2025.

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

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
WR-E1 - Water Abstraction - Fish and Eel passage - Infrastructure specified by licence	C3 Minor	9.1
WR-A8 - Water Abstraction - Abstraction specified by licence - Other specified on licence	C3 Minor	9.7

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

2. What action is required?

Criteria	Action needed	Complete by
WR-E1	Install eel pass and eel substrate by 17 October 2025 as per licence drawings. Provide progress updates and photos to sioned.w.jones@cyfoethnaturiolcymru.gov.uk	17/10/2025
WR-A8	Clear vegetation around the outfall pipe and send a photo showing a 10mm bar spacing screen to sioned.w.jones@cyfoethnaturiolcymru.gov.uk	17/10/2025

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.

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

On 11 June 2025, a compliance assessment was carried out at the hydroelectric power scheme located on Afon Colwyn, Beddgelert, under abstraction licence number WA/065/0005/0008. At the time of the visit, the scheme appeared to be operating in general compliance with licence conditions. The hands-off flow notch was clear, and water was visibly flowing over the abstraction screen, indicating that abstraction was taking place. However, due to high river flows, flow measurements could not be taken, and therefore compliance with Condition 9.5 could not be verified. It is essential that weir/flow measurements are conducted during the next site visit to confirm adherence to this condition.

The site includes a rocky ramp fish pass and a plunge pool, which support fish passage. However, it was noted that no eel pass or eel substrate had been installed on the weir, which constitutes a breach of Condition 9.1 of the abstraction licence. To rectify this, an eel pass must be installed in accordance with the licence drawings by 17 October 2025. The eel substrate tiles should be recessed into the weir crest and designed with a lip or edge on either side to ensure water retention across the tile surface. Please keep Sioned Wyn Jones updated on the progress of these works and provide photographic evidence to sioned.w.jones@cyfoethnaturiolcymru.gov.uk once installation is complete.

Additionally, access to the outfall pipe was found to be overgrown and inaccessible, preventing assessment of Condition 9.7. To ensure future inspections by Natural Resources Wales can be carried out, access to the outfall must be kept clear and unobstructed at all times. As part of this requirement, the operator is requested to send a photograph of the outfall to sioned.w.jones@cyfoethnaturiolcymru.gov.uk, clearly showing a screen with 10mm bar spacing installed.

ACTION: Install eel pass and eel substrate by 17 October 2025 as per licence drawings. Provide progress updates and photos to sioned.w.jones@cyfoethnaturiolcymru.gov.uk.

ACTION: Clear vegetation around the outfall pipe and send a photo showing a 10mm bar spacing screen to sioned.w.jones@cyfoethnaturiolcymru.gov.uk by 17 October 2025.

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.