

Compliance Assessment Report CAR_NRW0050263

Licence being assessed: 21/58/44/0019.

For: Supply from Colwinston Brook to fill flight pond, held by Rory McLaggan.

At: .

Type of assessment: Site Inspection, Reason: Routine.

On 10/12/2025, between 11:00 and 11:30.

Parts of licence assessed: Relevant conditions

NRW Lead Officer: Charlotte Rhodes, accompanied by Natalie Wrangham.

Report sent to: Tomos Davies, Land Agent for Permit Holder, on 09/01/2026.

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

| Part of licenced activity assessed (criteria) | Assessment result | Licence condition |
|--|-------------------|-------------------|
| WR-A2 - Water Abstraction - Abstraction specified by licence - Points of abstraction | C4 No impact | 1.2 |
| WR-B2 - Water Abstraction - Abstraction measurement and records - Recording | C4 No impact | 1.9.2 |
| WR-B1 - Water Abstraction - Abstraction measurement and records - Means of measurement | C3 Minor | 1.8 |

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

2. What action is required?

| Criteria | Action needed | Complete by |
|----------|---|-------------|
| WR-A2 | 1. Consider submitting a variation to permit condition 1.2 to update the grid reference for the point of abstraction. Please note that variations are at the expense of the license holder. | 10/03/2026 |
| WR-B2 | 2. Submit the annual return for the year 2024-25 as soon as possible in accordance with Conditions 1.9.2. If not possible, please explain why and how this will be rectified. | 10/02/2026 |
| WR-B1 | 3. Investigate the installation of a meter in line with Condition 1.8 and provide a plan of action with expected completion timescales. If meter infeasible please propose alternative method of measurement for consideration. Feedback on the progress of this by 10/03/2026. | 10/03/2026 |

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

On 10th December 2025, Officers C RHODES, N WRANGHAM and L HANDLEY met with the Land Agent acting on behalf of **R J M McLaggan** for a routine inspection of the water abstraction licensed by permit number: **21/58/44/0019** for “Supply from Colwinston Brook to fill flight pond”.

On the same day, Officers inspected **21/58/44/0028** for “Maintaining flow from Llandow Brook”, referred to in **CAR_NRW0050265**.

The Land Agent led Officers to the licensed abstraction point near the flight pond referred to in Condition 1.4, however it was quickly realised that the grid reference listed in Condition 1.2 refers to the inlet into the pond [SS 9290 7487] instead of the point of abstraction.

The weir on the Colwinston Brook which facilitates the abstraction in accordance with Condition 1.3 was found at ///northward.eyeful.kindest, or grid reference **SS 93035 74864**, pictured below.



The gravity feed abstraction pipe was not visible due to overgrowth, bank incision and high flows following recent heavy rainfall. Despite the high flows, very little was observed to be discharging from the pipe input to the pond – pictured below left – leaving soggy ground rather than feeding the pond itself.



The field through which the pipe flows in order to reach the pond from the brook - picture above right - does not have a significant gradient and the outlet was partially buried. It is possible that there either isn't sufficient gradient for the gravity flow at all river flows, or the pipe is partially blocked. Alternatively, a combination of both factors is possible. This would be for the licence holder to investigate if they believe they are not able to fully utilise their licence.

Condition 1.3 states that “gravity feed pipe not exceeding 150mm internal diameter to be laid sloping upwards from weir across Colwinston Brook to enter flight pond at such a level that the invert of the intake pipe is **not lower** than the top of the weir” indicating that it was designed this way to only abstract during high flows. However, despite visiting during high flows in the brook the abstraction appeared minimal. **See actions.**

Breaches of conditions

Condition 1.2 – the point of abstraction listed in the permit is not accurate to the on-the-ground arrangements. This constitutes a Category 4 non-compliance, see explanation above.

Condition 1.3 – Officers were unable to determine the diameter of the pipe, however it did not appear larger than that licensed. Unable to determine invert level. This therefore constitutes a Category 4 non-

compliance.

Condition 1.7 – quantities of water abstracted were not able to be assessed at this time due to the overdue submission of 2024-25 data, constituting a Category 4 non-compliance. See action 2 below.

Condition 1.8 – no meter was in place at site, nor was the Land Agent aware of there ever having been one. This not only constitutes a non-compliance with this condition, but an inability to submit accurate abstraction returns in line with Condition 1.9. Category 3 is given due to lack of clarity on the accuracy of abstraction readings and records. See action 3.

Condition 1.9 – to the Land Agent’s knowledge, no readings are taken by the license holder in accordance with 1.9.1. Moreover, the annual submission of the record or summary data for the year 2024-25 was **not received** this year, demonstrating a non-compliance with 1.9.2. Category 3 – see action 2 below.

Condition 1.10 – this is unable to be accurately assessed. At the time of the inspection river flow was high and the abstraction was not taking more than one third of the flow. I recommend that another visit is conducted during lower flow conditions.

Actions / Further comments

Overall, the site was found to be **non-compliant** with several permitted conditions, namely 1.2, 1.8, 1.9.1 and 1.9.2. Several other conditions were unable to be assessed as a result of this, namely 1.10 and 1.7.

As earlier mentioned, our records also state that the abstraction return for the period 01 April 2024 – 31 March 2025 is **overdue**. As such, a **written Warning** is included herein. Please see actions below:

1. Consider submitting a variation to permit condition 1.2 to update the grid reference for the point of abstraction. Please note that variations are at the expense of the license holder. Deadline 10/03/2026.
2. Submit the annual return for the year 2024-25 **as soon as possible** in accordance with Conditions 1.9.2. If not possible, please explain why and how this will be rectified. Deadline 10/02/2026.
3. Investigate the installation of a meter in line with Condition 1.8 and provide a plan of action with expected completion timescales. If meter infeasible please propose alternative method of measurement for consideration. Feedback on the progress of this by 10/03/2026.

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.