

Compliance Assessment Report CAR_NRW0050265

Licence being assessed: 21/58/44/0028.

For: Maintaining flow flow from Llandow Brook, held by Rory McLaggan.

At: .

Type of assessment: Site Inspection, Reason: Routine.

On 10/12/2025, between 10:15 and 11:00.

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-A3 - Water Abstraction - Abstraction specified by licence - Means of abstraction	C3 Minor	1.3
WR-A8 - Water Abstraction - Abstraction specified by licence - Other specified on licence	Action only (X)	
WR-A8 - Water Abstraction - Abstraction specified by licence - Other specified on licence	Action only (X)	
WR-B2 - Water Abstraction - Abstraction measurement and records - Recording	C4 No impact	1.7
WR-B2 - Water Abstraction - Abstraction measurement and records - Recording	Action only (X)	

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

2. What action is required?

Criteria	Action needed	Complete by
WR-A3	1. Conduct vegetation clearance around the abstraction point to determine if the board level and gravity feed pipe are visible within the next 3 weeks [from time of inspection], providing photos upon completion. Deadline 20/01/2026 – extra time granted due to festive period.	20/01/2026
WR-A8	2. Please confirm if the pond bed is “suitably lined with impermeable material to ensure no loss of flow discharged to the Afon Alun” in line with Condition 1.10.2 by 23/01/2026.	23/01/2026
WR-A8	3. Submit information (drawings and measurements of downstream weir and intake structure) for NRW to determine compliance with condition 1.10.1. Alternatively, submit information to propose alternative method to comply with	10/02/2026

Criteria	Action needed	Complete by
	condition. Deadline 10/02/2026.	
WR-B2	4. 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.	10/02/2026
WR-B2	5. Going forward, ensure that the License Holder takes regular readings in line with Condition 1.9.	Already completed

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 system licensed by licence number: **21/58/44/0028** for "Maintaining flow from Llandow Brook".

On the same day, Officers inspected **21/58/44/0019** for "Supply from Colwinston Brook to fill flight pond", referred to in **CAR_NRW0050263**.

The Land Agent let Officers to the licensed abstraction point on the Llandow Brook referred to in Condition 1.2, where we found the side weir / sluice gate for the abstraction as described in Condition 1.3 – pictured below. The "*gravity feed pipe of internal diameter not exceeding 300mm set at a hydraulic gradient not exceeding 1 in 625*" and "*board level set at 49.70 metres*" listed in 1.3, however, were not visible due to overgrowth and poor maintenance. See actions.



The weir was installed on the Llandow Brook downstream of the abstraction point in line with Condition 1.10.1 - pictured below. The set level of this weir was not visible due to overgrowth and heavy flows at the time of visit. The condition states “*such that a minimum flow of 18.3 litres per second shall pass over said weir before any water passes over the side weir (“abstraction point”)*”. It goes on to say that flow should be split 50/50 thereafter until the abstraction reaches the maximum flow rates listed in Condition 1.7.



The “wildlife wetland” this abstraction maintains flow to in line with Condition 1.4 was observed but did not appear to be actively maintained (as explained by the land agent) and mostly serves a small duck population.

Condition 1.3.1 states that the *abstraction is to be controlled by a side weir with a board level set at 49.70 metres in accordance with the site survey dated June 1998*. The land agent was not clear on how

the abstraction was controlled or what level the control gate / sluice was set at. There were no other methods of measurement visible at the abstraction point.

Officer WRANGHAM advised the Land Agent that they could consider installing a gauge board on the side weir to correspond with the depth required for set flow, which would facilitate calculation of the depth required for 18.3 litres per second to pass over the downstream weir and to shut off the abstraction when the flow reduces to below that level, allowing abstraction in line with Condition 1.10.1. Decommission options were also discussed if there are concerns with weir maintenance and frequency of abstraction being used, however an application will be required to remove the weir and revoke the licence. The abstraction licence may be able to be revoked without removal of the weir, however this would be determined as part of the application.

Breaches of conditions

Condition 1.3 – whilst the side weir was observed on site, the gravity feed pipe and board level set mentioned in the condition were not. It was therefore unclear how much abstraction was taking place. Whilst not an urgent issue at higher flows, at lower flows this could be detrimental to the downstream environment. This therefore constitutes a Category 3 non-compliance until resolved.

Condition 1.7 – Abstraction quantities were not able to be assessed at this time due to the overdue submission of 2024-25 data. Category 4 non-compliance; see action 4 below.

Condition 1.8 – this was not able to be assessed at the time of visit due to high flows. Recommend another visit during lower flows to assess.

Condition 1.9 – to the Land Agent's knowledge, no readings are taken by the Licence 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 Category 4 non-compliance with 1.9.2. See action 4 below.

Condition 1.10 – whilst the downstream weir was observed on site, it was not clear how the minimum flow is passed forward prior to abstraction, or how a 50/50 split is achieved. Previous CAR forms show non-compliance with this condition, and it is not clear if this has since been addressed. Recommend another visit during lower flows to assess and request additional information from Licence Holder.

Condition 1.10.2 – It was unclear whether the wetland was lined. Please see action below to determine whether this is compliant. Could the Land Agent/License Holder please confirm if the pond bed is “*suitably lined with impermeable material to ensure no loss of flow discharged to the Afon Alun*” in line with Condition?

Actions / Further comments

Overall, the site was found to be **non-compliant** with several permitted conditions, namely 1.3, 1.9.1, 1.9.2 and 1.10. Several other conditions were unable to be assessed, namely 1.7 and 1.8.

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. Conduct vegetation clearance around the abstraction point to determine if the board level and gravity feed pipe are visible within the next 3 weeks [from time of inspection], providing photos upon completion. Deadline 20/01/2026 – extra time granted due to festive period.
2. Please confirm if the pond bed is “*suitably lined with impermeable material to ensure no loss of flow discharged to the Afon Alun*” in line with Condition 1.10.2 by 23/01/2026.
3. Submit information (drawings and measurements of downstream weir and intake structure) for NRW to determine compliance with condition 1.10.1. Alternatively, submit information to propose alternative method to comply with condition. Deadline 10/02/2026.
4. 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.
5. Going forward, ensure that the License Holder takes regular readings in line with Condition 1.9 [Action only, marked already completed as no set deadline].

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.