

Compliance Assessment Report CAR_NRW0050629

Licence being assessed: WA/067/0003/019.

For: , held by: Lee & Jennie Evans.

At: .

Type of assessment: Site Inspection,

Reason: Routine.

On: 19/05/2025, between 13:30 and 14:30.

Parts of licence assessed: See Report

NRW Lead Officer: Swyn Spencer, accompanied by Corinna Van Cayzeele.

Report sent to: R.Ff. Jones, J.M. Evans and L.Evans, Licence Holder, on 11/03/2026.

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

Part of licenced activity assessed (criteria)	Assessment result	Non-compliant licence condition
WR-G2 - Water Abstraction - Impoundment specified by licence - Manner and extent of impoundment	C3 Minor	3.1
WR-G4 - Water Abstraction - Impoundment specified by licence - Construction and removal requirements	C3 Minor	4.5
WR-E1 - Water Abstraction - Fish and Eel passage - Infrastructure specified by licence	C3 Minor	4.8

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

2. What action is required?

Criteria	Action needed	Complete by
WR-G2	Variation of permit needed, or ensure scheme is as per licence	01/06/2026
WR-G4	Ensure Sand Bags or any other obstructions are not placed on the scheme.	10/03/2026
WR-E1	Plunge Pool needed with a minimum depth of 300 millimetres	01/07/2026

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.

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 report is in reference to the Impoundment Licence WA/067/0003/019

This Compliance Assessment Report (CAR) has been raised by Natural Resources Wales (NRW) regulating officers to report on the findings of an unannounced site visit at Nant Cwm Hesgen, Cefn y Meirch, Rhos y Gwaliau, Bala on 2025-05-19, at 1.30pm. The purpose of the visit was to assess compliance of permit/licence number WA/067/0003/015 (Abstraction) and WA/067/0003/019 (Impoundment). The weather was sunny and dry at the time of the visit.

Water was not going through the abstraction screen at Point A, and no flow of water from the outfall pipe. The scheme was not abstracting on the day of the compliance visit.

Breaches of permit/licence conditions were identified during the visit, as outlined below:

3.1 MANNER AND EXTENT OF IMPOUNDMENT - (C3) Category 3 breach

The licence drawings show the abstraction and residual flow crests to both be 2.15 meters wide. However, they were measured on the day of 19.05.2025 to be:

- Intake screen: 1.53m (62cm shorter than licenced)
- Residual flow crest: 1.48m (67cm shorter than licenced)

The scheme is therefore non-compliant with the terms of the licence.

The scheme is physically able to secure an abstraction of over 50%. The dimensions are a significant deviation from the proposed design that has been licensed. If the licence holder proposes to leave the scheme as it is, they must vary the licence.

The Licence Holder must contact NRW Water Resources Permitting team to apply for a variation. If you wish to vary the licence in terms of dimensions/drawings or percentage take (zone), you can either pay for a bespoke pre-application service or directly apply to vary your licence via technical variation. Please note it is not guaranteed that a variation will be granted.

Apply for a variation via the following website: [Natural Resources Wales / Apply to renew or change an existing abstraction or impoundment licence](#)

If you have any queries or require assistance, please contact the Permitting Team on 0300 065 3000 (Monday to Friday, 9am–5pm) or email permitting@cyfoethnaturiolcymru.gov.uk. Please quote your licence

number in all correspondence.

Please contact me via email as Compliance Officer within a month of sending this report on which way you intend to proceed. We would expect a Permit to have started its variation process by the 1.6.2026, or the scheme to be as per licence by this date. Ensure that you communicate timelines with us via the below email: WR-NW@cyfoethnaturiolcymru.gov.uk.

4.5 FURTHER CONDITIONS - (C3) Category 3 breach

During a Compliance visit on this scheme on the 19.5.2025, there were clear obstructions over the residual area/Hand off flow area. Sandbags had been placed – see photos 1019 & 1032.

This means the flow which needs to go down the hands-off flow area/residual area was compromised. This means it was not operating as designed.

The sandbags were removed by the Environment Officer.

Keep the Hands of Flow and residual area free from obstructions through your maintenance regime at all times.

4.8 Plunge Pool Condition – downstream fish movement requirement in licence. - (C3) Category 3 breach

Licence states that a plunge pool needs to be constructed with a minimum depth of 300 millimetres. There was no suitable fish pool at the time of our visit. Please send us a suitable design via email within a month of receiving this report, to;

WR-NW@cyfoethnaturiolcymru.gov.uk

The design should be discussed and approved by our fisheries officer.

You will need to wait until after 15th May to work in water as per condition 4.7 of the impoundment licence.

We would expect works to be completed by 1.7.2026.

Should you have any queries regarding the contents of this compliance report or your abstraction licence, please do not hesitate to get in touch on the number or e-mail address below: swyn.spencer@cyfoethnaturiolcymru.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.

Photo 1019



Photo1032



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 required for the licence condition assessed to avoid non-compliance. No non-compliance scored at this time
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

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 non-compliance with a licence condition 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 twenty working days to let you know if we agree to your request.

Disputing the Content of this Compliance Assessment Report Form

If you disagree with the content of this Compliance Assessment Report form, you should submit your concerns, in writing, to the regulating officer who issued it within **15 working days** of its issue. This will be treated as a **Stage 1 review**.

If you are not satisfied with the outcome of the stage 1 review, you may request a **Stage 2 appeal**. This request must be submitted **within 21 working days** of receiving the response from the stage 1 review.

Further details on our review and appeal process are available at: [Natural Resources Wales / Appeal a regulatory decision from Natural Resources Wales](#)

Concerns Not Related to the Content of this Compliance Assessment Report Form

If your concerns do not relate to the content of the Compliance Assessment Report form, you should first attempt to resolve the issue with the regulating officer or their line manager.

If the issue remains unresolved, please contact our **Customer Contact Team**:

- **Telephone:** 0300 065 3000 (Monday to Friday, 09:00–17:00)
- **Email:** enquiries@naturalresourceswales.gov.uk

They will provide details on how to escalate your concerns through our **Complaints and Commendations procedure**.

If you are dissatisfied with our response, you may contact the **Public Services Ombudsman for Wales**:

- **Telephone:** 0300 790 0203
- **Email:** 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.