Cyfoeth Naturiol Cymru
Natural Resources Wales

# Compliance Assessment Report CAR_NRW0052559

**Licence being assessed:** 24/67/8/0010.

**For:** Llyn Cyfynwy and Pendinas Reservoir., **held by:** Hafren Dyfrdwy Cyfyngedig.

**At:** Llyn Cyfynwy, LL11 3BF.

**Type of assessment**: Site Inspection,

**Reason:** Routine.

**On:** 29/07/2026, between 13:30 and 13:45.

**Parts of licence assessed:** Flow conditions and compenation flow measurement

**NRW Lead Officer:** Rebecca Redmond, accompanied by Philip Barrett.

**Report sent to:** Licence Holder, Licence Holder, on 05/08/2026.

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

| Part of licenced activity assessed (criteria) | Assessment result | Non-compliant licence condition |
|---|---|---|
| WR-C2 - Water Abstraction - Surface/groundwater level and protected flow - Flow/level measurement devices | C3 Minor | Compensation flow as per Wrexham and East Denbighshire Water Order 1955 |

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

## 2. What action is required?

| Criteria | Action needed | Complete by |
|---|---|---|
| WR-C2 | Proceed with monitoring regime and development of proposal for means of measurement. Please update on plans by Oct 2026. | 01/10/2026 |

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.

**At this time, we do not intend to take any further action.**

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

A compliance inspection was carried out on 29/07/26 to the abstraction that takes place from Llyn Cyfynwy and Pendinas Reservoir under licence 24/67/8/0010. The reason for the inspection was to assess the flow conditions within the licence during the current dry weather that is resulting in low watercourse and groundwater levels being observed. No other licence conditions were assessed during the visit.

The visit found a reasonable flow considering the dry conditions we have been experiencing. Please see photo below:

The Wrexham and East Denbighshire Water Order 1955 requires the Company to deliver a compensation release into Pendinas Brook at or above the bridge spanning the River Alyn at Pen y Stryt, a regular and continuous supply of water of at least of 125,000 gallons a day (which equals 568 m3/day or 6.6 litres per second).

It has previously been identified that the compensation flow is not measured, as required by the Order, and does not appear to have ever been measured. In a previous CAR form (**CAR_NRW0037059)** HD reported to NRW that historically, this has been delivered via natural leaks in the leat around the reservoir. It was stated that HD agreed to carry out low flow monitoring on the Pendinas Brook to help establish how and where best to monitor the required compensation flow from Pendinas reservoir.

Could you please provide NRW with an update to planned monitoring and progress with

| |
|---|
| this by 1st October 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 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.