

Compliance Assessment Report CAR_NRW0037897

Licence being assessed: WA/062/0001/006.

For: Glasffrwd, held by Hydro Schemes UK Limited.

At: Ystrad Meurig, Pontrhydfendigaid, Ystrad Meurig, Ceredigion, SY25 6ES.

Type of assessment: Site Inspection, Reason: Other.

On 10/03/2021, between 16:00 and 16:40.

Parts of licence assessed: Impoundment/Abstraction Point

NRW Lead Officer: Heidi Markham.

Report sent to: Mr Kevin Jones, Director of Hydro Schemes UK Limited, on 26/04/2021.

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

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
WR-A2 - Abstraction specified by licence - Points of abstraction	C2 Significant	9.2 & 9.5 (ii)

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	The dimensions of the residual flow section of the structure need to be brought into compliance with the conditions specified within the licence.	24/05/2021

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

A water resources compliance inspection was carried out by Heidi Markham from the Ceredigion Environment Team on 10th March 2021.

The river flows were as expected during the visit. It was overcast and lightly raining at the time of the visit.

Glasffrwd Impoundment Structure

Water is abstracted from the Afon Glasffrwd near Pontrhydfendigaid, Ceredigion at National Grid Reference SN 76116 69365 as per licence conditions 1.1 and 2.1. Photographs 1 & 2 below show the abstraction point and the Afon Glasffrwd at the point just downstream of the scheme at the time of the visit on 10th March 2021.



Photograph 1: Point of abstraction on 10/03/2021

Photograph 2: Downstream view on 10/03/2021

As can be seen from Photograph 1, the cover lid material has now been replaced with steel, as is outlined in the abstraction licence. However, a piece of wood has been added to the structure after the works on the cover lid has been carried out. This has resulted in the chamber that forms the residual flow part of the structure (seen on the right-hand side of the photograph) to continue to be higher than the weir crest and the coanda screen.

Photographs 3 & 4 below show close-up images of the increased height in the residual flow section of the structure. Both photographs were taken during the visit on 10th March 2021.



Photograph 3: Increased height of residual flow section

Photograph 4: Increased height of residual flow section

- **Residual Flow**

As has been explained to you in numerous communications since 11th December 2019, an increased height of the residual flow section of the weir diverts a larger portion of water to the coanda screen and abstraction point, which results in a reduced amount of water downstream.

Licence Schedule of Condition 9.5 (ii) clearly states ' The quantity of water abstracted shall not exceed 40% of the available flow in the Glasffrwd excess of 20 litres per second'.

ACTION: The dimensions of the residual flow section of the weir need to be brought into compliance with the conditions in the licence.

- **Cover Lid**

As can be seen from the photographs, the construction material of the cover lid has now been changed to steel.

ACTION: Please could you confirm the date that the work was carried out on the chamber cover lid.

- **Debris Downstream of the Structure**

Please ensure that the debris that remains downstream of the structure does not cause an obstruction that results in the flows affecting the operation of the scheme in accordance with the licence conditions.

ENDS

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.