

Compliance Assessment Report CAR_NRW0036949

Licence being assessed: 24/67/5/0051.

For: Abstraction from Caregan Brook at Vale of Llangollen Golf Course, held by Vale Of Llangollen Golf Club.

At: .

Type of assessment: Site Inspection, Reason: Routine.

On 17/09/2020, between 10:00 and 11:15.

Parts of licence assessed: Condition 6 and 9

NRW Lead Officer: Ryan Carroll, accompanied by Jenny Rees-Jones.

Report sent to: Hayley Henson, Manager, on 10/12/2020.

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

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
WR-A3 - Abstraction specified by licence - Means of abstraction	C3 Minor	3. Means of Abstraction
WR-A1 - Abstraction specified by licence - Source of supply	Assessed (A)	

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	Submit pre-application enquiry	11/12/2020

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

Record amended to remove personal information.

Minor breach of impoundment abstraction in water course.

Arrived on site Vale of Llangollen Golf Club. Weather was dry and sunny.

Visit arranged with personnel from the Golf Club.

Met with staff at front of premises and made towards abstraction point.

Source of supply and point of abstraction as per licence conditions.

The groundskeeper provided the following information about the tanks that the abstracted water is transferred to:

Tanks x2,

Dimensions; height 2.3 metres, circumference 11.5 metres, radius 2 metres. Water fills our tanks to a height of 1.5 metres.

Our tanks have a gross volume of 29 cubic metres each but hold net water content of 19 cubic metres each.

The Submersible pump to fill holding tanks has a maximum flow rate of 180 litres a minute, filling each tank in approximately 2 hours.

The means of abstraction on the licence is conditioned to abstract via electrically operated fixed surface pump, as per condition .3. The actual means of abstraction is facilitated via pump in the sump adjacent to watercourse. A weir had also been constructed downstream of the sump. Staff explained that without the weir the water in the sump was not deep enough to pump from. He said that this weir was constructed in the spring and removed in the autumn annually.

In order to facilitate fish passing in the watercourse, staff incorporated a children's slide in the design over the dam to achieve this.

There was also a build up of sediment behind the dam in the brook. The weir is not stated as a means of abstraction on the licence and there is no impoundment licence in place. We have considered the impoundment against our low risk impoundment regulatory position statement. Our permitting team have recommended that you submit a pre-application enquiry so that the impounding weir can be licensed.

You can submit a pre-application enquiry using the form at this [link](#) previously provided to management by email. The page states that pre-app is chargeable however there is currently no mechanism for recharging. However charging for this service is imminent, so it's advisable applying sooner rather than later if you want to avoid the fee.

Staff provided the following readings from the abstraction point:

15/05/2020 90255m3

14/08/2020 93287m3

17/09/2020 @ time of visit 93892m3

29/10/2020 94314m3*

*updated email.

Staff indicated that pumping usually takes place for around 3 to 4 hours per day.

As per condition 8 we need to ensure that the meter is calibrated as per manufacturers recommendations.

*Ensuring daily limits are complied with and maintaining accurate recording as per the reporting conditions set out in accordance with NRW policy.

As your licence indicates that you abstract less than 100m3 per day then you are not required to submit regular updates to us of your readings, but you are required to take monthly meter readings at the same day each month.

Correspondence with staff on 19 October 2020 at 17:21 advising compliance with condition 10a which states that "No abstraction shall be made at a rate that will reduce the flow in the Caregan Brook by more than 50%." The Golf Club indicated that there is no definite method for ensuring that they do not abstract more than 50% of the stream. This issue can be addressed in pre permitting discussions re the impoundment.

Please contact us if you need to discuss further.

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.