

Compliance Assessment Report CAR_NRW0038955

Licence being assessed: WA/057/0024/007.

For: Crickhowell Resources and Information Centre, held by Llangattock Green Valleys Mirco Hydro (2) Co-operative Limit.

At: Beaufort Street, Crickhowell, Powys, NP8 1BN.

Type of assessment: Audit, Reason: Routine.

On 12/08/2021, between 10:00 and 11:00.

Parts of licence assessed: all

NRW Lead Officer: Natalie Wrangham.

Report sent to: Steve Sharp, volunteer, on 22/11/2021.

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

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
WR-G1 - Impoundment specified by licence - Inland water to be impounded	Assessed (A)	
WR-G2 - Impoundment specified by licence - Manner and extent of impoundment	C4 No impact	3.1
WR-G5 - Impoundment specified by licence - Other specified on licence	C4 No impact	4.5 The Licence Holder shall construct, operate and maintain the intake works in accordance with the specifications and drawings referred to in condition 3.1 of this licence and keep them free from leakage and obstruction at all times.

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	licence variation required to update drawings attached to licence to accurately reflect final design.	31/01/2022
WR-G5	De-silting of area behind weir required	31/01/2022

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

12/08/2021 Officer Natalie Wrangham met with Steve Sharp, a volunteer for Llangattock Green Valleys Micro Hydro (2) Co-operative Limited to carry out a compliance inspection on the HEP scheme on the Nant Saerbren, Treherbert.

The scheme was abstracting at the time of the visit.

At the intake I checked the NGR of the scheme and compared the structure to the drawings referred to and attached to the licence documents (WA/057/0024/004 & 007). The drawings were slightly different to the actual structure with the residual flow and hands off flow notches on the opposite side of the weir. An action will be recorded for the licences to be varied to update the drawings. I took measurements of the screen width and the width of the notches, and the depth of the weir crest and HOF notch. I checked these again on the 15/11/2021 to confirm my measurements. The measurement taken showed the screen width to be 1500mm, the flow split / residual flow notch to be 290mm and the HOF notch to be 205mm. The weir crest depth was measured as approximately 160mm and the HOF notch crest was measured as approximately 80mm below this. I checked these measurements with colleagues in hydrology who confirmed that the measurements allowed the scheme to be compliant with the residual flow and HOF conditions on WA/057/0024/004. However on site I did note that there was a fair bit of silt build up behind the weir, particularly on the residual flow side of the weir, and this had worsened on my visit in November. This will need to be addressed as the silting up of these notches can reduce the flow down them, and instead favour water going down the screen side of the weir. This could have an environmental impact during medium to low flows as water being released downstream of the structure will be reduced. This will be recorded as a non-compliance with the licence conditions with an action for the silt to be cleared by 31st January 2022 and a plan put in place to regularly check and clear debris behind the weir.



ACTION

De-silt area behind the weir to allow free flow of water and put in place monthly checks to ensure no blockages or accumulation of silt - by 31/01/2022

Apply for an admin variation to the abstraction and impoundment licences to update drawings on licence - application to be made by 31/01/2022. I will forward on more information about this

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.