

Applying for a temporary abstraction licence

Introduction and guidance notes



Water Resources Act 1991 (as amended by the Water Act 2003), Environment Act 1995,
The Water Resources (Abstraction and Impounding) Regulations 2006

About this application pack

This pack contains the form you need to apply for a temporary abstraction licence.

In the pack, you should find:

- the application form (WR171)
- a guide to getting your licence

If any of these items are missing from the pack or if you have any questions about filling in the form or about your licence application, please phone our National Customer Contact Centre on 08708 506506 or email us at enquiries@environment-agency.gov.uk

We strongly recommend that you contact us prior to making your application in order to discuss your proposals and help identify what other permissions may be required.

If you have applied for a temporary licence before please contact us on 08708 506506 before you proceed to discuss your proposals.

Only use this application pack to apply for a new temporary licence to abstract water over a continuous period of less than 28 days. Do not use this pack to if you plan to abstract for 28 days or more, if you wish to extend an existing temporary licence or you wish to impound water. In these cases you must apply for a full, transfer or impounding licence using forms WR173 and WR174 or WR175.

Your responsibilities

Why you need a licence

Under the Water Resources Act 1991, an abstraction licence from the Environment Agency will usually be needed if you want to abstract more than 20 cubic metres of water a day from a surface or underground source.

Fees and charges

Licence application fees

When you send us your application form, you will have to pay a fixed fee for processing your application (the amount is stated in our Abstraction Charges Scheme which can be found on our website at www.environment-agency.gov.uk/business/444669 or alternatively you can phone us on 08708 506506).

We cannot deal with your application if:

- the fee is not enclosed
- the fee enclosed is incorrect
- the application form is not fully completed.

Annual charges for abstracting water

There are **no** annual abstraction charges for temporary licences.

Our responsibilities

The licensing system helps manage water resources in England and Wales for the protection of the environment and in a way that is fair to all users.

What happens when we get your completed application?

- We will write to confirm that we have received your application and in the vast majority of cases a decision will be made within 28 days of this date.

- If you ask for a receipt for the fee, we will send you one.

To help us understand your application we may need to contact you, or your representative, to ask for further information.

How long does it take for us to make a decision?

We aim to determine an application for a temporary licence submitted with all supporting documentation within 28 days of receipt. You should allow for this before you plan to abstract. In complex cases an Environmental Report, Environmental Statement, consent for discharge or consultation with other bodies may be required. In these cases the determination period may need to be extended. If we cannot keep to this timescale we will usually tell you why and ask for more time.

Granting your temporary licence

When we have concluded our investigations, we will know whether or not we can grant you a licence and will contact you to explain our decision.

A temporary abstraction licence will contain the conditions under which you can abstract water.

You can appeal to the Secretary of State (in England) or the National Assembly for Wales (in Wales) if:

- you are not happy with the conditions we include on your licence
- we refuse your application for a licence.

We will send details of how you can appeal when we advise you of your application.

If we do not decide your application within 28 days, you may also appeal, unless you have agreed in writing to a longer period for us to make a decision. You have a further 28 days from this date to appeal.

Abstraction licences

If we issue a licence to abstract water there is no guarantee:

- that the amount of water you are allowed to abstract will in fact be available (this can be affected by things such as weather conditions)
- of the quality of the water
- that the water is suitable for the intended purpose.

Completing the application

If you have any questions regarding completing this application please contact us on 08708 506506. For example, if you are not sure you have answered all the questions in enough detail or if you have difficulty in giving us all the information we need.

We strongly recommend that you contact us prior to submitting a formal application to identify whether any further supporting information or additional consents are required as this may require extra time. It may help to submit a draft application at an early stage to allow time to resolve any potential problems.

If you need more space for any of your answers please continue on a separate piece of paper. Make sure that you label each sheet clearly and tell us which question it applies to.

Completing the application form

1 The applicant

If the applicant is:

- an individual, give their title, first and last names
- a company, give the address of the Registered Office and company registration number
- a firm or partnership, give
 - full names and addresses of all partners
 - the trading name
 - the trading address
- a club or charity, give
 - the full names and addresses of all trustees
 - the name and address of the person authorised to receive the licence on their behalf.

2 Other contacts

Please complete this section if you wish another party or agent to act as the contact for this application.

3 Location of the abstraction site

You must send a map with this application. Please make sure that all the information is shown clearly.

The map must:

- show the area of land covered by your application
- be a scale of 1:10,000 or larger (base your map on an Ordnance Survey map)
- be labelled for individual points and areas ('A', 'B' and so on)
- be coloured or hatched to highlight areas on the map
- be easily cross-referenced to labelled and highlighted areas on the map.

If you are not sure exactly where you abstract:

- give the Ordnance Survey national grid references of the points between which you abstract, and bracket them together
- label the points with letter(s) ('A', 'B' and so on).
- if the inland water or underground source has a local name please give it.
- a separate form should be completed for ground water and surface water sources

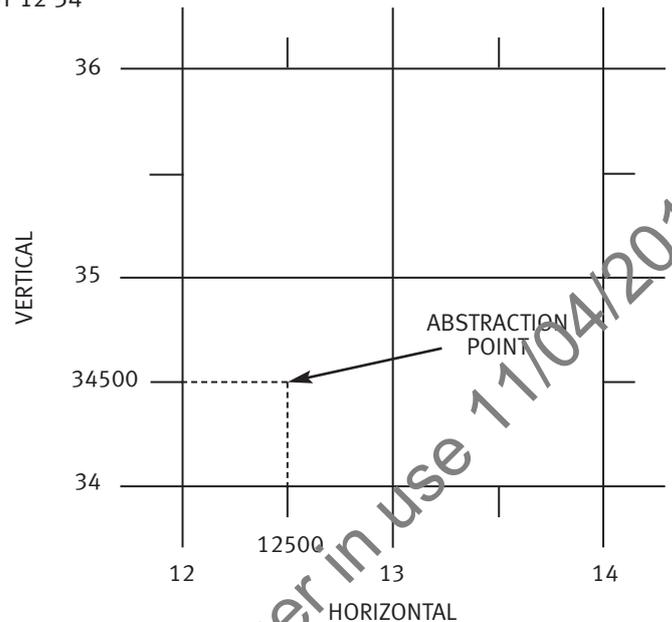
How to find your grid reference

A grid reference is not the same as a field number.

To work out the ten-figure grid reference of your proposed abstraction to the nearest ten-metre square:

- read the two letters identifying the square (this will be noted on the front cover of the 1:10,000 scale map)
In this example it is ST
- locate the first vertical grid line to the left of your proposed abstraction and read the numbers labelling the line either on the top or bottom of the line
In this example it is 12
- locate the first horizontal grid line below the proposed abstraction and read the numbers labelling the line either on the left or right margin of the map.
In this example it is 34

The area can then be easily located within that grid square ST 12 34



If you then imagine the square is split into ten sections across and ten down the fine grid reference is ST 12500 (horizontal) 34500 (vertical).

4 Entitlement to apply

To be entitled to apply for a licence to abstract water for a temporary licence you must be able to satisfy the requirements described in the application form relating to a right of access to, or occupation of, the land at the place(s) or point(s) where the abstraction is to be made.

5 About the abstraction

We need these details to help decide if the quantity you plan to abstract is reasonable for your needs.

Please specify:

Purpose

Clearly outline all purposes that the abstracted water will be used for.

Quantity

State the maximum amount (cubic metres per day and per hour) of water you propose to abstract during the specified period for each purpose.

Conversion table

1 hectare	2.471 acres
1 acre	0.4047 hectare
1 millimetre	0.0394 inches
1 inch	25.4 millimetres
1 metre	3.2808 feet
1 foot	0.3048 metres
1 cubic metre	1,000 litres
1 cubic metre	219.969 gallons
1 gallon	4.546 litres
1,000 gallons	4.5461 cubic metres
1 acre inch	22,610 gallons
1 acre inch	102.8 cubic metres

Measurement and records

Please state how you propose to measure or assess the amount abstracted (e.g. hours run, pump capacity, meter).

You may be required to keep records of your abstraction and may need to submit these to us.

Please note methods of measurement and record keeping may be included as part of the licence conditions.

6 Discharge of water

We need to know:

- how much of the water you abstract will be discharged after use
- the point(s) where the water will enter an inland water, a public sewer, a soakaway, etc.

Describe the point(s) as clearly as possible on this form and mark it/them ('P', 'Q', and so on) on the map.

Water undertakers should indicate how the abstraction is likely to affect the sewerage infrastructure in the area (continue on a separate sheet if you need to).

The discharge may need consent from us (in relation to pollution control). If you need to discuss whether you need consent please phone us on 08708 506506. **This can take up to four months so early contact with us is essential.**

7 Other considerations

We need to know whether you have any outstanding applications or existing licences – if you do not know the numbers please contact us.

We need to know whether you are required to enter into a management agreement with English Nature/Natural England (in England) or the Countryside Council for Wales (in Wales).

8 Data Protection Act 1998

The information provided by yourselves will be processed by the Environment Agency to deal with your application, to monitor compliance with the licence conditions, to process renewals and for maintaining the relevant public register(s).

We may also process and/or disclose it in connection with the following:

- offering/providing you with our literature/services relating to environmental matters;
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, Local Authorities, Emergency Services, Defra or the Welsh Assembly Government) 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 and taking any resulting action;
- preventing breaches of environmental law;
- assessing customer service satisfaction and improving our service; and
- responding to requests for information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004, where the Data Protection Act allows.

We may pass it on to our agents/representatives to do these things on our behalf.

Who signs the form?

Please ensure you check the form thoroughly and complete the checklist in Part 9 of the application form before signing and dating the form. Note that:

- If the applicant is an individual they have authority to sign the form.
- If the applicant is a sole trader they have authority to sign the form.
- If the applicant is a partnership all partners must sign the form.
- If the company has trustees all trustees must sign the form.
- If the application is for a limited company the application should be signed by a company secretary or a director.

If you are in any doubt as to who should sign the form please phone us on 08708 506506.

It is an offence to make a false statement when applying for a licence.

Where to send the application

Please send your completed application form and any supporting documentation to the Permitting Support Centre, Water Resources Team, Quadrant 2, 99 Parkway Avenue, Parkway Business park, Sheffield, S9 4WF.

Glossary

The following definitions are intended as a guide only. For full legal definitions applicants are advised to consult:

- the Water Resources Act 1991
- the Water Act 2003
- the Water Resources (Environmental Impact Assessment) Regulations 2003
- the Environment Act 1995
- the Water Resources (Abstraction and Impounding) Regulations 2006.

They are all available online at www.hms.gov.uk

Abstraction

Removal of water from a source of supply (temporarily or permanently). It includes water removed for transfer to another source of supply.

Discrete waters

Any inland water (such as a lake, pond or reservoir) which does not discharge into any other inland water. It can also be a group of two or more lakes, ponds or reservoirs (including watercourses or mains connecting them) which do not normally discharge into any inland water outside the group.

Discrete waters are not a 'source of supply' for the purposes of the Water Resources Act 1991 and a licence is therefore not needed for abstraction from one.

Environmental appraisal

This is any approach or process that uses information to assess the environmental effects of a proposal. It includes all forms of:

- strategic environmental assessment or appraisal
- project-level assessment
- appraisal that may or may not fulfil the requirements of a 'statutory' environmental impact assessment (EIA).

Environmental impact assessment

This is a formal statutory process, set out in the Water Resources (Environmental Assessment) Regulations 2003. It involves collecting, assessing and taking into account information about the environmental effects of a project to reach a decision on whether the project should go ahead. EIA is rarely required for abstraction licence applications. The less formal environmental appraisal approach is much more common.

Environmental report

This sets out the findings of an environmental appraisal. It can follow the format of an environmental statement (see below) but need not be as detailed or broad. The detail and breadth of the environmental report are determined by the nature of the likely environmental impacts.

Environmental statement

This is prepared by the developer and sets out:

- the findings of an EIA
- their own assessment of a project's likely environmental effects.

It is submitted in conjunction with an application for an Environment Agency licence or consent.

Full licence

A licence to abstract water from one source of supply over a period of 28 days or more for any purpose.

Impounding works

Any dam, weir, or other works in an inland water by which water may be impounded, and any works for diverting the flow of an inland water in connection with the construction or alteration of any dam, weir or other works falling within point 1.

Inland waters

'Inland waters' are:

- any natural or artificial river, stream or other watercourse whether tidal or not
- any natural or artificial lake or pond
- any reservoir or dock
- any other channel, creek, bay, estuary or arm of the sea.

Source of supply

Any inland waters (except discrete waters) or any underground strata in which water is or at any time may be contained.

Temporary licence

A licence to abstract water from one source of supply over a period of less than 28 days for any purpose.

Transfer licence

A licence to abstract water from one source of supply over a period greater than 27 days for the purpose of either :

- transferring water to another source of supply; or
- transferring water to the same source of supply, but at another point, in the course of dewatering activities in connection with mining, quarrying, engineering, building or other operations (whether underground or on the surface)

in either case without intervening use.

Underground strata

'Underground strata' means strata subjacent to the surface of any land. Water in underground strata includes water contained in:

- a well, borehole, or works ancillary to these
- any excavation into underground strata where the level of water depends on entry of water from those strata.

It does not include water in:

- a sewer, pipe, reservoir, tank
- any other underground works constructed in underground strata (where the water is not in contact with water in the strata).

Watercourse

The term 'watercourse' includes all passages, streams, rivers etc. through which water flows, except mains and other pipes used for the purpose only of providing a supply of water to any premises.