

DECISION STATEMENT

ABSTRACTION LICENCE APPLICATION

Robert Browning and Son

Application number: NPS/WR/035438

Licence number: 8/37/24/*S/0078/R02

EA Area: East Anglia

Date of Application: 29/09/2021

Applicant details:

Robert Browning and Son

Tey Brook Farm
Great Tey
Colchester
Essex
CO6 1JE

Summary of the proposal: This application is for a new licence on the same terms to replace an expiring abstraction licence 8/37/24/*S/0078/R01 that was time limited and expired 31 March 2022.

Source of supply: Roman River

Points of abstraction and quantities: NGR TL 8948 2495, 20,000 cubic metres per year

Means of abstraction: Gravity fed inlet structure controlled by a weir.

Purpose of abstraction: Storage in a reservoir for subsequent spray irrigation.

Abstraction period: 01 November to 31 March inclusive

Case history: On 15 March 2016, licence 8/37/24/*S/0078/R01 was issued with reduced quantities and a short time limit due to limited justification of need. As part of issuing the licence, the licence holder was made aware that the licence was unlikely to be renewed again if the licence remained unused and justification of need was not improved. On 30 September 2021, a renewal application was received to renew the licence. As part of the application further information was requested to justify the licence renewal but no further information was received. On 25 April 2023, we notified the applicant that we were minded to refuse the application due to a lack of justification of need. No further information was received from the applicant.

Justification of quantities: We have a duty to consider the reasonable requirements of water. In the case of applications to renew existing licences, this consideration will be to look at historic uptake of the licence and any future plans that the licence will be used for. In 2016 when the licence was last renewed, the lack of historic usage was assessed and the licensed volumes were subsequently reduced as part of that application. A short time limit was applied to allow for a re-assessment of the justification to be made. Since 2016, no abstraction has taken place and no information or business plan has been provided to support the continued need for water.

As no justification has been provided and there has been no use of the water since it was last renewed, we consider that there is not a reasonable requirement to the water and the application is refused on these grounds.

Resource assessment:

Not applicable as the application is being refused.

Impact assessment of proposal:

Not applicable as application is being refused.

Statutory consultation:

Not applicable.

External representations:

Not applicable.

Protected rights:

Not applicable.

Conservation issues:

None.

Conclusion and recommendation:

The Environment Agency has refused the application to renew the existing abstraction licence due to insufficient justification of need.

Contact the Environment Agency:

Water Resources Team, 99 Parkway Avenue, Sheffield, S9 4WF
Email: PSC-WaterResources@environment-agency.gov.uk