

Restoring Sustainable Abstraction: Section 52 mandatory licence changes

Instruction: 400_12

Published: [21/10/2019]

This document describes how to change water abstraction and impounding licences that are in the Restoring Sustainable Abstraction (RSA) programme, using section 52 of the Water Resources Act 1991 (WRA91).

Audience:

- Area RSA Leads (IEP teams) and Permitting & Support Centre (P&SC) staff,

with support from:

- Sustainable Abstraction Team, Operations Catchment Services

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Introduction

We protect the environment through various aspects of water resources legislation and can make changes to abstraction and impounding licences using sections 51 and 52 of the WRA91.

Using section 51, the licence holder applies for the changes voluntarily. Section 52 changes are proposed by the Environment Agency and referred to the Secretary of State (SoS) for a decision.

This document outlines the process for section 52 changes. We must be fair and transparent to the licence holder about the two options and their potential right to compensation.

Changing a licence using section 52

If a licence holder is not willing to volunteer to change their licence(s) using section 51, we use section 52 and issue the licence holder with a notice proposing the change.

Where we propose to change a licence under section 52, we apply a time limit to the whole licence.

If the licence holder objects to our proposal, it is referred to the Secretary of State (SoS) who makes the final decision. In this case, the licence holder may be entitled to compensation.