creating a better place

Environment Agency

Brett Aggregates Limited
150 Aldersgate Street
London
EC1A 4AB

Our reference: NPS/WR/029175

Date: 2 November 2018

Dear Sir/Madam

Decision on your application for a licence
Application number: NPS/WR/029175
Licence number: TH/039/0028/054

We are writing to tell you that your application for a full abstraction licence has been determined.

Your new licence will end on 31 March 2026. This is the "date of expiry" shown on the licence.

Please read your new licence carefully as it is a legal document and you will have to keep to the conditions shown on it and do any extra monitoring in line with the licence conditions.

Please be aware that this licence contains a self destruct condition. This prevents water being tied up for long periods of time should the proposal not proceed, so that it is available for the environment, other lawful users or developers. This is increasingly important to enable us to comply with our legislative duties around ensuring effective and efficient use of water, coupled with the uncertainty Climate Change may have on future resources.

This licence has been granted in line with current legislative requirements and policy on water resource management. However, Government have consulted on reforms which may affect the duration, quantities and management of licences before your current licence expires. You may wish to take account of this in your business decisions. If you would like to find out more, please search for 'abstraction reform' on gov.uk.

We make water charges based on the yearly authorised amount shown on your licence and not on what you actually abstract. The charges will become due from the date your licence becomes effective and on 1 April each year after that. If you have applied to vary your licence, you may have to pay more abstraction charges. We will send you an account for water charges shortly, unless the authorised abstraction period has now passed – in this case, we will not send you an account for water charges until 1 April. To work out your charges, please refer to our Scheme of Abstraction Charges, which is available on our website at www.gov.uk/environment-agency.

If it's a condition of your licence to install and position a meter to measure the water you abstract, you'll need to do this in line with a written direction we give you. Please treat this letter as this written direction. When we acknowledged your application we sent you our water abstraction metering factsheet.
If you haven't already done so and unless you have more complex metering requirements, please make sure you refer to this factsheet. This will help you to choose the right type of meter and to know how to install it correctly before you start abstracting water.

You are responsible for making sure that any water abstracted is suitable for the purpose it will be used for. You must continue to monitor the water to make sure you are using it efficiently. It is also your responsibility to make sure that you have any other permission (for example, planning permission) you need in connection with your proposed work.

If you are not satisfied with any decision relating to the licence, you can appeal to the Secretary of State for Environment, Food and Rural Affairs. You do this by filling in a 'notice of appeal', which you can get from the address below.

Environment Appeals
The Planning Inspectorate
3 Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Phone: 0303 444 5584
Email: environment.appeals@pins.gsi.gov.uk

You must send written notice of the appeal and the documents listed below to the Secretary of State to the Planning Inspectorate address above. At the same time you must send us a copy of the notice and documents to:

Victoria Douglass
Appeals Coordinator
Environment Agency
National Permitting Service
Knutsford Road
Latchford
Warrington
WA4 1HG

Phone: 0203 0251094
Email: victoria.douglass@environment-agency.gov.uk

You must send the notice to the Secretary of State (you must also send a copy to us), at the address above, **within 28 days** of the date of this letter (in exceptional circumstances, the Secretary of State can give you longer to make your appeal). In the notice you must give the reasons for the appeal, and you must also send:

- a copy of your application;
- copies of any information or reports you sent to us with the application;
- this letter; and
- any other relevant correspondence.

You can withdraw an appeal at any time before a decision has been made.

If you have any questions about your application, please contact the Water Resources team on 0208 474 8939.

Yours sincerely

Joe Tidbury
Team Leader
Permitting Support Centre

Direct dial: 0208 474 8939
Direct fax: 0114 262 6697
Direct e-mail: PSC-WaterResources@environment-agency.gov.uk

Environment Agency

Water Resources
LICENCE TO
ABSTRACT
WATER

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

IMPORTANT NOTES

Need for safekeeping

This licence is an important document. The permission or right to abstract water may be valuable to your landholding. So -

- **Keep the licence safe, preferably with your deeds etc.**
- **Take careful note of the comments below about "transfer and apportionment" and "death and bankruptcy".**

This is to ensure that the permission and any rights granted by the licence continue if you need to pass it on to someone else.

If you want to:

- **revoke (cancel) the licence;**
- **vary (change/amend) the licence in any way or**
- **change your contact address (but you continue to hold the licence).**

Please write to us at your local Environment Agency office.

Details of this licence are placed on a register, kept by the Environment Agency and open for inspection by the public. The public may also obtain further details about it by virtue of the Environmental Information Regulations 2004 (see also Disclosure of Information) except in special cases (for advice please contact us at the address shown on the front page of the licence).

Transfer and apportionment

If you need to pass this licence or any part of it to someone else, you must contact the Environment Agency and obtain the appropriate application forms. Temporary licences cannot be transferred or apportioned. The licence holder remains responsible for compliance with the terms of the licence and any charges payable until the licence has been transferred or apportioned.

Death or bankruptcy of the licence holder

If a licence has been **'vested'** in you, as a result of the death or bankruptcy of the licence holder, please contact the Environment Agency in writing, telling us the licence number(s) and the date that the licence vested in you as a personal representative or trustee of the licence holder. This is necessary in order to enable you to subsequently transfer the licence.

'Vesting' is the transfer of responsibility and ownership of a licence when an existing licence holder is no longer able to hold the licence either through death or bankruptcy.

You do not have to complete a form, but you must notify us in writing within 15 months of the date of vesting, giving the full names of all personal representatives or trustees and a contact address.

Time limits

Your licence may be subject to a time limit (stated on the front of your licence). All new abstraction licences are legally required to include a time limit. For variations to licences, time limits are added in accordance with our policy.

The duration of a time limit is determined in accordance with our time limiting policy. The time limit is linked to the next or subsequent review of water resources within a Catchment Abstraction Management Strategy (CAMS).

There will be a presumption of renewal providing three tests are met: environmental sustainability is not in question; there is continued justification of need; and water is being used efficiently. Any application for renewal will still be subject to the normal statutory considerations.

If your licence is time limited and you wish to renew it when it expires, you will need to apply for a new licence to replace the existing one. You are advised to submit this application at least three months before it expires. To allow you to give early consideration to this, we will send you a reminder approximately 18 months before the expiry date.

If your licence cannot be renewed, we will endeavour to give at least six years notice. We will also endeavour to give at least six years notice where the licence is likely to be renewed on different terms and will significantly impact upon the use of the licence.

In exceptional circumstances, for example where there are other overriding statutory duties such as the Habitats Regulations, it may not be possible to provide six years notice.

Charges

Unless specifically exempted, we may levy an annual CHARGE for water AUTHORISED to be abstracted by this licence, in accordance with our abstraction charges scheme in force at the time.

The licence may be revoked if charges are not paid.

Quantity and quality of water

You must not abstract more than the quantity specified in the licence.

The Environment Agency does not, by issue of this licence or otherwise, in any way guarantee that the source of supply will produce the quantity of water authorised to be abstracted by this licence, nor that the water is fit for its intended use.

The quantity of water authorised for abstraction is given in cubic metres. One cubic metre is approximately 220 gallons.

(The precise conversion is 1 cubic metres = 219.969 gallons).

Source of supply and authorised point of abstraction

You may abstract from the point(s) specified in the licence and from no other points. If you want to add or change the authorised point(s) of abstraction, you must apply to us to vary the licence.

Land on which water is authorised to be used

Where this condition applies, you may only use the water you abstract on the area specified in the licence. You must apply to us to vary the licence if you wish to extend or alter this area or remove it.

Purpose for which water is authorised to be used

You may only use the water for the purpose(s) specified in the licence. You must apply to us to vary the licence if you wish to add to or change the purpose(s).

Offences

Under the Water Resources Act 1991 it is an offence:-

- to abstract water, or cause or permit any other person to abstract water, unless the abstraction is authorised by and in accordance with an abstraction licence, or is subject to an exemption;
- to do anything to enable abstraction, or to increase abstraction, except in accordance with an abstraction licence or exemption;
- to fail to comply with the conditions of an abstraction licence.
  Note in particular that it may be a condition of the licence to maintain the meter or other measuring device etc. and failure to do so will be an offence;
- to interfere with a meter or other device which measures quantities of water abstracted so as to prevent it from measuring correctly;
- to fail to provide information which we have reasonably required for the purpose of carrying out any of the Environment Agency's water resources functions;
- to knowingly make false statements for the purpose of obtaining a licence or consent or in giving required information.

The requirement for a licence is subject to some exemptions, set out in the Water Resources Act 1991 as amended. If in any doubt as to whether you need a licence, contact us at the address shown at the bottom of the front page of the licence.

Right of appeal

If you are dissatisfied with our decision on your licence application, you may appeal.

If you are in England, you should write to the Secretary of State for the Environment, Food and Rural Affairs, care of The Planning Inspectorate at:
Room 4/19 Eagle Wing,
Temple Quay House,
2 The Square,
Temple Quay,
Bristol,
BS1 6PN.

If you are in Wales, you should write to The National Assembly for Wales care of The Planning Inspectorate at:
Crown Buildings,
Cathays Park,
Cardiff,
CF10 3NQ.

You must serve notice of appeal within 28 days of the date of receipt of this licence (although the Secretary of State and The National Assembly have power to allow a longer period for serving notice of appeal). See Water Resources Act 1991, section 43.

Disclosure of information

Information about this licence is available in the public Register held by the Environment Agency. Members of the public are also entitled to ask us for other "environmental information" it holds, including any activities likely to affect "the state of any water" or any "activities or other measures designed to protect it". That would include the information additional to the licence document e.g. any related agreement or abstraction returns. In certain restricted circumstances it is possible to claim that information should be kept confidential. If you require more information about keeping this information off the public register because it is confidential, please contact us by writing to the address shown on the front page of the licence within 28 days of receiving this licence.

Licence Serial No:	TH/039/0028/054

Please quote the serial number in all correspondence about this licence

Environment Agency

FULL LICENCE TO ABSTRACT WATER

The Environment Agency ("the Agency") grants this licence to:-

Brett Aggregates Limited ("the Licence Holder")

150 Aldersgate Street
London
EC1A 4AB

Company registration number: 00316788

This licence authorises the Licence Holder to abstract water from the source of supply described in the Schedule of Conditions to this licence and subject to the provisions of that Schedule. The licence commences from the effective date shown below and shall remain in force until the date of expiry shown below.

Signed Peter Maksymiw

Peter Maksymiw
Permitting Team Leader

Environment Agency
Permitting and Support Centre
Water Resources Team
Quadrant 2
99 Parkway Avenue
Parkway Business Park
Sheffield
S9 4WF

Date of issue .....02 November 2018

Date effective .....02 November 2018

Date of expiry ..... 31 March 2026

The licence should be kept safe and its existence disclosed on any sale of the property to which it relates. Please read the 'important notes' on the cover to this licence.

Note: References to "the map" are to the map which forms part of this licence.
References to "the Agency" are to the Environment Agency or any successor body.

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

Licence Serial No:	TH/039/0028/054

SCHEDULE OF CONDITIONS

1. SOURCE OF SUPPLY

1.1 Underground strata comprising of sands and gravels (Upper Mineral Aquifer) at Hatfield Road Quarry, Hatfield, near St. Albans.

2. POINTS OF ABSTRACTION

2.1 Within the area marked 'Abstraction area' on the map and not outside the boundary formed by straight lines running between the following National Grid References: TL 19954 08765, TL 20170 08737, TL 20476 08428, TL 20364 08178, TL 19755 07824 and TL 19432 08396.

3. MEANS OF ABSTRACTION

3.1 A pump.

4. PURPOSE OF ABSTRACTION

4.1 Mineral washing.

5. PERIOD OF ABSTRACTION

5.1 All year.

6. MAXIMUM QUANTITY OF WATER TO BE ABSTRACTED

6.1

100	cubic metres per hour
2,387	cubic metres per day
521,632	cubic metres per year

At an instantaneous rate not exceeding 30 litres per second.

Note: an hour means any period of 60 consecutive minutes, a day means any period of 24 consecutive hours and a year means the 12 month period beginning on 01 April and ending on 31 March.

7. MEANS OF MEASUREMENT OF WATER ABSTRACTED

7.1 (i) No abstraction shall take place unless the Licence Holder has installed a meter to measure quantities of water abstracted.

(ii) The Licence Holder shall position and install the meter in accordance with any written directions given by the Agency.

(iii) The Licence Holder shall calibrate, maintain, repair or replace the meter to ensure that accurate measurements are taken at all times.

(iv) The Licence Holder shall keep all records of meter repair or replacement including evidence of current certification and / or results of flow checking for inspection by the Agency for a period of 6 years.

8. RECORDS

8.1 The Licence Holder shall take and record readings of the meter specified in condition 7.1 at the same time each month the whole of the period during which abstraction is authorised or as otherwise approved in writing by the Agency.

8.2 The Licence Holder shall send a copy of the record or summary data from it to the Agency within 28 calendar days of 31 March in each year or within 28 calendar days of being so directed in writing by the Agency.

8.3 Each record shall be kept and be made available during all reasonable hours for inspection by the Agency for at least 6 years.

9. FURTHER CONDITIONS

9.1 (i) No abstraction shall take place until the Licence Holder has constructed an impermeable sidewall barrier around the site on the map marked 'Hatfield Road Quarry site'. The impermeable sidewall barrier shall extend down to the boulder clay inter-burden layer.

(ii) Abstraction under this licence shall only take place inside the impermeable sidewall barrier as specified in condition 9 (i).

(iii) The Licence Holder shall notify the Agency in writing 28 calendar days inclusive after the completion of the works and before the commencement of abstraction authorised by this licence.

ADDITIONAL INFORMATION

Note: the following is provided for information only. It does not form part of the licence.

REASONS FOR CONDITIONS

The abstraction is required to be metered to demonstrate compliance with the terms of the licence and to provide information on actual water usage for water planning purposes.

The licence is time-limited to a date to reflect the timing of a future review of the catchment resources availability.

The licence includes a condition requiring construction of impermeable sidewall barriers to ensure that abstraction will not have impacts on the wider groundwater environment.

IMPORTANT NOTES

Abstraction Reform

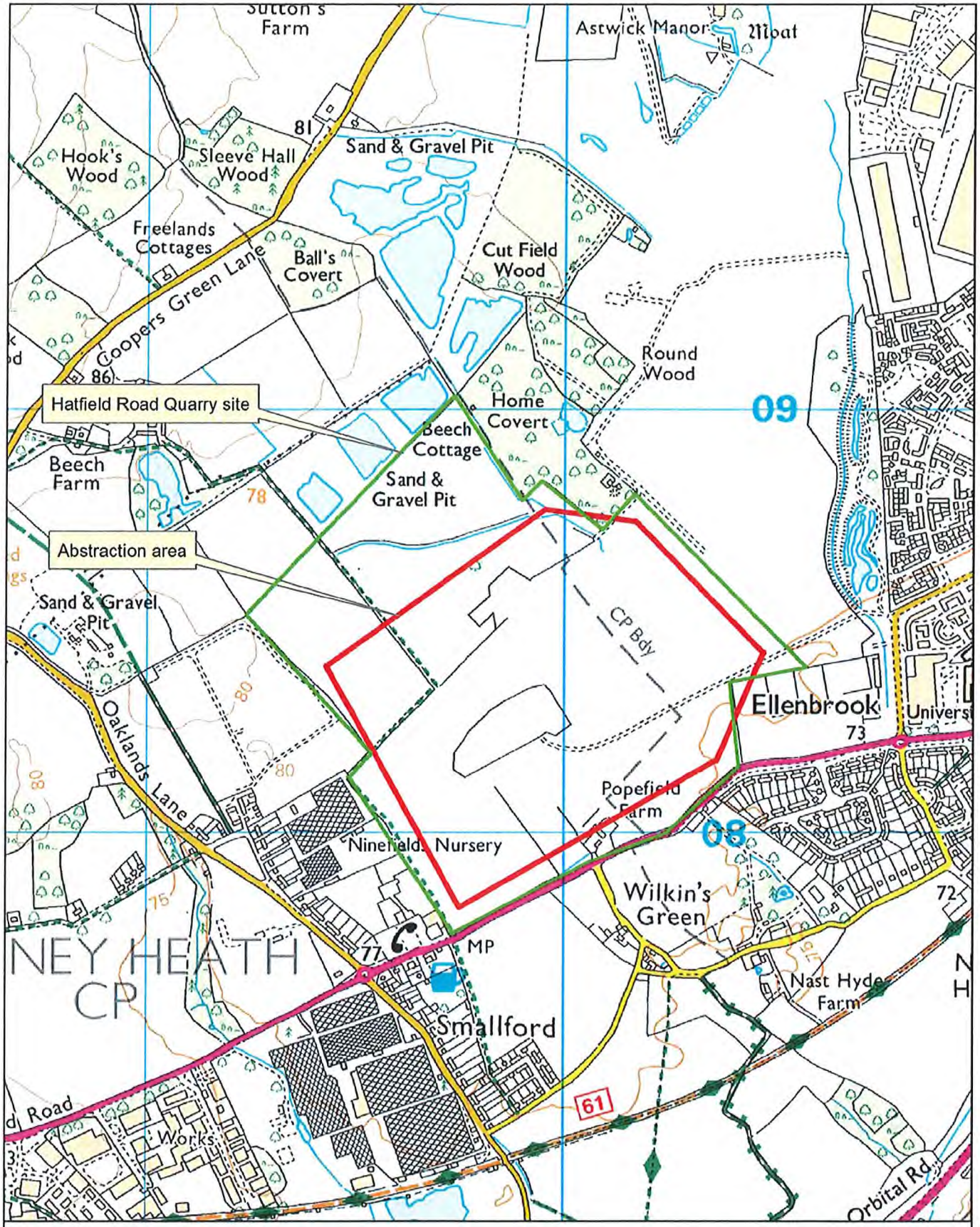
We have granted this licence in line with current legal requirements and policies on managing water resources. However, Government have consulted on reforms which may affect the duration, quantities and management of licences before your current licence expires (ends). You should take account of this when making business decisions. If you would like to find out more, please search for 'abstraction reform' on gov.uk.

Water efficiency note

The Licence Holder should use water abstracted under the terms of this licence in an efficient manner. The Agency may refer to its guidance on water efficiency (or equivalent guidance) in determining whether water is being used efficiently and may offer advice on any measures considered necessary to meet particular recommendations.

Metering

The Agency will have regard to its Abstraction Metering Good Practice Manual (or equivalent guidance) in directing any of the following: where the meter should be located or how it should be installed; whether the meter measures accurately, and/or is properly maintained; whether it is necessary to require repair or replacement of the meter.



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Environment Agency

MAP ACCOMPANYING LICENCE NUMBER
TH/039/0028/054

Scale: 1:12,000

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Would you like to find out more about us, or about your environment?

Then call us on
03708 506 506 (Mon-Fri 8-6)

email
enquiries@environment-agency.gov.uk

or visit us at
www.gov.uk/environment-agency

incident hotline 0800 80 70 60 (24hrs)
floodline 0345 988 1188

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creating a better place

Environment Agency

Brett Aggregates Limited

150 Aldersgate Street
London
EC1A 4AB

Our ref: TH/039/0028/054

Date: 14 May 2019

Dear Sir/Madam,

Position Statement to amend Further Condition 9 of Abstraction (Full) Licence TH/039/0028/054

Licence Holder: Brett Aggregates Limited

Site: Hatfield Road Quarry, Hatfield, Hertfordshire

I am writing to tell you that amendments have been made to Abstraction (Full) Licence serial number TH/039/0028/054 issued on 2 November 2018.

The details of the amendments made are contained in the accompanying position statement. The stated amendments will supersede the presently stated wordings. You are advised to retain this letter and accompanying position statement which should be attached to your licence document.

All other conditions stated in Abstraction (Full) Licence serial number TH/039/0028/054 will remain unaltered.

Yours sincerely

A J Wilson

Alastair Wilson
Environmental Planning Specialist (Water Resources)

Enc. Position Statement – Full Licence TH/039/028/054

Environment Agency, Hertfordshire and North London Office
Alchemy, Bessemer Road, Welwyn Garden City, Herts. AL7 1HE
Contact Centre 03708 506 506
www.environment-agency.gov.uk

h/s/std

Water Resources Act 1991 (as amended by Water Act 2003)

Position Statement to amend Further Conditions 9 of Full Licence TH/039/0028/054

Licence Holder: Brett Aggregates Limited

Site: Hatfield Road Quarry, Hatfield, Hertfordshire

Background

The Environment Agency issued a Full Licence TH/039/0028/054 to Brett Aggregates Limited on 2 November 2018.

The Environment Agency and the Licence Holder have undertaken further discussions linked to the assigned further conditions stated in this licence document. These discussions have highlighted a requirement to amend the further condition stated in Further Condition 9.1. This is to better reflect the intended construction and operational methods to be employed at the Hatfield Road Quarry.

The Environment Agency and the Licence Holder have agreed a revised wording for Further Condition 9.1. This will supersede the Further Condition 9.1 presently stated in the Full Licence TH/039/0028/054. The Licence Holder is advised to retain this position statement and attached it to their Licence document. This position statement should be made available upon request.

All other conditions stated in the Full Licence TH/039/0028/054 issued on 2 November 2018 will remain unaltered. The time limit on the licence will remain as 31 March 2026.

Amendment to Further Provision 9

In the Schedule under the heading 9. Further Condition delete wording of 9.1 and substitute with

9. Further Provisions

9.1 (i) The Licence Holder shall construct an impermeable sidewall barrier around each phase of the Upper Mineral Horizon (UMH) to be worked.

(ii) This impermeable sidewall barrier shall extend down to the underlying inter-burden surface.

(iii) Abstraction shall not take place from inside the UMH perimeter area until the impermeable sidewall barrier has been constructed.

(iv) Abstraction can take place from outside the UMH perimeter area for the purpose of constructing each impermeable sidewall barrier, maintaining their integrity once built and for the use of topping up the mineral washing lagoons.

(v) The Licence Holder shall notify the Agency in writing 28 calendar days inclusive after the completion of the works.