
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.



TRANSFER 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

Date of issue02 November 2018

Peter Maksymiw
Permitting Team Leader

Date effective02 November 2018

Date of expiry 31 March 2026

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

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.

SCHEDULE OF CONDITIONS

1. SOURCE OF SUPPLY

- 1.1 Underground strata comprising of sands and gravels (Upper Mineral Aquifer and Lower 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 with capacity not exceeding 86 litres per second.

4. PURPOSE OF ABSTRACTION

- 4.1 Transfer for the purpose of dewatering.

5. PERIODS OF ABSTRACTION

- 5.1 All year.

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.
- 9.2 (i) The Licence Holder shall maintain, repair or replace the impermeable sidewall barrier and keep records of such maintenance.
- (ii) The Licence Holder shall keep records of such maintenance for 6 years and shall make them available during all reasonable hours for inspection by the Agency.
- 9.3 (i) The Licence Holder shall ensure that all water abstracted from the Upper Mineral Aquifer (UMA) in pursuance of this licence shall be returned to the Upper Mineral Aquifer (UMA) or Lower Mineral Aquifer (LMA).
- (ii) The Licence Holder shall return water via two infiltration lagoons at National Grid References TL 20167 08613 and TL 20323 08476 on the map marked 'UMA recharge lagoon' and 'LMA recharge lagoon' respectively.
- 9.4 (i) The Licence Holder shall ensure that all water abstracted from the Lower

Mineral Aquifer (LMA) in pursuance of this licence shall be returned to the Lower Mineral Aquifer (LMA).

- (ii) The Licence Holder shall return water via an infiltration lagoon at National Grid References TL 20323 08476 on the map marked 'LMA recharge lagoon'.

9.5 No discharge into the LMA recharge lagoon specified in conditions 9.2 and 9.3 shall take place unless the level of water in the LMA recharge lagoon at National Grid Reference TL 20323 08476 is less than 74.5 metres Above Ordnance Datum and the discharge shall not cause the level in the said LMA recharge lagoon to rise above this level.

9.6 (i) No discharge shall take place unless the Licence Holder has installed a level measuring device to measure the water level in the LMA recharge lagoon'.

- (ii) The Licence Holder shall ensure that the level measuring device is set up and working at all times when discharge is taking place.

- (iii) The Licence Holder shall calibrate the level measuring device regularly in accordance with the recommendations of the manufacturer or at any time when required by the Agency in writing

9.6 (i) The level measuring device specified in condition 9.5 shall be connected to a data logger which accurately records the level every hour or at such other intervals as may be approved in writing by the Agency.

- (ii) The Licence Holder shall keep each record and make them available during all reasonable hours for inspection by the Agency for at least 6 years.

ADDITIONAL INFORMATION

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

REASONS FOR CONDITIONS

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.

The licence includes discharge conditions to ensure that all water is returned to the aquifer and there is no cross-contamination of bromate and bromide between the two aquifers (Upper Mineral Aquifer and Lower Mineral Aquifer).

The licence includes a hands-off level discharge condition to ensure that discharged water cannot overtop and result in cross-contamination of bromate and bromide between the two aquifers (Upper Mineral Aquifer and Lower Mineral Aquifer).

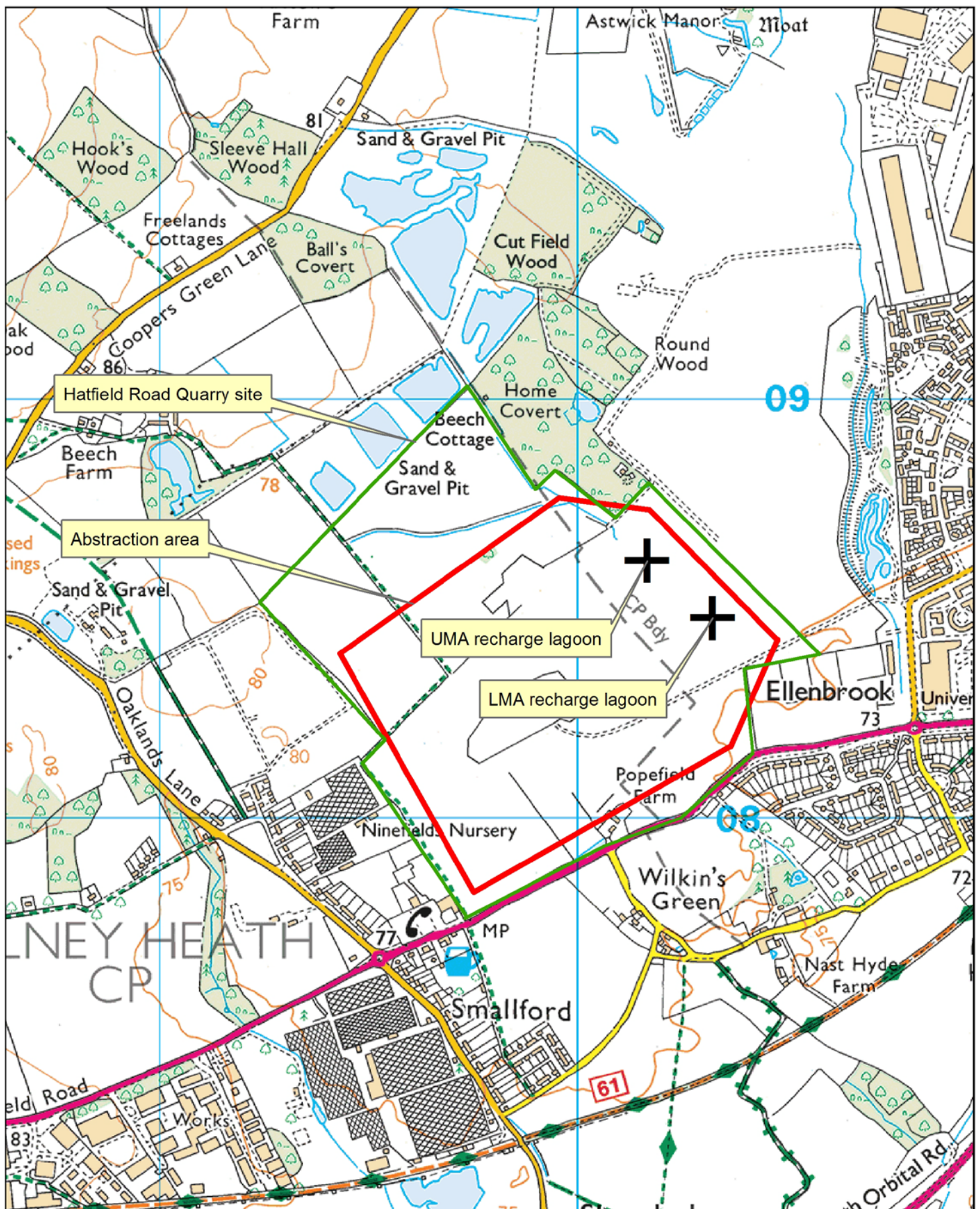
Dewatering Discharge Conditions 9.2 and 9.3

Please note that these conditions stipulate that the water must return to specific aquifers and therefore specific lagoons in continuity with either the Upper Mineral Aquifer or Lower Mineral Aquifer. Once the water has been discharged to a lagoon, it is classed as having been returned to the relevant aquifer. The subsequent abstraction for mineral washing may then take place under licence TH/039/0028/054.

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](https://www.gov.uk).



**Environment
Agency**

MAP ACCOMPANYING LICENCE NUMBER

TH/039/0028/051

Scale: 1:12,000

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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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