

Montgomery Waters Ltd  
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17<sup>th</sup> November 2022

**Decision on your transitional Licence application (PAN-003335) and standard application (PAN-015604)**

**Licence number: WA/054/0001/0117**

Dear Mr McAdam

We are pleased to tell you that your applications for both a transitional licence and a standard licence has been successful.

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

**Your abstraction licence will remain in force until 31/03/2034**, in line with our policy on setting time limits. The time limit is linked to future reviews of water resources within a ALS area. At the end of the time limit, we should be able to renew the licence if:

- there is no damage to the environment,
- the need for the abstraction can still be justified,
- water is being used efficiently; and
- you still meet the usual legal requirements for getting a licence.

We do not guarantee that we will renew the licence. We will contact you before your licence ends to tell you about the renewal process. It is strongly advised that future monitoring is carried out to support any future application to increase abstraction quantities. In addition this monitoring will support any application to renew your licence. Monitoring could include the recommendations within 'Montgomery Waters Initial Catchment and Resource Evaluation Report, May 2017'. Please contact us if you wish to discuss monitoring further.

**Annual Charges**

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 we issue the

licence and on 1 April each year after that. 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 '[Water Abstraction Charges Scheme 2021 / 2022](#)' page of our website, or via the following pathway: [Home](#) > [About us](#) > [What we do](#) > [How we regulate](#).

Based on the 202/23 charging scheme, we have estimated your annual charge to be £1,961.07\*. Please note that the charging scheme is reviewed on an annual basis and this may change the amount you need to pay each year.

*\* If a licence is held for only part of or varied during the course of a financial year, the sum payable or the varied sum payable, as the case may be, shall be calculated by apportioning the charge for the financial year (or, if less, the period of the year during which water is licensed to be abstracted) proportionately.*

### **Hands off Flow / Hand off Level**

In accordance with the Abstraction Licensing Strategy (ALS) for the Severn Corridor, abstraction from boreholes 23 and 24 has been restricted. This is because water availability within this catchment is limited due to River Severn regulation and abstractions, therefore during low flow periods new licences within this catchment are issued with restrictions so that no abstraction can occur when flows are at Q60 or less. Q60 is equal to a river level at Pont y Gaer gauge station of 0.883 metres. Levels at this gauge station can be viewed via the following [link](#). It is up to the licence holder to ensure that this restriction is complied with. Quantities available for abstraction at boreholes 1 to 22 have been determined under the Transitional provisions regulations 2017, and are not subject to any restrictions.

### **Compliance**

We regularly make routine visits to make sure that the terms of licences are up to date and that any work to abstract or impound water keeps to the licence conditions. One of our representatives will contact you, before they visit, to discuss the terms of the licence. They may visit you again later without giving you notice.

It is your responsibility to make sure that the water you abstract 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 wish to apply to increase your application abstraction quantities you should do this through our normal application procedure, details of which are available on the '[Apply to change an existing abstraction or impoundment licence](#)' page of our website, which can also be found via the following pathway: [Home](#) > [Permits and Permissions](#) > [Water abstraction and impoundment licences](#) > [Apply to change an existing abstraction or impoundment licence](#).

### **Biosecurity**

Any work undertaken should take account of biosecurity risks, and mitigation measures should be put in place. The most important measure is to ensure that all equipment (plant, tools, footwear etc) that come to site, arrive clean, and are cleaned again before leaving site. This applies to all sites, not just those where an invasive non-native species (INNS), pest or disease has been previously identified. Information on how to assess biosecurity risks; simple steps to reduce risks; and specific measures for higher risk activities can be found on the [GBNNSS website](#) for INNS, or for tree health on [our website](#). If you need any further help, please feel free to contact our [INNS and Biosecurity](#) team or our [Tree Health](#) team.

### **EU Exit**

Following the UK's departure from the EU on 31 January 2020 and the end of the transition period on 31 December 2020, the legal obligations relating to compliance with environmental permits and legislation will continue to apply. NRW will continue to issue and regulate all permits and licences in line with our current practice. If you have any questions about your permits or licences and/or site management, please contact our Customer Care Centre on 03000 653 000.

### **Right of Appeal**

If you are not satisfied with the conditions set on your licence, you can appeal to Planning and Environment Decisions Wales at the following address:

Planning and Environment Decisions Wales  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ  
Telephone: 0300 0604400  
Email: [PEDW.Casework@gov.wales](mailto:PEDW.Casework@gov.wales)

You can get a standard notice of appeal from the address above. You must return the notice of appeal **within 28 days** of the date of this notice, and send a copy to us. The notice must give the reasons for the appeal and you must also send:

- the application it relates to,
- any information or reports you sent us with the application,
- this decision notice; and
- any other relevant correspondence.

You must send written notice of the appeal and the documents listed above to Planning and Environment Decisions Wales at the address above. At the same time you must send us a copy of the notice and documents to:

Permitting Service Manager  
Permitting Service  
Natural Resources Wales  
Tŷ Cambria  
29 Newport Road  
Cardiff CF24 0TP

Phone: 0300 065 3000

You can withdraw an appeal at any time before a decision has been made. In exceptional circumstances, Planning and Environment Decisions Wales have the power to allow a longer period for serving a notice of appeal.

If you have any questions about your licence, please contact me on the number below.

Yours sincerely

Liz Cole  
Permitting Officer

Direct phone line: 03000 65 4240  
Direct e-mail: [liz.cole@cyfoethnaturiolcymru.gov.uk](mailto:liz.cole@cyfoethnaturiolcymru.gov.uk)