

Liam Brown  
Greenearth Hydro Limited  
Siop Newydd  
Rhiw  
Pwllheli  
LL53 8AE

Our reference: PAN-021301  
& PAN-021303

Date: 13/04/2023

Dear Liam,

## **Acknowledgement of your application for a water abstraction licence and an impoundment licence.**

Application numbers: PAN-021301 & PAN-021303

Thank you for your application for a water abstraction licence and an impoundment licence. I confirm that we have now assessed and accepted your application and that you have paid the correct fee.

I also confirm that your application:

- began the formal decision process on 13/04/2023; and
- The statutory determination date for your application is 13/08/2023. We will make a decision on your applications for the licences by this date, unless you agree in writing to extend this period, or we find that we need more information from you before we can make a decision.

You may be asked to provide further information to assist us during our determination of your application. Please provide this within the timescales defined within the request to minimise any delay on determination of your application.

It is presumed that your application needs to be advertised. We will do this for you by putting a notice in a local newspaper and on our website. You will need to pay our costs of putting the notice in a local newspaper, plus a £100 administration fee. The decision on whether the application needs to be advertised will be made by the Permitting Officer allocated to your proposal.

### **Entitlement to Apply (Rights of Access)**

Section 35 of the Water Resources Act 1991 states that an application shall not be entertained unless the applicant satisfies Natural Resources Wales ('NRW') that they have, or at the time when the proposed licence is to take effect, will have a right of access to land contiguous to the inland waters at that place and that they will continue to have such a right for a period of at least one year beginning with the date on which the proposed licence is to take effect.

The evidence of prospective rights of access you have provided is sufficient to demonstrate that you are in negotiations with the landowner to give you an entitlement to apply, meaning that we can continue with determination of your application. However, in order for the licence to be issued we must be satisfied that the right of access has been legally granted and is binding for the appropriate time period.

We will not accept a copy of a letter from the landholder as proof of a right of access. It must be something that creates or leads to a legal right or an interest and is legally binding. You must be able to prove that your right of access for the purpose of water abstraction continues for 12 months after any abstraction licence is issued, unless you only need the licence for a period of less than 12 months.

You must submit evidence of your rights of access a minimum of 2 weeks before the above determination date.

It is an offence under Section 206 of the Water Resources Act 1991 to furnish any information or make a statement which is known to be false or misleading, or to recklessly make any statement which is false or misleading. Enforcement action, in line with Natural Resources Wales Enforcement and Sanctions Policy can be taken if it becomes evident that this offence has been committed.

If we cannot make a decision on your licence applications by the decision date shown above, or by any agreed extended date, you can appeal to Planning and Environment Decisions Wales at the following addresses.

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 for making an appeal from the address above. The notice of appeal must be sent to Planning and Environment Decisions Wales **within 28 days** of the decision date shown on the previous page (or any agreed extended decision date). The notice must give the reasons for the appeal and you must also send a copy of:

- the application which it relates to;
- any information or reports you sent to us with the application; and
- any other relevant correspondence, including this acknowledgement letter.

You must also send us a copy of your notice of appeal.



**Cyfoeth  
Naturiol  
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Natural  
Resources  
Wales**

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

If you have any questions about your application, please don't hesitate to contact me

Yours sincerely

**Deri McDonagh**  
Water Resources Permitting Officer

Direct e-mail: [deri.mcdonagh@naturalresourceswales.gov.uk](mailto:deri.mcdonagh@naturalresourceswales.gov.uk)