

**Pant Y Turnor, Llanddeusant, Llangadog,  
Carmarthenshire SA19 9TN**

**Micro Hydropower Scheme**

**Heads of Terms for a Deed of Grant of Easement – DRAFT 1: 24 July 2018**

<b>Parties</b>	(1) BBNPA (and any transferee or successor in title) and (2) Rodney Dukes and Anita Ruhmer (and any transferee or successor in title) (the “ <b>Owner</b> ”).
<b>Purpose</b>	The grant of an easement for the temporary abstraction of water from [specify catchment area/ Nant Ffynnon-wen] on The Black Mountain in the Brecon Beacons National Park to a micro hydropower scheme situated on the Property for the production of electricity and supply to the private residence at the Property, save that, any surplus electricity may be stored by the Owner or exported to the National Grid (or its successor) or any other person.
<b>Property</b>	Pant Y Turnor, Llanddeusant, Llangadog, Carmarthenshire SA19 9TN.
<b>Term</b>	Commences on the date of the Deed of Grant and continues for so long as the micro hydropower scheme is in operation for the Purpose.
<b>Consideration</b>	A fixed sum to be agreed between the Parties. The Consideration to be paid upon completion of the Deed of Grant and the Parties agree to keep the amount of the Consideration confidential.
<b>BBNPA Obligations</b>	<p>The BBNPA:</p> <ul style="list-style-type: none"><li>(a) permits the Owner to abstract water solely for the Purpose on the terms and subject to the conditions set out in the Deed of Grant;</li><li>(b) permits the Owner to install the pipework including the intake and outflow pipes and all other materials relating to the abstraction of water for the micro hydropower scheme as set out in and contemplated by the [BBNPA planning permission and NRW licence]; and</li><li>(c) permits the Owner to maintain the pipework and all other materials.</li></ul>
<b>Owner Obligations</b>	<p>The Owner:</p> <ul style="list-style-type: none"><li>(a) undertakes to install the pipework and related materials for the micro hydropower scheme in accordance with the [planning permission and NRW licence];</li><li>(b) undertakes to maintain the pipework and related materials for the micro hydropower scheme in accordance with the [the NRW licence] and any applicable law and regulations;</li><li>(c) undertakes to remove the pipework and related materials for the micro hydropower scheme as soon as reasonably practicable after the decommissioning of the micro hydropower scheme;</li><li>(d) undertakes not to use the water abstracted for any purpose other than the Purpose;</li><li>(e) undertakes to ensure the water abstracted for the Purpose is returned to the</li></ul>

	<p>[Nant Ffynnon-wen/stream] via the outflow pipework; and</p> <p>(f) undertakes to register a copy of this Deed of Grant with the Land Registry and to ensure that any transferee of the Property enters into a deed of covenant in favour of the BBNPA to undertake the Owner's Obligations set out above on the terms and conditions of the Deed of Grant.</p>
<b>Governing law</b>	The laws of England and Wales.
<b>Owner's details</b>	<p>The Owner may be contacted at the address of the Property or by email or telephone as follows:</p> <p>Anita Ruhmer: 07909 551 574</p> <p>a.ruhmer@gmail.com</p> <p>Rodney Dukes: 07919 693 569</p> <p>rodneydukes2@gmail.com</p>