



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
Natural Resources Body for Wales (Functions)
Order 2012

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 Natural Resources Wales office.

Details of this licence are placed on a register, kept by Natural Resources Wales 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 Natural Resources Wales 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 Natural Resources Wales 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.

Natural Resources Wales 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 Natural Resources Wales 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 Welsh Government 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 Welsh Government 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 Natural Resources Wales. 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.



**Cyfoeth
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Cymru
Natural
Resources
Wales**

Licence serial number	WA/059/0001/014/V001
Please quote the serial number in all correspondence about this licence	

FULL LICENCE TO ABSTRACT WATER

The Natural Resources Body for Wales (hereafter referred to as "NRW") grants this licence to:-

Highland Spring Limited ("the Licence Holder")

Stirling Street
Blackford
Perthshire

PH4 1QA

Company registration number: SC067339

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:

Ashley Lansdown
Permitting Team Leader
Permitting Service
Natural Resources Wales
Cambria House
29 Newport Road
Cardiff
CF24 0TP

Date of issue.....18 April 2019

Date effective.....18 April 2019

Date of expiry.....31 March 2029

Date of original issue.....17 February 1994

This 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 "NRW" are to the Natural Resources Body for Wales 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
Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012
The Natural Resources Body for Wales (Functions) Order 2013

SCHEDULE OF CONDITIONS

1. SOURCE OF SUPPLY

- 1.1 Underground strata (sandstone) at Blaen Twyni, Glyntawe, Pen-y-cae, Powys.

2. POINTS OF ABSTRACTION

- 2.1 At National Grid Reference SN 85389 17540 marked 'Point A' on the map.
2.2 At National Grid Reference SN 85280 17262 marked 'Point B' on the map.

3. MEANS OF ABSTRACTION

- 3.1 Borehole not exceeding 100 metres in depth and 178 millimetres in diameter with a pump.
3.2 Borehole not exceeding 96.3 metres in depth and 178 millimetres in diameter with a pump.

4. PURPOSE OF ABSTRACTION

- 4.1 Commercial water bottling.

5. PERIOD OF ABSTRACTION

- 5.1 All year.

6. MAXIMUM QUANTITIES OF WATER TO BE ABSTRACTED

- 6.1 The aggregate quantity of water authorised to be abstracted under this licence from 'Point A' and 'Point B' combined, subject to Condition 9.1, shall not exceed:

14.2 cubic metres per hour
340.0 cubic metres per day
123,822.0 cubic metres per year

At an instantaneous rate not exceeding 3.97 litres per second.

Note: An hour is 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 1 April and ending on 31 March.

7. MEANS OF MEASUREMENT OF WATER ABSTRACTED

- 7.1 (i) The Licence Holder shall use one meter for each separately identified point of abstraction to measure quantities of water abstracted.
(ii) No abstraction shall take place unless the Licence Holder has installed any meters required in Condition 7.1 (i) above.
(iii) The Licence Holder shall position and install the meters in accordance with any written directions given by NRW.

- (iv) The Licence Holder shall maintain, repair or replace any meters to ensure that accurate measurements are recorded at all times
- (v) The Licence Holder shall retain all evidence of the repair of the meters or replacements including evidence of current certification for inspection by NRW for 6 years.

8. RECORDS

- 8.1 The Licence Holder shall take and record readings of the meters specified in Condition 7 at the same time each month during the whole of the period during which abstraction is authorised or as otherwise approved in writing by NRW.
- 8.2 The Licence Holder shall send to NRW a copy of the record required by Condition 8.1 or summary data to NRW within 28 days after 31 March in each year and also within 28 days of being so requested in writing by NRW.
- 8.3 Each record shall be kept and be made available during all reasonable hours for inspection by NRW for at least 6 years.

9. FURTHER CONDITIONS

9.1 Abstraction from Point A:

- (i) When the abstraction quantity exceeds 139.2 cubic metres per day and the flow gauged in the River Tawe at NRW's flow gauging station at Craig y Nos is equal to or less than 0.287 cubic metres per second the maximum quantities abstracted shall not exceed:

4.93 cubic metres per hour
118.4 cubic metres per day

At an instantaneous rate not exceeding 1.37 litres per second.

- (ii) Abstraction from Point B:

Whenever the flow gauged in the River Tawe at NRW's flow gauging station at Craig y Nos is equal to or less than 0.287 cubic metres per second the maximum quantities abstracted shall not exceed:

4.93 cubic metres per hour
118.4 cubic metres per day

At an instantaneous rate not exceeding 1.37 litres per second.

- 9.2 (i) The Licence Holder shall return any water abstracted in addition to the quantities specified in Conditions 9.1 (i) and (ii) directly to the Nant Tywynni, upstream of National Grid Reference SN 85268 17407, marked 'Point Q' on the map.
- (ii) Such additional water abstracted must be measured and discharged independently to any discharge from the bottling process.
- (iii) The water discharged shall be measured by meter on a daily basis or as otherwise specified in writing by NRW.

- 9.3 (i) NRW will contact the Licence Holder in writing to advise whenever the flow at Craig y Nos is such that condition 9.1. comes into force.
- (ii) NRW shall also contact the Licence Holder in writing to advise when the flow has recovered sufficiently to allow abstraction to continue at the abstraction rates specified in condition 6.1.
- (iii) NRW reserves the option to seek another method of notification providing that it is with the written agreement of the Licence Holder.
- 9.4 (i) The provisions of conditions 9.1. and 9.3 above may be amended during the course of this licence in order to specify:
- (a) A reduction of the specified flows at which restrictions to the abstraction volumes are applied.
- (b) An alternative gauging station to replace, or to be used in addition to Craig y Nos gauging station. If an alternative gauging station is to be used an appropriate flow will be agreed and specified.
- (c) An increase to the abstraction volumes specified in condition 9.1.
- (ii) Any changes made to conditions 9.1 and 9.3 are at the discretion of NRW but will only be made with written agreement of the Licence Holder.

ADDITIONAL INFORMATION

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

REASONS FOR CONDITIONS

Hydrological analysis of the pump tests associated with the section 32 (Consent to Investigate Groundwater) process, carried out between January – March 2001, identified that the daily pumping regime carried out at the site would both take water from storage within the aquifer and intercept baseflow that would otherwise discharge into the Nant Tywynni. The Nant Tywynni provides a good habitat for migratory salmonids and, with many similar reaches in the Tawe catchment inaccessible to fish, is an important site which needs to be protected.

The impact of the abstraction on all but the lowest flows will not affect the fish. However, under the low flows conditions any reduction in flow would increase the risk of juvenile fish mortality and therefore these flows have been protected.

Conditions 9.1, 9.2 and 9.3: to protect the habitat of juvenile salmonids in the Nant Tywynni during periods of low stream flow. The defined flow has been derived to provide protection to the 95 percentile flow.

Condition 9.4: to permit NRW to vary the licence in favour of the Licence Holder by imposing a lower flow limit allowing an additional or alternative gauging station to be used to measure this flow limit and to increase the authorised abstraction volumes when flows in the River Tawe are below the limits set in condition 9.1. This should enable the Licence Holder to abstract for a longer period and at a greater abstraction rate before being required to take the measures set out in the Condition 9.1. Such a variation is at the discretion of NRW but will only be made with the written agreement of the Licence Holder.

IMPORTANT NOTES

Water efficiency note

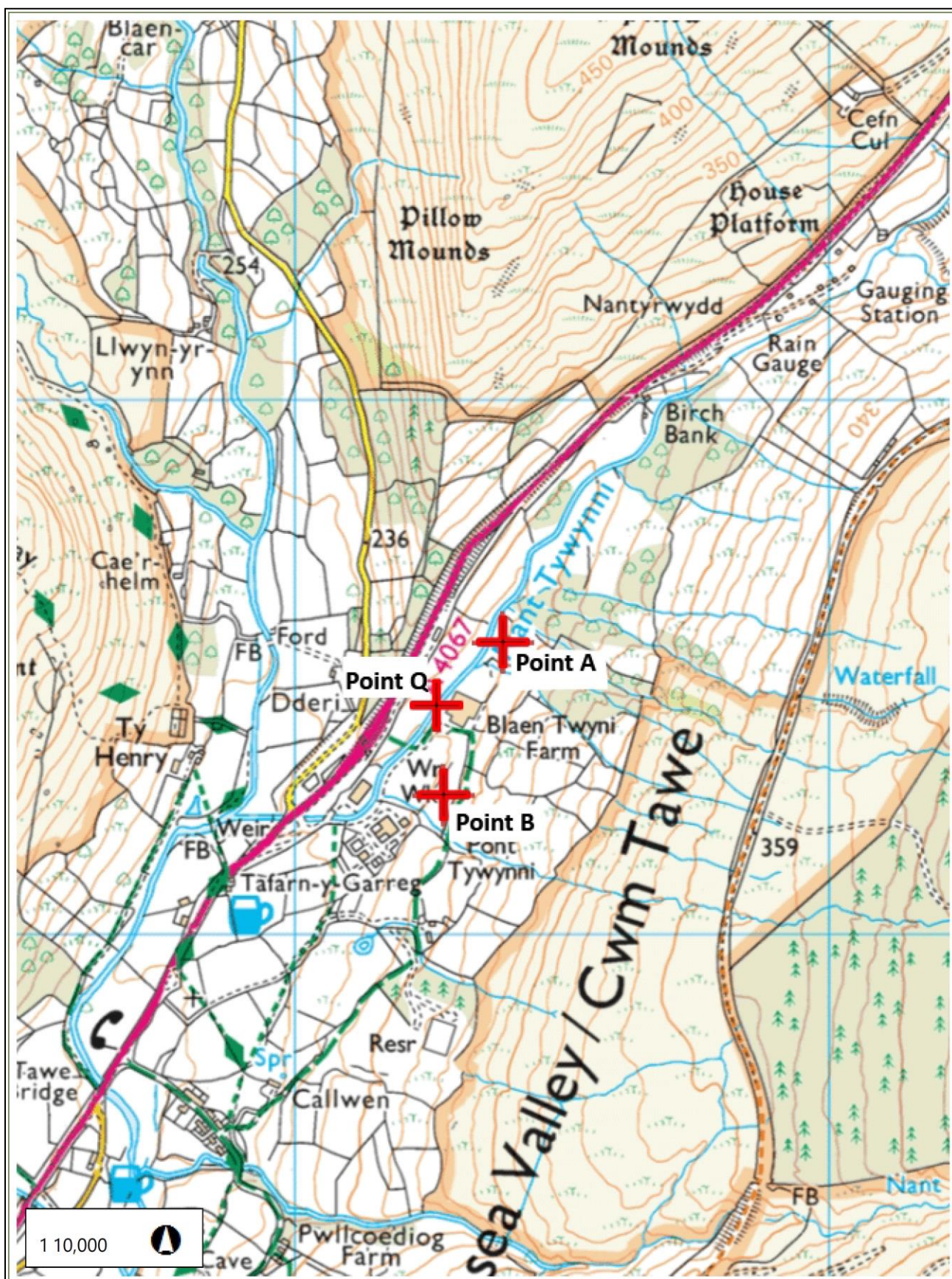
The Licence Holder should use water abstracted under the terms of this licence in an efficient manner. NRW may refer to its guidance on water efficiency (or equivalent guidance) in determining whether water is being used efficiently and may offer advice on any measures considered necessary to meet particular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

Metering

NRW 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.

Licence history

Licence Serial Number	Effective Date	Summary of Changes
22/59/1/0110	17/02/1994	Licence issued to Benham Water Co Limited
22/59/1/0110	18/02/2000	Licence varied, with expiry date 17/02/2005
22/59/1/0110	28/07/2000	Licence transferred to Danone Holding UK Limited
22/59/1/0110	01/04/2000	Licence Holder name change to Danone Water (UK and Ireland) Limited
22/59/1/0110	17/02/2005	Licence renewed
22/59/1/0110	10/12/ 2007	Licence transferred to Hazelwood Grocery Limited
22/59/1/0110	23/06/2010	Licence transferred from Hazelwood Grocery Limited to Highland Spring Limited, expiry date 31/03/2014
WA/059/0001/014	09/05/2014	Licence 22/59/1/0110 renewed
WA/059/0001/014/V001	18/04/2019	Variation to Condition 9.1.



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**email
enquiries@naturalresourceswales.gov.uk**

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www.naturalresourceswales.gov.uk**

**incident hotline 0300 065 3000 (24hrs)
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