



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: PAN-005683 & PAN-005684

Natural Resources Wales

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Date: 08/08/2019

Tarmac Trading Limited

C/o Ms. Kate Brady
Stantec UK Limited

By email: kate.brady@stantec.com

Dear Ms. Brady

Invalid transitional abstraction licence applications

Application numbers PAN-005683 (transfer) & PAN-005684 (full)

Site Name: Torcoed Quarry

We have received your applications for two new transitional water resources licences, however we are unable to accept them as valid. Please see below outlining what further information is required.

Authorisation Signatures

In Section 1 of 'Technical Note: Torcoed Quarry: Transitional abstraction (Transfer & Full) application', it states that a letter of authorisation to confirm Lisa Sumner as an authorised signatory was submitted with Appendix A of the supporting information. This letter has not been submitted alongside the application. Please can you provide this information.

Application Type

You have applied for two licences: **one transfer licence** (PAN-005683) and **one full licence** (PAN-005684). However, having assessed your application, we believe **one full licence** will be more appropriate for the reasons outlined below.

Our understanding is that water is being abstracted from a single source of supply and a proportion of this water is being utilised for a variety of purposes including dust suppression, crushing and screening, haul roads and silos, wheel washing, and asphalt production. We consider these activities an 'intervening use', therefore, a single **full licence** is required for your activity. We consider this to be the preferable option from a technical determination, operational and compliance perspective.

The differences between **full** and **transfer** licence which you need to be aware of are as follows:

	Full Licence	Transfer Licence
Application Fee*	£135	£1500
Subsistence Fee**	Required – 2019/20 Scheme of Abstraction Charges	None
Licensed abstraction quantities	Included on licence	Not Routinely included on licence
Reporting and recording requirements	Included on licence	Not Routinely included on licence
Protected right?	Yes	No

**Please note fees and charges are subject to regular review and change, please refer to our website for updates.*

***Please refer to Appendix 1 at the end of this letter for more information on the subsistence fee*

Please confirm you agree for us to proceed with your transitional application **as one full licence application**, as opposed to 2 separate applications for a full and transfer licence. By confirming this, you will be agreeing to withdraw application PAN-005683 (for a transfer licence) and merge the supporting information submitted for both applications under PAN-005684 (for a full licence). Once confirmation has been received we will refund your application fee for PAN-005683 (£1,500).

If you do not agree with us, or we do not hear back from you, we have the option of serving notice under section 36A of the Water Resources Act 1991. We will provide you with details of any notice and your entitlement to appeal this notice.

Water Use

You state in your supporting information that abstracted water is used:

- For dust suppression;
- For crushing and screening;
- For haul roads and silos;
- For wheel washing;
- and for asphalt production

Please can you confirm how much water is abstracted for use in the asphalt production and how this quantity is derived i.e. if this amount is an approximation based on total amount of asphalt produced or if abstraction for this use is metered separately.

Evidence

You have provided raw metered abstraction data for the period 2011 – 2017. To help us verify this data, please provide detail regarding the installation or calibration of the meters e.g. dated calibration certificates.

Rights of access

In section 4.2 of your application forms you have stated that you are both the owner and the occupier of the land where the abstractions are taking place. You have provided a map (referenced Figure 1.1 Torcoed location and owner/occupier

boundary) showing the abstraction location in relation to the owner / occupier boundary. For us to validate your application, please confirm that you are satisfied that this demonstrates a legal right of access to the abstraction location.

Abstraction Location

For dewatering operations, we require the applicant to specify the area they are dewatering as the abstraction location. However, you have only provided one NGR figure for each of the quarry sumps.

Please could you provide the NGRs of the corners of the areas you wish to dewater.

Abstraction duration

You have advised that your licences should be granted until 31 December 2055. Any licence issued is likely to be limited to the Common End Date for the Abstraction Licensing Strategy (ALS), which for Carmarthen Bay is **31st March 2030**. This time limit is linked to future reviews of water resources within an 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.

Please confirm you wish to proceed with an application on this basis. If you require a licence for a longer duration you will be required to submit a business case. Should you require more information on the business case criteria please contact me.

Planned Abstractions

Section 12.1 of both application forms asks, *“Do you expect to increase the current rate of abstraction for the activity you are applying to have licensed from 01 January 2018 onwards or to carry out further new abstractions (both termed ‘planned’ abstractions) at this site in the future?”* You have selected ‘Yes’ to this question on both submitted application forms. Please keep us informed as this develops.

For water abstracted for the purpose of dewatering (i.e. transferred) you have stated that the “value will be greater in wetter years and less in drier ones”. Please note that we are only able to licence abstraction quantities that have been abstracted during the seven-year qualifying period (2011-2017). We recognise that for quarry dewatering, abstraction quantities will be dependent on rainfall. How best to reflect this operational need on any licence issued will be a key consideration during determination of your licence application and if necessary we will discuss options with you as determination progresses.

Please provide the above information as soon as possible so that we can validate your application. Please note, we cannot guarantee to check any further supporting information received within three months of the **31 December 2019** application period deadline, therefore we recommend you submit this information as soon as possible, but no later than **September 2019**.

If we do not receive the information requested above, or we are unable to validate your application by the December 2019 deadline, and you wish to continue abstracting after January 2020, you will need to apply for a licence under our standard application process. For further information please refer to our abstraction and impoundment licensing webpages:

[Home](#) > [Permits and permissions](#) > [Water Abstraction and Impoundment Licences](#)

It is your responsibility to ensure you apply for the required licence(s). It is an offence to abstract without a licence and we may take enforcement action.

If you have any questions about your application, please contact me (see below for details).

Yours sincerely
Hannah Pearce



Water Resources Permitting Team
Natural Resources Wales

Direct phone line: 0300 065 4554

Direct email: Hannah.pearce@naturalresourceswales.gov.uk

APPENDIX 1

Annual charge estimation based on [2019/20 Scheme of Abstraction Charges](#):

Purpose	Volume (MI)	Source Factor	Season Factor	Loss Factor	Standard Unit Charge (SUC)	Environmental Improvement Unit Charge (EIUC)	Charge (£)
Dewatering	1,812.414	1	1	0.003	15.12	0	£82.21
Process water	24.388	1	1	0.6	15.12	0	£221.25
Total							£303.46

Please note, this table is for illustrative purposes only and may change during determination. Our charges are subject to regular review and change. For the most up to date information, please refer to the charges pages of our website:

[Natural Resources Wales Home > about us > what we do > how we regulate you > our charges](#)