

# Determination report

**Licence number: WA/056/0036/001**

**Application reference number: PAN-032182**

**Site name: River Rhiangoll**

**Report of an application for a same terms renewal of full abstraction licence number WA/056/0036/001.**

The impact of the abstraction was previously assessed in our report dated 20/12/2011.

## **Purpose of this document**

This determination report:

- explains how the application to renew the licence has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies any further conditions in the licence other than those applied as standard.

Unless the determination report specifies otherwise we have accepted the applicant's proposals.

NRW has decided to issue the licence.

We consider that in reaching this decision, we have taken into account all relevant considerations and legal requirements and that the licence will ensure that the appropriate level of environmental protection is provided.

A glossary of acronyms used can be found at the end of this document in [Annex 2](#).

## **Application details**

<b>Application details</b>	
Applicant name and address	Ivan Watkins, Glyn Watkins, Sue Watkins, Joyce Watkins, Owain Turner. Grafog, Pengenffordd, Talgarth, Brecon, Powys. LD3 0ET
Existing licence number	WA/056/0036/001

New licence number	WA/056/0036/001/R001
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## Administrative details

Criteria	Details
Validation	<p>The applicant has submitted all the required information for a complete and valid application.</p> <p>The application was validated on 25/03/2026. This means we considered it was in the correct form, the correct application fee has been received and that the application contained sufficient information for us to begin our determination.</p> <p>The applicant demonstrated that they are entitled to apply for the abstraction licence, as they have a right of access to the abstraction point.</p>
Additional Information / reports supplied	<ul style="list-style-type: none"> <li>• Justification of need information</li> <li>• Water efficiency measures</li> <li>• Full address of all licence holders.</li> </ul>
Commercial confidentiality / National security	Not applicable to this application.
Advertisement	<p>The application to renew the existing licence was received late so Natural Resources Wales was unable to apply the advertising exemption. However, it has decided to dispense with the need for advertising under Regulation 7(4) of the Water Resources (Abstraction and Impounding) Regulations 2006 (SI 2006/641).</p> <p>A dispensation notice was signed on 03/06/2026 by an authorised person. Notice of this proposal has not been advertised and no statutory bodies have been notified as the proposal is not subject to advertising.</p>
External Consultation	It was not necessary to consult with external bodies, because the proposal is not subject to advertising.

## Statutory duties

Aspect	Criteria met	Justification / detail
Water Framework Directive	Yes	This proposed activity has screened out of requiring a Water Framework Directive Assessment. NRW are satisfied that there will be no deterioration in ecological status as a result of the components of the activity authorised by the licence. This renewal is on the same terms, not within a protected area, there are no monitoring conditions on the existing licence, no recorded concerns from specialists and will be time-limited.
The National Site Network and Ramsars	Yes	<i>Assessment of Likely Significant Effect:</i> The project has been screened for likelihood of significant effects and, taking account of the advice received from SNCB advisors, is considered not likely to have a significant effect on any Natura 2000/Ramsar site. As documented in section 3.2 of OGN 200 form 1 dated 01/04/2026.
Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs) and Areas of Outstanding Natural Beauty (AONB)	Yes	This activity was assessed under the CRoW Act by the Environment Agency when the original licence was granted, document dated 26/08/2011.
Protected rights and lawful users of water	Yes	It was not necessary to reconsider protected rights and lawful users of water as part of the renewal. There have been no changes to the previously licensed abstraction.

## Tests to renew the licence

Test	Criteria met?	Justification / detail
Environmental sustainability	Yes	We have reviewed the risk to the environment and deem that the abstraction continues to be sustainable.
Justification of need	Yes	<p>The licence holder has abstracted approximately 76.81% of their annual volumes that they are entitled to over the last 6 years.</p> <p>We have reviewed the applicant's returns data and deem that there is a continued justification of need for the water.</p>
Water efficiency	Yes	We have reviewed the applicant's water efficiency measures and have deemed them reasonable.

## Changes to licence conditions

Condition number	Change
Condition 1.1	Updated wording to modern standards in line with policy and guidance.
Condition 4.1	Updated wording to modern standards in line with policy and guidance.
Condition 6.1	Updated wording to modern standards in line with policy and guidance.
Condition 7.1 (i) and (ii)	Updated wording to modern standards in line with policy and guidance.
Condition 7.1 (iii)	Removed. No longer required as abstraction has commenced, and requirements are reflected in other updated wording conditions.

Condition 7.2	Removed. No longer required in line with policy and guidance.
Condition 8.1 (i), (ii), and (iii)	Updated wording to modern standards in line with policy and guidance.
Condition 9.2	Updated wording to modern standards in line with policy and guidance.
Condition 9.4 and 9.5	Combined into 9.4 (i) and (ii) - Updated wording to modern standards in line with policy and guidance.
Condition 9.6 (i) and (ii)	Updated to 9.5 (i) and (ii) to reflect merging of original conditions 9.4 and 9.5. Also updated wording to modern standards in line with policy and guidance.
Condition 9.7	Updated to 9.6 to reflect merging/removal of original conditions and wording update to modern standards in line with policy and guidance.
Condition 9.8 (i) and (ii)	Removed. No longer required as the scheme is operational.
Condition 9.9	Removed. Not required as licence is for less than 12 years.
Condition 9.10	Removed. In line with policy and guidance.

Additionally Licence Holders have been changed/amended, which was a request made during application. Updated Licence holders can be seen on new licence and relevant information to support change has been considered and accepted by NRW.

## Other considerations

Test	Criteria met?	Justification / detail
Biodiversity and sustainable development, and Considerations of Sustainable Management of Natural Resources	Yes	<p>The principles of biodiversity and sustainable development are embodied in the conditions attached to the licence.</p> <p>We are satisfied that this decision is compatible with NRW's general purpose of pursuing the sustainable management of natural resources in relation to Wales and applying the principles of sustainable management of natural resources.</p>

Time limit	Yes	A time limit of 31/03/2038 has been included in accordance with the Usk ALS common end date for the catchment and Natural Resources Wales approved policy.
Special agreements	No	No special agreements applied.
Measurement of water abstracted	Yes	<p>The applicant has been advised of the measuring requirements in accordance with the Abstraction Metering Good Practice Manual (R &amp; D Technical Report W84). Flow Measurement Analysis (FMA) will be applied to the abstraction licence in accordance with relevant guidance. The Licence Holder will be required to determine the quantities of water abstracted by reference to the kilowatt-hours generated, as measured by a kilowatt-hours meter multiplied by a site-specific conversion factor determined using the calculation checklist attached to the abstraction licence.</p> <p>In accordance with current guidance, records of weekly electrical output and the corresponding quantity of water abstracted will need to be submitted to the NRW on an annual basis (within 28 days of March in each year) or within 28 days of NRW requesting the records in writing. The Licence Holder will also be required to keep all records for at least 6 years and to make them available for inspection during all reasonable hours.</p>

## Cost / benefit analysis

### Assessment of probable benefits and costs of proposed option to the:

Water Resources/ The Environment	<p>There is low risk of environmental damage occurring as a result of this proposal.</p> <p>The inclusion of flow conditions will ensure there is enough water for the environment.</p> <p>The proposal accords with local water resources policy and is sustainable.</p>
The applicant	The applicant will benefit from the availability of water for their operation.

	<p>The applicant will incur the costs of installing and maintaining the method of abstraction and of measuring the volumes of water they abstract.</p> <p>The applicant will have to pay the application fee, any advertising costs that apply.</p>
Natural Resources Wales	<p>Natural Resources Wales will incur the cost of determining the application and enforcing the licence. These costs will be partly recovered through the application charge and annual charges, where applicable.</p> <p>In determining the licence in accordance with local and national policy, Natural Resources Wales is fulfilling its duties as a regulator.</p>
The economic and social well being of the rural community.	<p>No adverse effects upon the social and economic well being of local communities in the rural area are perceived as a result of this proposal.</p>

## Conclusion and decision

Full and due consideration has been given to any representations made, and due regard has been taken of protected rights and other lawful interests.

The principles of sustainable development are embodied in the conditions attached to the licence.

The conditions incorporated on the licence are considered to be necessary and reasonable in the light of the available and presented evidence. The conditions are also considered to be consistent with appropriate standards for enforcement by Natural Resources Wales.

NRW has therefore approved the application and issue of Licence number WA/056/0036/001/R001 with the conditions as drafted.

## Annex 1 – Administration

### Purpose code and loss factor

Primary Code	Secondary Code	Use	Loss factor
P: Production of Energy	ELC: Electricity	240: Hydro-electric Power Generation	Very Low

## Finance

The licence is exempt from the payment of annual charges being one of the categories under Paragraph 6.2 of [Natural Resources Wales's water abstraction charges scheme](#).

## Annex 2 - Glossary of acronyms used in this document

ALS	Abstraction Licensing Strategy
CAMS	Catchment Abstraction Management Strategy
CRoW	Countryside Rights of Way
EFI	Environmental Flow Indicator
FRAP	Flood Risk Activity Permit
GES	Good Ecological Status
GW	Groundwater
HAF	Hydro abstraction factor
HEP	Hydro-electric power
HES	High Ecological Status
HIA	Hydrological Impact Assessment
HoF	Hands-off flow
HoL	Hands-off level
HRA	Habitat Regulations Assessment
LNR	Local Nature Reserve
LSE	Likely Significant Effect
NNR	National Nature Reserve
NRW	Natural Resources Wales
PALS	Permitting and Licensing System
PPS	Public Participation Statement
PWS	Public Water Supply
Q <sub>30</sub>	Flow exceeded 50% of the time period considered
Q <sub>50</sub>	Flow exceeded 50% of the time period considered
Q <sub>70</sub>	Flow exceeded 70% of the time period considered
Q <sub>95</sub>	Flow exceeded 95% of the time period considered
RBMP	River Basin Management Plans
ROA	Rights of Access (e
RSA	Restoring Sustainable Abstraction

SAC	Special Area of Conservation
SINCS	Site of Importance for Nature Conservation (Local Wildlife Sites)
SMNR	Sustainable Management of Natural Resources
SNCB	Statutory Nature Conservation Body
SPA	Special Protection Area
SPZ	Source Protection Zone
SSSI	Site of Special Scientific Interest
WAT	Welsh Archaeological Trust
WFD	Water Framework Directive (2008/98/EC)
WFS	Water Feature Survey
WIA	Water Industry Act
WR	Water Resources