

Our ref: WA/057/0031/0005

Mr Roger Tyson
C/O Mr Paul Burfitt
Hanson House
14 Castle Hill
Maidenhead
Berkshire
SL6 4JJ

Tŷ Cambria, 29 Newport Road, Cardiff,
CF24 0TP

Email:
enquiries@naturalresourceswales.gov.uk
Phone: 03000 653000

Date: 22 July 2016

Decision on your application

Licence number: WA/057/0031/0005

Dear Roger

We are pleased to tell you that your application for an abstraction licence has been successful.

Please read your licence carefully as it is a legal document. You will have to keep to the conditions shown on it and do any monitoring in line with the licence conditions.

Your abstraction licence will remain in force until 31/03/2029, in line with our policy on setting time limits. The time limit is linked to future reviews of water resources within a Catchment Abstraction Management Strategy (CAMS) 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.

We make water charges based on the yearly authorised amount shown on your licence and not on what you actually abstract. The charges will become due from the date we issue the licence and on 1 April each year after that. We will send you an account for water charges shortly, unless the authorised abstraction period has now passed – in this case, we will not send you an account for water charges until 1 April. To work out your charges, please refer to our Scheme of Abstraction Charges, which is available on our website via the following file path: [Home](#) > [How we regulate you](#) > [Our charges](#)

We regularly make routine visits to make sure that the terms of licences are up to date and that any work to abstract or impound water keeps to the licence conditions. One of our representatives will contact you, before they visit, to discuss the terms of the licence. They may visit you again later without giving you notice.

It is your responsibility to make sure that the water you abstract is suitable for the purpose it will be used for. You must continue to monitor the water to make sure you are using it efficiently. It is also your responsibility to make sure that you have any other permission (for example, planning permission) you need in connection with your proposed work.

If you are not satisfied with the conditions set on your licence, you can appeal to the Planning Inspectorate at the following address:

The Planning Inspectorate
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ
Phone: 02920 823 857

You can get a standard notice of appeal from the address above. You must return the notice of appeal **within 28 days** of the date of this notice, and send a copy to us. The notice must give the reasons for the appeal and you must also send:

- the application it relates to;
- any information or reports you sent us with the application;
- this decision notice; and
- any other relevant correspondence.

You must send written notice of the appeal and the documents listed above to the Planning Inspectorate at the address above. At the same time you must send us a copy of the notice and documents to:

Centre Manager
Permitting Service
Natural Resources Wales
Tŷ Cambria
29 Newport Road
Cardiff CF24 0TP
Phone: 0300 065 3000

You can withdraw an appeal at any time before a decision has been made. In exceptional circumstances, the Planning Inspectorate have the power to allow a longer period for serving a notice of appeal.

Additional information: Change to legislation – New Authorisations

We note that the discharge lagoon is solely fed by the quarry dewatering operation. Dewatering activities are currently exempt from licensing control under section 29 of the Water Resources Act 1991. However, the Water Act 2003 removed existing exemptions for particular activities, including dewatering, and so you will be required to apply for an abstraction licence for this activity once the relevant sections of the Act have been implemented. The timetable for implementation has not yet been finalised but we are expecting the application window to open in Autumn 2016 and run for 2 years. You will need to submit an application within the defined application window for your application to be considered under “transitional” arrangements. If you do not apply within the defined application window your application will be considered to be a new abstraction and will be licensed through the normal abstraction licensing process. Until the application window is open, we encourage you to keep records of how much water you are abstracting as part of the dewatering process; you will be expected to provide evidence of this with your licence application. You are also advised to keep up to date with developments via the Natural Resources Wales website.

For further information we recommend you refer to a joint consultation between Natural Resources Wales, Welsh Government, Defra and the Environment Agency on our intended approach to bringing these previously exempt activities into licensing control. The consultation document: ‘Changes to water abstraction licensing exemptions in England and Wales: New Authorisations’, was launched on 15th January and closed on 8th April 2016, and can be found at: <https://consult.defra.gov.uk/water/water-abstraction-licensing-exemptions>.

If you have any questions about your application, please contact me on the number below.

Yours Sincerely



Charlotte Lillywhite
Water Resources Permitting Officer

Direct phone line: 03000 653921

Direct email: charlotte.lillywhite@naturalresourceswales.gov.uk



Cyfoeth Naturiol Cymru
Natural Resources Wales

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.



FULL LICENCE TO ABSTRACT WATER

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

Hanson Quarry Products Europe Limited ("the Licence Holder")
Hanson House
14 Castle Street
Maidenhead
Berkshire
SL6 4JJ

Company Registration Number: 00300002

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:

A handwritten signature in black ink, appearing to read "M Beckett".

Date of issue.....21 July 2016

Date effective.....21 July 2016

Date of expiry.....31 March 2029

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

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.

SCHEDULE OF CONDITIONS

1. SOURCE OF SUPPLY

- 1.1 Inland water (concrete lined lagoon) known as the main quarry discharge lagoon at Forest Wood Quarry, Llanharry, Rhondda Cynon Taf.

2. POINT OF ABSTRACTION

- 2.1 At National Grid Reference ST 01950 79960 marked 'Point A' on the map.

3. MEANS OF ABSTRACTION

- 3.1 An electric pump.

4. PURPOSE OF ABSTRACTION

- 4.1 Industrial concrete manufacture.

5. PERIOD OF ABSTRACTION

- 5.1 All year.

6. MAXIMUM QUANTITIES OF WATER TO BE ABSTRACTED

- 6.1 9.4 cubic metres per hour
75 cubic metres per day
5,000 cubic metres per year
At an instantaneous rate not exceeding 2.6 litres per second.

Note: An hour means 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) No abstraction shall take place unless the Licence Holder has installed a meter to measure quantities of water abstracted.
- (ii) The Licence Holder shall position and install the meter in accordance with any written directions given by NRW.
- (iii) The Licence Holder shall maintain, repair or replace the meter to ensure that accurate measurements are recorded at all times.
- (iv) The Licence Holder shall keep all records of meter repair or replacement including evidence of current certification for a period of 6 years.

8. RECORDS

- 8.1 (i) The Licence Holder shall take and record readings of the meter specified in condition 7.1 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.
- (ii) The Licence Holder shall send to NRW a copy of the record required by 8.1 (i) 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.
- (iii) 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 The minimum value for the quantity of water authorised to be abstracted under this licence, as referred to in section 46(2A) Water Resources Act 1991, is 5,000 cubic metres per year.

ADDITIONAL INFORMATION

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

REASONS FOR CONDITIONS

The licence is time-limited to a date to reflect the timing of a future review of the catchment resources availability.

Conditions 7.1 and 8.1: the abstraction is required to be metered to demonstrate compliance with the terms of the licence and to provide information on actual water usage for water planning purposes.

Condition 9.1: to ensure compliance with Section 46(2A) of the Water Resources Act 1991.

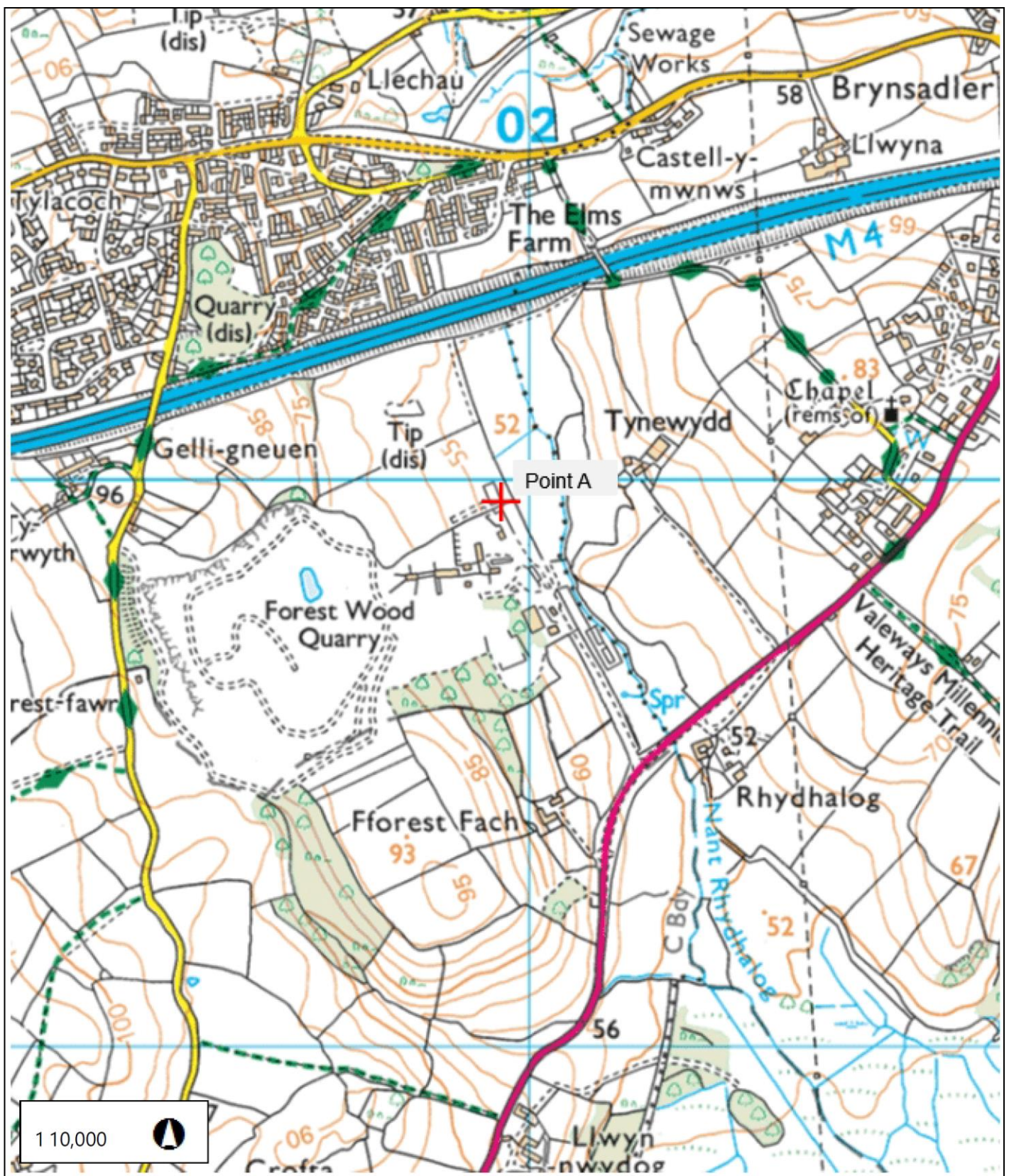
IMPORTANT NOTES

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.



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<p>Cyfoeth Naturiol Cymru Natural Resources Wales</p>	<p>© Crown Copyright and database rights Ordnance Survey.Ntural Resources Wales, 100019741, 2015. © Hawlfraint y Goron a hawl cronfa ddata Arolwg Ordnans.Cyfoeth Naturiol Cymru, 100019741, 2015.</p>	<p>N</p>

**Would you like to find out more about us,
or about your environment?**

**Then call us on
0300 065 3000 (Mon-Fri 8-6)**

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

**or visit our website
www.naturalresourceswales.gov.uk**

**incident hotline 0800 80 70 60 (24hrs)
floodline 0845 988 1188**



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