

Natalie Wrangham/ Liz Cole,
Natural Resource Wales

By email: natalie.wrangham@cyfoethnaturiolcymru.gov.uk, liz.cole@cyfoethnaturiolcymru.gov.uk

25 October 2019

Dear Natalie/ Liz,

Our ref: 67034NRWL003

Re: Dolyhir Quarry application (PAN-006438): Technically Invalid response

A Technically Invalid letter from Natural Resource Wales (NRW) dated 17 September 2019 was received, requesting additional information in order to validate application references PAN-006437 and PAN-006438. A copy of the letter is provided as Annex 1 for completeness.

Each request has been answered in turn, below.

Authorisation signatures

Please see Annex 2 for the letter of authorisation which confirms that Lisa Sumner is authorised to sign on behalf of tarmac Trading Limited.

Evidence of abstraction for dewatering

As you do not have actual abstraction data for this period, please can you provide a calibration or installation certificate for the pump used for dewatering and the maximum pumping capacity.

There are no calibration or installation certificates available for the pumps used during the qualifying period.

Topographical data (see Annex 3) shows that the quarry elevation was down to a depth of 185 mAOD in 2010. Groundwater level data (Table 9-6 of the HIA, submitted with the application) shows groundwater levels of between 199 mAOD and 233 mAOD, significantly above the quarry base of 185 mAOD. It is therefore necessary to dewater the void of both surface and groundwater ingress. It is considered that this demonstrates both the need to dewater the site and that dewatering occurred during the qualifying period. The volume of this dewatering has been estimated based on pump capacity and run time as outlined in the abstraction licence application.

The maximum pump capacity of the pump in the void is 30 l/s or 108 m³/hr.

Application type

We acknowledge that NRW consider that the quarry is abstracting from a 'single source of supply' and thus a single licence should apply.

Tarmac wish to note that they do not agree with NRW's interpretation of the regulations that a full rather than transfer licence is required and also that this is not consistent with its counterpart in England's (the Environment Agency) position on the same matter.

Notwithstanding this, we recognise that NRW wish to limit the number of individual abstraction licences issued to an individual site. We also acknowledge that NRW will be seeking to remove abstraction licence end dates as part of the abstraction licence reform, which it is due to consult on in 2020.

As such, we accept the treatment of the Transfer and Full licence application as a single Full variation to the existing abstraction licence number 19/55/9/0388 at Dolyhir Quarry, bearing in mind that we would not normally expect limits to be set for transfer (dewatering) licences.

For processing of the application fee refund of £1,500, please contact Ms Deepa Valand on 01509 622045.

Evidence of water use

Copies of the calibration certificates for the meters (2017 and 2019) used are provided in Annex 4.

Abstraction location

A single grid reference was provided for the area of abstraction as the application form allowed for one location only.

The abstraction will take place from the sump which is deemed to be encompassed by the following grid references:

- 324125, 259282;
- 324836, 258500;
- 324611, 258180;
- 323527, 258589.

Abstraction duration

Tarmac wishes to express its concern around the issuing of abstraction licences to quarries with end dates prior to the permitted development end date upon which dewatering is key to the future operation of the permitted quarry.

We note, however, the legal need to include end dates on these licences per Section 46 of the Water Resources Act 1991 (as amended by Section 19 of the Water Act 2003) and that NRW has plans to phase out the inclusion of end dates from abstraction licences as part of the forthcoming changes to the abstraction licensing system.

With the above in mind, we accept the proposal to set the end date of the Dolyhir abstraction licence to the Common End Date of 31 March 2027, with the view that it will be ultimately phased out in the coming years.

Planned abstractions

NRW refer to Section 12.1 of the application forms which was answered 'yes';

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?"

NRW have requested to be kept informed as this develops.

It is Tarmac's intention to deepen the quarry in time, in line with approved planning permission. When this happens, an application to vary the licence will be made.

Should you have any queries or if you require any further information, please do not hesitate to contact me.

Yours sincerely

Kate Brady

SENIOR CONSULTANT

Enc

Annex 1 Technically Invalid letter (dated 17 Sep 2019)

Annex 2 Tarmac letter of authority

Annex 3 2010 topographical survey

Annex 4 Meter calibration certificate

Annex 1

Technically Invalid letter (dated 17 Sep 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-006437 (transfer) & PAN-006438 (formal variation)
Site Name: Dolyhir and Strinds Quarry

We have received your applications for two 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: Dolyhir Quarry: Transitional abstraction licence (Transfer & Full) application', it states that a letter of authorisation to confirm Lisa Sumner as an authorised signatory was submitted with Appendix B of the supporting information. This letter has not been submitted alongside the application. Please can you provide this information.

Evidence of abstraction for dewatering

In Section 4 of 'Technical Note: Dolyhir Quarry: Transitional abstraction licence (Transfer & Full) application', it states that the pumping data for the dewatering abstraction between 2009 – 2018 is unreliable, and therefore it has not been submitted with the application. In order for the application to be validated evidence must be submitted to demonstrate the quantities of water abstracted during the 7-year qualifying period between 01 January 2011 and 31 December 2017. As you do not have actual abstraction data for this period, please can you provide a calibration or installation certificate for the pump used for dewatering and the maximum pumping capacity.

Application Type

You have applied for two licences: **one transfer licence** (PAN-006437) and **one variation to full licence number 19/55/9/0388** (PAN-006438). However, having assessed your application, we believe a **variation to your one full licence number 19/55/9/0388** 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 and mineral washing. 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 formal variation to a 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-006437 (for a transfer licence) and merge the supporting information submitted for both applications under PAN-006438 (for a variation to a full licence). Once confirmation has been received we will refund your application fee for PAN-006437 (£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.

Evidence

You have provided raw metered abstraction data for the period 2010 – 2019. To help us verify this data, please provide detail regarding the installation or calibration of the meters e.g. dated calibration certificates.

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 2111. Any licence issued is likely to be limited to the Common End Date for the Abstraction Licensing Strategy (ALS), which for the Wye is **31st March 2027**. 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.

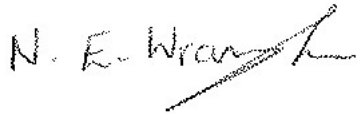
If we do not receive the information requested above, or we are unable to validate your application by the December 2019 deadline, and you wish to continue abstracting after January 2020, you will need to apply for a licence under our standard application process. For further information please refer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

A handwritten signature in black ink, appearing to read 'N. E. Wrangham', with a long, sweeping horizontal stroke extending to the right.

Water Resources Permitting Team
Natural Resources Wales

Direct phone line: 0300 065 4518

Direct email: Natalie.wrangham@naturalresourceswales.gov.uk

APPENDIX 1

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

Purpose	Volume (Ml)	Source Factor	Season Factor	Loss Factor	Standard Unit Charge (SUC)	Environmental Improvement Unit Charge (EIUC)	Charge (£)
Dewatering	223.090	1	1	0.003	15.12	0	£10.12
Mineral washing	30.954	1	1	0.03	15.12	0	£14.04
						Total	£25.00 (minimum charge)

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](#)

Annex 2

Tarmac letter of authority

To whom it may concern

12 February 2019

Dear Sirs

Authority to Execute Permit Applications

I, the undersigned, being the Secretary of the Corporate Secretary hereby confirm that:

Sharon Palmer	National Environmental Permitting Manager
Michael Jones	Permitting and Compliance Manager
Lisa Sumner	Permitting and Compliance Manager
Tom Flint	Technical Manager

are each authorised to execute, acting independently, all permit applications, variations, or surrenders on behalf of the Companies in respect of all local authorities.

For the avoidance of doubt, this letter of authority replaces any previous letters of authority provided to your agency in relation to the Companies listed in Appendix 1.

Petershill Secretaries Limited is the corporate secretary of Tarmac Secretaries (UK) Limited. The Companies House link evidencing this is <https://beta.companieshouse.gov.uk/company/00532256/officers>

Yours faithfully



Andrew Yau
For and on behalf of Petershill Secretaries Limited
Company Secretary of Tarmac Secretaries (UK) Limited

TARMAC.COM

Tarmac Trading Limited Registered in England and Wales, Company No. 453791
Tarmac Cement and Lime Limited Registered in England and Wales, Company No. 66558
Tarmac Services Limited Registered in England and Wales, Company No. 8197397
Registered address for all companies: Portland House Bickenhill Lane Solihull Birmingham B37 7BQ

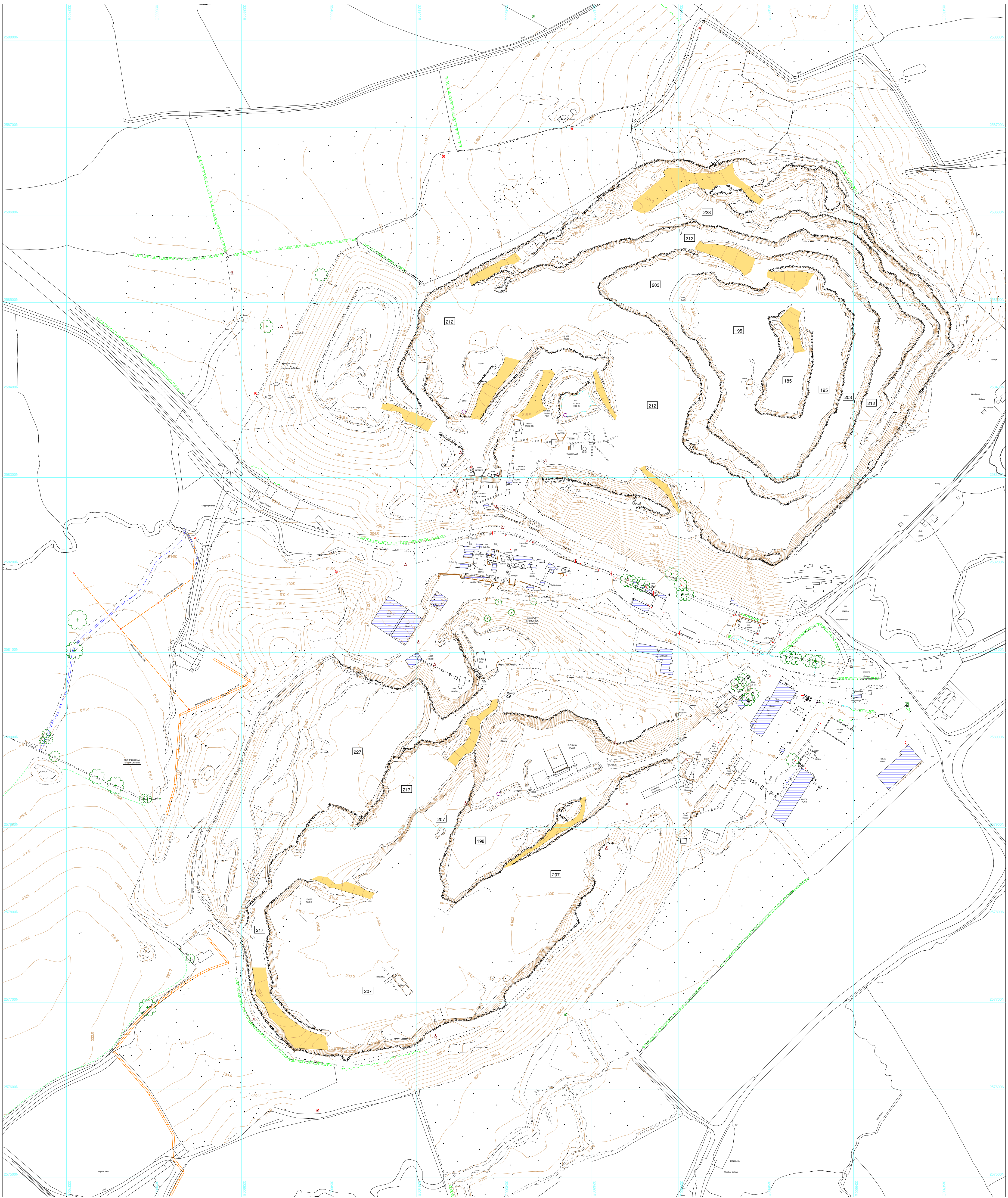
Portland House, Bickenhill Lane
Solihull, Birmingham
B37 7BQ
0845 812 6400

Appendix 1 – the Companies


Company Name	Company Number
Brett Tarmac Limited	03336448
East Coast Slag Products Limited	00330538
GRS Rail Services Limited (formerly known as Northampton Aggregates Limited)	02632166
Solent Aggregates Limited	02730599
Tarmac Aggregates Limited	00297905
Tarmac Building Products Limited	04026569
Tarmac Caledonian Limited	SC176011
Tarmac Cement and Lime Limited	00066558
Tarmac Central Limited	03140596
Tarmac Limited	05560273
Tarmac Northern Limited	03140596
Tarmac Roadstone Limited	00368254
Tarmac Topmix Limited	03132032
Tarmac Trading Limited	00453791
Tarmac Western Limited	01640664
West Lothian Recycling Limited	SC193765

Annex 3

2010 Topographical survey



Legend

 Quarry haul ramp

Based upon Ordnance Survey mapping with permission of the controller of Her Majesty's Stationery Office.
Crown Copyright. Licence No. AL100017513.
Tarmac Ltd, Millfields Road, Ettinghall, Wolverhampton, WV4 6JP.
NOTE: Certain information on this plan has been digitised and therefore its accuracy cannot be guaranteed. Do not scale off plan/building.

Tarmac
Geology & Land Survey Department
West & South East Regions
Stancombe Lane, Flax Bourton, Bristol, BS48 3QD
Tel: +44 (0)1275 464441 Fax: +44 (0)1275 465883
A member of the Anglo American Plc group

D95 Dolyhir & Strinds

ROMP Phasing Scheme
Current Situation (May 2010 Topo)

Drawn By
IEKB

Date
06-AUG-2010

Scale
1 : 2000

Drawing No.
D95-10-D-018

Annex 4

Meter calibration certificate

WP2

CDE Washplant

**Meter Test &
Conformity Certificate****Honeywell**

Certificate No. 2031

Customer:

JOHNSON VALVES
UNIT 7 TRINITY COURT
CALMORE IND ESTATE
SOUTHAMPTON
SO40 3WX

Job No. 1000140072 020

Customer Order No. 35293

Meter Type:

LUPPD4854
H4000 80MM

We certify that each of the products listed below has been manufactured in accordance with and conforms in all respects to the design specification unless otherwise requested. We guarantee that each of the products listed below has passed accuracy tests as agreed/requested by the customer and is in accordance with the product specification and standard test procedure.
The accuracy results recorded are those determined during the test.

Accuracy Limit %		Q3 +/- 2%	Q2 +/- 2%	Q1 +/- 5%
Serial No:	Test Specification	Meter Accuracy		
19W704385	6733M3216	-0.96	0.18	0.96

Signed: N. Maynard

Date: 26.06.2019

Quality Assurance Representative

Elster Water Metering Ltd
130 Camford Way
Sundon Park
Luton, Bedfordshire
LU3 3AN
United Kingdom

Registered in England No 08624958

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Primary Tanks

Honeywell

1738

JOHNSON VALVES
UNIT 7, TRINITY COURT
CALMORE INDUSTRIAL ESTATE
BRUNEL ROAD. TOTTON
SOUTHAMPTON

1000123964

30526

LUPPC4855 H4000 wate Meter

The accuracy results recorded are those determined during the test.

[illegible]

[Handwritten signature]

15.11.17

Quality Assurance Representative

WP4 Discharge

Meter Test & Conformity Certificate

Honeywell

Certificate No. 1735

Customer: JOHNSON VALVES
UNIT 7, TRINITY COURT
CALMORE INDUSTRIAL ESTATE
BRUNEL ROAD, TOTTON
SOUTHAMPTON

Job No. 1000123964

Customer Order No. 30526

Meter Type: LUPPG4854 H4000 wate Meter

We certify that each of the products listed below has been manufactured in accordance with and conforms in all respects to the design specification unless otherwise requested. We guarantee that each of the products listed below has passed accuracy tests as agreed/requested by the customer and is in accordance with the product specification and standard test procedure.
The accuracy results recorded are those determined during the test.

Accuracy Limit %		Q3 +/- 2%	Q2 +/- 2%	Q1 +/- 5%
Serial No:	Test Specification	Meter Accuracy		
17W701916	6733M3219	0.3	0.66	2.28

Signed:  Date: 15.11.17

Quality Assurance Representative



WPS Black Hole
washplant

7 Swan Business Centre
Osier Way
Buckingham MK18 1TB
Tel: 01280 817304
Fax: 01280 817185
Email; sales@bellflowsystems.co.uk
Web; www.bellflowsystems.co.uk

Certificate of Calibration

Issued by Bell Flow Systems Ltd

Customer	Hayley Group Plc	Manufacturer	VuAqua
Customer Ref	1501368-00 HHJH-PO	Model	MJ-SDC-50
Certificate No	1049	Serial Number	17 015662
Date Issued	15/12/2017	Condition	New / Unused
Calibrated By	Lauren Pieri	K-factor (PPL)	N/A
Procedure	CAL-WATER-5-S (5 Point Water)	Flow Range	312.5L/H to 25m ³ /H

Calibration Method

The unit under test (UUT) was installed horizontally in the calibration rig and was calibrated using a comparison method against a reference flow meter (REF) which is traceable to National Standards.

Calibration Rig Used

Water Rig 2; MID-2 Electromagnetic Flowmeter, Serial 1402-230, 3.6 to 1200LPM, 1cPs, ambient, 20psi

Observed Results

Actual Flow LITRES	Measured Flow Litres	Frequency Hz	Meter K-factor (Actual PPL)	Error (+/- %)
100.00	105.00	N/A	N/A	5.00
100.00	110.00	N/A	N/A	10.00
100.00	89.00	N/A	N/A	-11.00
100.00	92.00	N/A	N/A	-8.00
100.00	98.00	N/A	N/A	-2.00
Average				-1.20

Calibration Certificate Issued by;

Lauren Pieri

Signature;

Uncertainty; the uncertainty of the flow measurement under laboratory conditions is +/-1.0%.

This certificate is issued by Bell Flow Systems Ltd and confirms the findings of a calibration test carried out on the referenced calibration rig in our Calibration Laboratory which is operated to ISO 17025 standards (certification pending).

This certificate may only be reproduced in part with the express permission of Bell Flow Systems Ltd.

Quality Assurance Representative

WP7

Strinds Bouser Point

**Meter Test &
Conformity Certificate****Honeywell**

Certificate No. 2030

Customer:

JOHNSON VALVES
UNIT 7 TRINITY COURT
CALMORE IND ESTATE
SOUTHAMPTON
SO40 3WX

Job No. 1000140072 010

Customer Order No. 35293

Meter Type:

LUPPG4528
H4000 150MM

We certify that each of the products listed below has been manufactured in accordance with and conforms in all respects to the design specification unless otherwise requested. We guarantee that each of the products listed below has passed accuracy tests as agreed/requested by the customer and is in accordance with the product specification and standard test procedure.
The accuracy results recorded are those determined during the test.

Accuracy Limit %		Q3 +/- 2%	Q2 +/- 2%	Q1 +/- 5%
Serial No:	Test Specification	Meter Accuracy		
14W719578	6733M0020	-2.02	-0.29	0.11

Signed: N. Maynard

Date: 26.06.2019

Quality Assurance Representative

Elster Water Metering Ltd
130 Camford Way
Sundon Park
Luton, Bedfordshire
LU3 3AN
United Kingdom

Registered in England No 08624958

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