



## **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:-

Bellis Brothers Limited ("the Licence Holder")

24 Nicholas Street  
Chester  
CH1 2AU

Company Registration Number: 00100274

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.

Signed:

A handwritten signature in blue ink, appearing to read "A. Lansdown".

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

Date of issue..... 06 August 2021

Date effective..... 06 August 2021

Date of original issue..... 01 August 1977

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.

## SCHEDULE OF CONDITIONS

### 1 SOURCE OF SUPPLY

- 1.1 Underground strata comprising of Chester Pebble Beds Formation at Wrexham Road Farm, Holt, Wrexham.

### 2 POINTS OF ABSTRACTION

- 2.1 At National Grid Reference SJ 40648 53645 marked 'Point A' on the map.
- 2.2 At National Grid Reference SJ 40572 53719 marked 'Point B' on the map.

### 3 MEANS OF ABSTRACTION

- 3.1 Point A: A borehole not exceeding 61.27 metres in depth and 305 millimetres in diameter with steel lining with a submersible pump.
- 3.2 Point B: A borehole not exceeding 60 metres in depth and 198 millimetres in diameter with steel casing to 10.5 metres below ground level and 113 millimetres plain casing to 10 metres below ground level and slotted casing to 50 metres below ground level with a submersible pump.

### 4 PURPOSES OF ABSTRACTION

- 4.1 Point A: Spray irrigation.
- 4.2 Point B: Trickle irrigation.

### 5 PERIODS OF ABSTRACTION

- 5.1 All year.

### 6 MAXIMUM QUANTITIES OF WATER TO BE ABSTRACTED

- 6.1 For the purpose of spray irrigation:
- 54.55 cubic metres per hour  
654.62 cubic metres per day  
80,518.75 cubic metres per year
- 6.2 For the purpose of trickle irrigation:
- 54.55 cubic metres per hour  
654.62 cubic metres per day  
80,518.75 cubic metres per year
- 6.3 The aggregate quantity of water authorised to be abstracted under this licence for the purpose of spray irrigation and trickle irrigation shall not exceed:
- 54.55 cubic metres per hour  
654.62 cubic metres per day  
80,518.75 cubic metres per year

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 meters to measure quantities of water abstracted.
- (ii) The Licence Holder shall position and install the meters in accordance with any written directions given by NRW.
- (iii) The Licence Holder shall maintain, repair or replace the meters 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 The Licence Holder shall take and record readings of the meters 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.
- 8.2 The Licence Holder shall send to NRW a copy of the records 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 In the following provisions –

“protected person”, in relation to a reduction in supply at any point, means a person who is entitled to a protected right, as provided by section 26 of the Water Resources Act, 1963, (hereinafter called “the Act”) in respect of the abstraction of the water at that point, being a right which subsisted on or before the date of this licence;

“agreed or determined” means (subject to special condition 9.5 below) agreed between the protected person concerned and the Licence Holder or, in default or agreement, determined by an arbitrator appointed by them, or appointed, at the request of either of them, by the President of the Institution of Civil Engineers;

“relevant reduction in supply” means so much of any reduction in the level or flow of water in a source of supply as is agreed or determined to be attributable to the abstraction of water by the Licence Holder in accordance with this licence.

- 9.2 Where it is agreed or determined -

- (a) that there has been a reduction in the level or flow of water in a source of supply at a point within a radius of two miles from the point marked Point A on the attached map NGR SJ 40648 53645;
- (b) that the reduction is wholly or to a substantial extent attributable to the abstraction of water by the Licence Holder in accordance with this licence; and
- (c) that, by reason of the reduction, a protected person is prevented from abstracting water at that point to the full extent of his protected right,

the Licence Holder, if asked to do so by or on behalf of the protected person concerned and if afforded the requisite access and information, shall take, or cause to be taken, in relation to the relevant reduction in supply such action in accordance with the following provisions as is reasonably practicable in the circumstances of the case.

9.3 Action in relation to a relevant reduction in supply at a point of abstraction shall be action of either or both of the following kinds, namely –

- (a) the carrying out of works at that point, including in particular the making of alterations in any well or borehole, or in the position of equipment or apparatus, or the installation of fresh equipment or apparatus, and
- (b) the affording of a supply of water to the protected person, and shall be such as it is agreed or determined ensures that the protected person is provided with, or with the means to obtain, a supply of water up to the quantity which he could reasonably have expected to abstract at that point in exercise of his protected right if the relevant reduction in supply had not occurred.

9.4 The following provisions shall have effect in relation to the terms on which any such action is taken –

- (a) the protected person shall not be required to bear any part of the cost of the carrying out of works, or of the provision or installation of any equipment or apparatus (including any pipes, meters or fittings provided for the supply of water), but, except as may otherwise be agreed, any fittings (other than mains, pipes or meters) placed or fixed upon the premises of the protected person shall be repaired, maintained, renewed and made good by him, and at his expense, to the satisfaction of the Licence Holder,
- (b) a charge may be made for a supply of water afforded to the protected person, provided that in respect of any period to which the charge relates the protected person shall not be required to pay for the supply more than whichever is appropriate of the following amounts, namely:-
  - (i) where the total quantity of water which he obtains in that period in respect of his protected right at the point in question is the quantity supplied, the amount of the cost (excluding abstraction charges under the Act) which it is agreed or

determined he would have incurred in that period in abstracting the total quantity of water so obtained if the relevant reduction in supply had not occurred (hereinafter called "the total abstraction cost");

- (ii) where the total quantity of water which he so obtains is made up partly of water supplied and partly of water abstracted by him at that point in exercise of his protected right, the amount (if any) by which the total abstraction cost exceeds the cost (excluding abstraction charges under the Act) actually incurred by him in abstracting the quantity of water which he abstracted,

and, subject thereto, the terms on which any action is taken in relation to a relevant reduction in supply shall be such as may be agreed or determined.

9.5 Without prejudice to any action previously taken under the foregoing provisions in relation to a relevant reduction in supply –

- (a) where a question with respect to any of the matters specified at (a) to (c) of further condition 9.2 above is determined by the court in proceedings taken against NRW for breach of statutory duty in respect of the grant of this licence, that determination by the court shall be conclusive for the purpose of the foregoing provisions notwithstanding any prior agreement or determination hereunder;
- (b) where a protected person accepts or is awarded compensation or damages in respect of the effect of a relevant reduction in supply, otherwise than by way of works done or a supply of water afforded in accordance with the foregoing provisions those provisions shall not have effect so as to oblige the Licence Holder to take, or cause to be taken, action on the terms specified above in relation to that relevant reduction in supply so far as its effect is the subject of such compensation or damages;

and the foregoing provisions (with some modification as may be necessary) shall apply for the purpose of deciding in the light of the determination by the court or, as the case may be, the acceptance or award of compensation or damages, what (if any) action the Licence Holder may then be required to take, or cause to be taken, and on what terms, having regard to the provisions of this further condition.

9.6 Conditions 2.2, 3.2, 4.2, 6.2 and 6.3 in this licence shall expire on 31<sup>st</sup> March 2039.

## ADDITIONAL INFORMATION

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

### REASONS FOR CONDITIONS

Conditions 7 and 8: The abstraction is required to be metered to demonstrate compliance with the conditions of the licence and to provide information on actual water usage for water planning purposes.

Condition 9.6: To time limit abstraction from Point B in line with NRW guidance on applying time limits.

### IMPORTANT NOTES

#### Water efficiency note

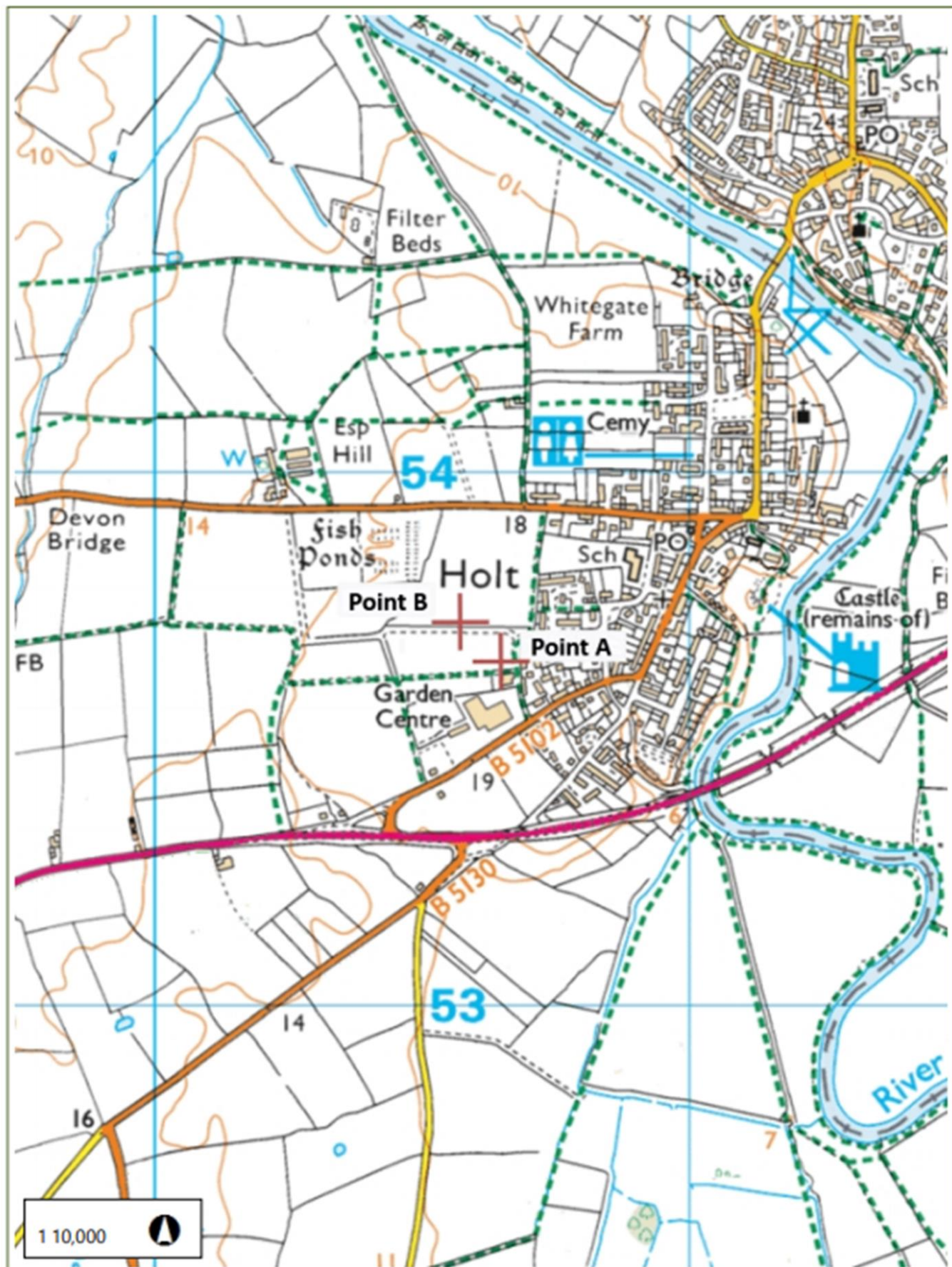
The Licence Holder should use water abstracted under the terms of this licence in an efficient manner. NRW may refer to its guidance on water efficiency (or equivalent guidance) in determining whether water is being used efficiently and may offer advice on any measures considered necessary to meet particular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

#### Metering

NRW will have regard to its Abstraction Metering Good Practice Manual (or equivalent guidance) in directing any of the following: where the meters should be located or how they should be installed; whether the meters measure accurately, and/or are properly maintained; whether it is necessary to require repair or replacement of the meters.

### Licence history

Licence Serial Number	Issue and Effective Date	Expiry Date	Summary of Changes
24/67/7/0186	01/08/1977	No expiry date	Original licence issued.
24/67/7/0186/V001	06/08/2021	Conditions 2.2, 3.2, 4.2, 6.2 and 6.3 time limited to 31 March 2039	<p>Licence varied to add an additional point of abstraction (Point B) and a new purpose (Trickle irrigation).</p> <p>Amendment of frequency of meter reading for spray irrigation from daily to monthly.</p> <p>Time limited condition added to Point B and trickle irrigation in line with NRW guidance.</p> <p>Update of conditions to reflect modern wording where possible.</p>



**Cyfoeth  
Naturiol  
Cymru  
Natural  
Resources  
Wales**

**MAP ACCOMPANYING LICENCE NUMBER / MAP I GYFEILIO TRWYDDED RHIF**

24/67/7/0186/V001  
Scale I Graddfa 1:10,000

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