

Tarmac Trading Limited

c/o Kate Brady
Stantec Uk Ltd

By email: kate.bradey@stantec.com

Dear Ms Brady,

Invalid transitional abstraction licence applications

Application numbers: PAN-005400 (transfer) & PAN-005401 (full)

Site name: Cornelly Quarry

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

Application Type

You have applied for two licences: one **transfer licence** (PAN-005400) and one **full licence** (PAN-005401). However, having assessed your application, we believe one **full licence** will be more appropriate for reasons outlined below.

Our understanding is that water is being abstracted from a single source of supply (the sump) and a proportion of this water is being utilized for a variety of purposes including dust suppression, asphalt production, concrete production and wheel washing. We consider this an 'intervening use', despite there being a proportion of water that is discharged without being used for a specific purpose (i.e. transferred). Therefor a single **full licence** is required for your activity which we consider preferable 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 (Link attached)	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 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-005400 (for a transfer licence) and merge the supporting information submitted for both applications under PAN-005401 (for a full licence). Once confirmation has been received we will refund your application fee for PAN-005400 (£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:

- To supply the on-site asphalt plant;
- to supply the on-site concrete plant (17 cubic metres per day);
- for dust suppression; and
- for wheel washing.

However, you later state *“No water is used in the asphalt plant”*. Please confirm if abstracted water is used for asphalt production and if abstraction quantities for this purpose are known.

Evidence

You have provided raw metered abstraction data for the period 2004 – 2016. 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

On your application forms you have advised that you are an occupier of the land where abstraction is taking place. You have provided a copy of your Review of Mineral Production; 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 the quarry sump.

Please could you provide the NRGs of the corners of the area you wish to dewater.

Abstraction duration

You have advised that your licence should be granted until 2056. Any licence issued is likely to be limited to the common end date for the Abstraction Licensing Strategy (ALS), which for Swansea Bay is **31st March 2029**. 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 further guidance on the business case criteria please contact me.

Aggregated Abstraction Quantities

In both application forms submitted, you have selected 'Yes' to question 8.3. "Do you wish you abstracted quantities to be aggregated?". The application form asks for details of any proposed aggregation, but this has not been provided.

Based on your current operational set up in that quantities for water use have been determined by deducting quantity of water discharged from the quantity of water abstracted from the sump, and our belief you require one **full licence**, we suggest that your full licence should be for the quantity of water abstracted for the purpose of dewatering and for the aggregated quantity of water abstracted for all other purposes.

Please can you confirm if the proposed aggregation of quantities is suitable or provide more information on what abstraction quantities you wish to be aggregated?

Planned Abstractions

Question 12.1 on the 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.

In your supporting information you state that water abstracted for "water use" (e.g. concrete production) is not anticipated to increase above quantities demonstrated.

Please could you provide more information on any further new abstractions you have planned at the site?

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 (2011-2014). We recognize 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).

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

Yours sincerely,



Water Resources Permitting Team
Natural Resources Wales

Direct phone line: 0300 065 3707

Direct email: Jennifer.c.pocock@naturalresourceswales.gov.uk