
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

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 WR Permitting Support, PO Box 4209, Sheffield, S9 9BS

Details of this licence are placed on a register, kept by the Environment Agency 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 the Environment Agency 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 the Environment Agency 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.

The Environment Agency 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 Environment Agency's 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 The National Assembly for Wales 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 National Assembly 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 the Environment Agency. 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.

Licence Serial No:	01/150/R01
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Please quote the serial number in all correspondence about this licence



FULL LICENCE TO ABSTRACT WATER

The Environment Agency ("the Agency") grants this licence to:-

The Royal Society for the Protection of Birds ("the Licence Holder")

The Lodge
Potton Road
Sandy
Bedfordshire
SG19 2DL

Registered charity number 207076

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.

Laura McGowan
Permitting Team Leader

Environment Agency
Permitting and Support Centre
Water Resources Team
Quadrant 2
99 Parkway Avenue
Parkway Business Park
Sheffield
S9 4WF

Date of issue 11 October 2018

Date effective 11 October 2018

Date of expiry 31 March 2024

Date of original issue 18 November 2015

The 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 "the Agency" are to the Environment Agency or any successor body.

SCHEDULE OF CONDITIONS

1. SOURCE OF SUPPLY

- 1.1 Inland waters (River and Marshes) known as the Denton New Cut and internal ditches and drains at Shorne Marshes and Higham Marshes RSPB reserves near Gravesend, Kent.

2. POINTS OF ABSTRACTION

2.1 At Shorne Marshes:

Within the area outlined in red on the map, not including any watercourse which comprises the site boundary, and not outside the boundary running between the following National Grid References:- TQ 68022 74370, TQ 69910 74731, TQ 70089 74057 and TQ 68113 73966.

2.2 At Higham Marshes:

Within the area outlined in orange on the map, not including any watercourse which comprises the site boundary, and not outside the boundary running between the following National Grid References:- TQ 69842 74962, TQ 70952 75929, TQ 71932 74501 and TQ 70515 74149.

3. MEANS OF ABSTRACTION

- 3.1 Mobile Pumps.

4. PURPOSE OF ABSTRACTION

- 4.1 Topping up water levels for the purpose of conserving and maintaining wetlands.

5. PERIOD OF ABSTRACTION

- 5.1 From 1 November to 31 May inclusive.

6. MAXIMUM QUANTITY OF WATER TO BE ABSTRACTED

6.1 Between 1 April and 31 May:

90 cubic metres per hour
2,160 cubic metres per day
49,609 cubic metres per year

At an instantaneous rate not exceeding 25 litres per second.

6.2 Between 1 November and 31 March:

90 cubic metres per hour
2,160 cubic metres per day
195,190 cubic metres per year

At an instantaneous rate not exceeding 25 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) The Licence Holder Shall use one meter for each separately identified point of abstraction to measure quantities of water abstracted.
- (ii) No abstraction shall take place unless the Licence Holder has installed any meters required in (i) above.
- (iii) The Licence Holder shall position and install the meters in accordance with any written direction given by the Agency.
- (iv) The Licence Holder shall calibrate, maintain, repair or replace any meters to ensure that accurate measurements are taken at all times.
- (v) The Licence Holder shall retain all evidence of the repair of the meters or replacement(s) including evidence of current certification and / or results of flow checking for inspection by the Agency 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 the Agency.
- 8.2 For quantities authorised to be abstracted between 1 April and 31 May:
- The Licence Holder shall send a copy of the record or summary data from it to the agency within 28 calendar days of 31 October in each year or within 28 calendar days of being so directed in writing by the Agency.
- 8.3 For quantities authorised to be abstracted between 1 November and 31 March:
- The Licence Holder shall send copy of the record or summary data from it to the Agency within 28 calendar days of 31 March in each year or within 28 calendar days of being so directed in writing by the Agency.
- 8.4 Each record shall be kept and made available during all reasonable hours for inspection by the Agency for at least 6 years.

9. FURTHER CONDITIONS

- 9.1 No abstraction shall take place unless the level of water in the Denton New Cut as measured at the Milton Stop Weir at National Grid Reference TQ 68153 73951, is equal to or greater than 0.73 metres Ordnance Datum Newlyn and the abstraction shall not cause the level at the said reference point to fall below that level.

ADDITIONAL INFORMATION

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

REASONS FOR CONDITIONS

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.

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

The licence includes a hands off level condition to safeguard the environment and existing protected rights.

IMPORTANT NOTES

Abstraction Reform

We have granted this licence in line with current legal requirements and policies on managing water resources. However, Government have consulted on reforms which may affect the duration, quantities and management of licences before your current licence expires (ends). You should take account of this when making business decisions. If you would like to find out more, please search for 'abstraction reform' on [gov.uk](https://www.gov.uk).

Water efficiency note

The Licence Holder should use water abstracted under the terms of this licence in an efficient manner. The Agency 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

The Agency 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.

Licence Serial No:	01/150/R01
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Licence History

Licence serial number	Issue date	Expiry date	Summary of changes
01/150	5 January 2001	31 March 2016	Licence originally issued to Christopher Glover.
01/150	13 June 2007	31 March 2016	Licence Varied to include extra abstraction point.
01/150	1 May 2013	31 March 2016	Licence transferred from Christopher Glover to RSPB. App ref: NPS/WR/013243
01/150	19 September 2013	31 March 2016	Licence varied to include points C and D and the Higham Marshes site and to increase annual authorised quantities. App ref: NPS/WR/010257
01/150/R01	18 November 2015	31 March 2024	Licence renewed on same terms with single point abstractions replaced with abstraction areas. App ref: NPS/WR/019097
01/150/R01	11 October 2018	31 March 2024	Formal variation to combine abstraction limits from the two abstraction areas. App ref: NP/WR/028112

0 200 400 600 800 1,000 Metres



Environment
Agency

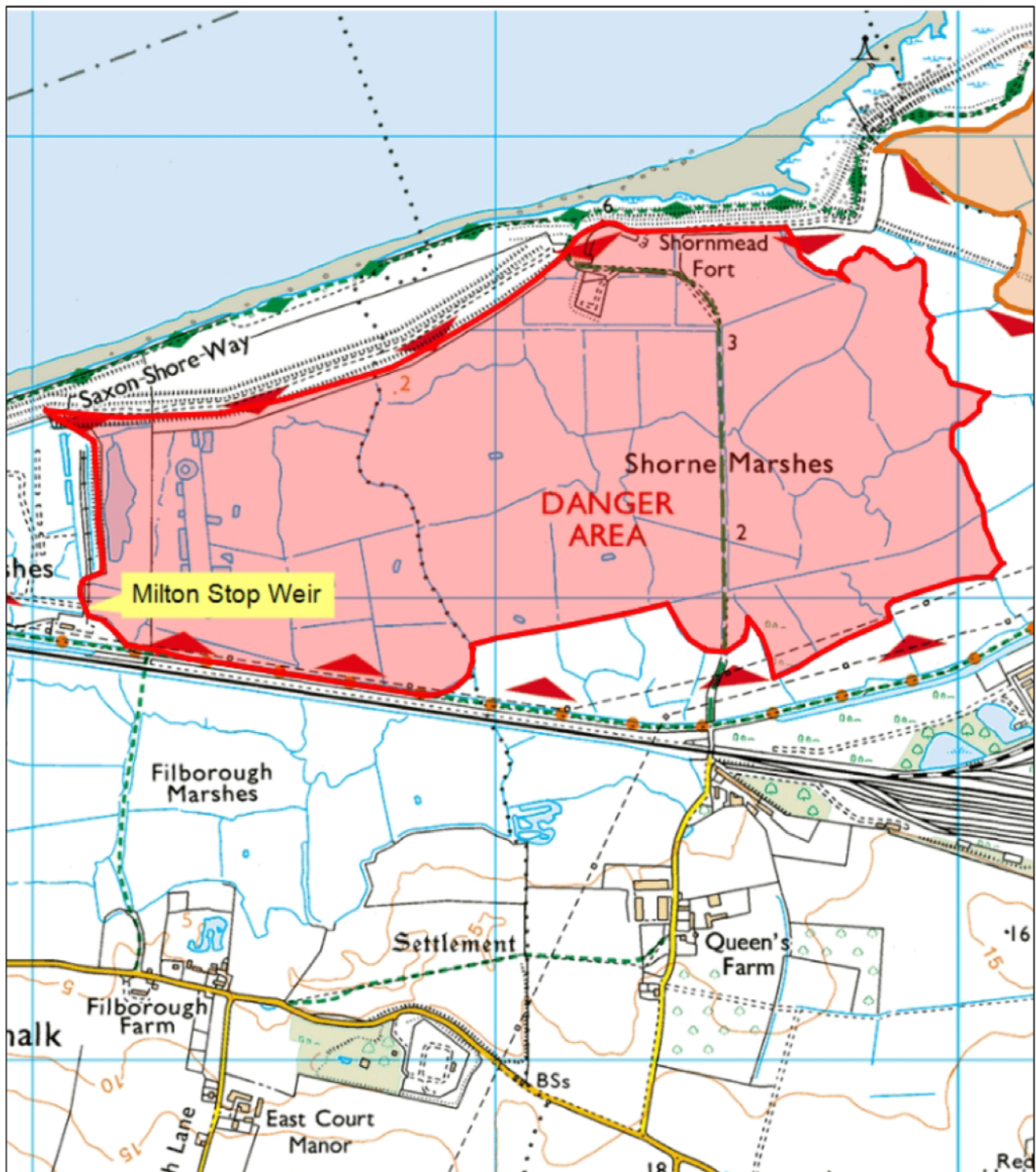
MAP ACCOMPANYING LICENCE NUMBER

01/150/R01

Scale 1:20,000

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0 110 220 330 440 550 Metres



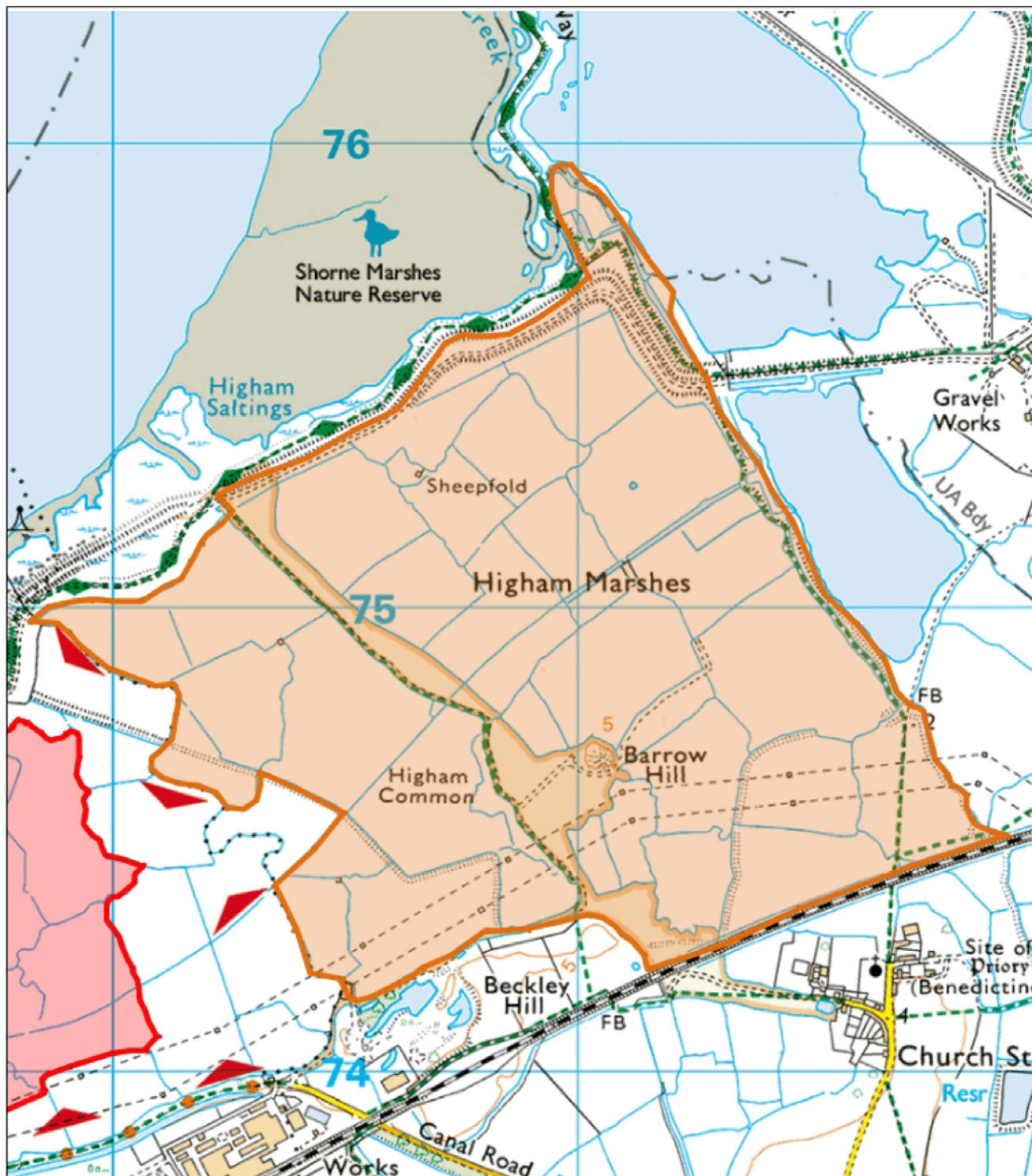
MAP ACCOMPANYING LICENCE NUMBER

01/150/R01

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or about your environment?**

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03708 506 506 (Mon-Fri 8-6)**

**email
enquiries@environment-agency.gov.uk**

**or visit us at
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**incident hotline 0800 80 70 60 (24hrs)
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