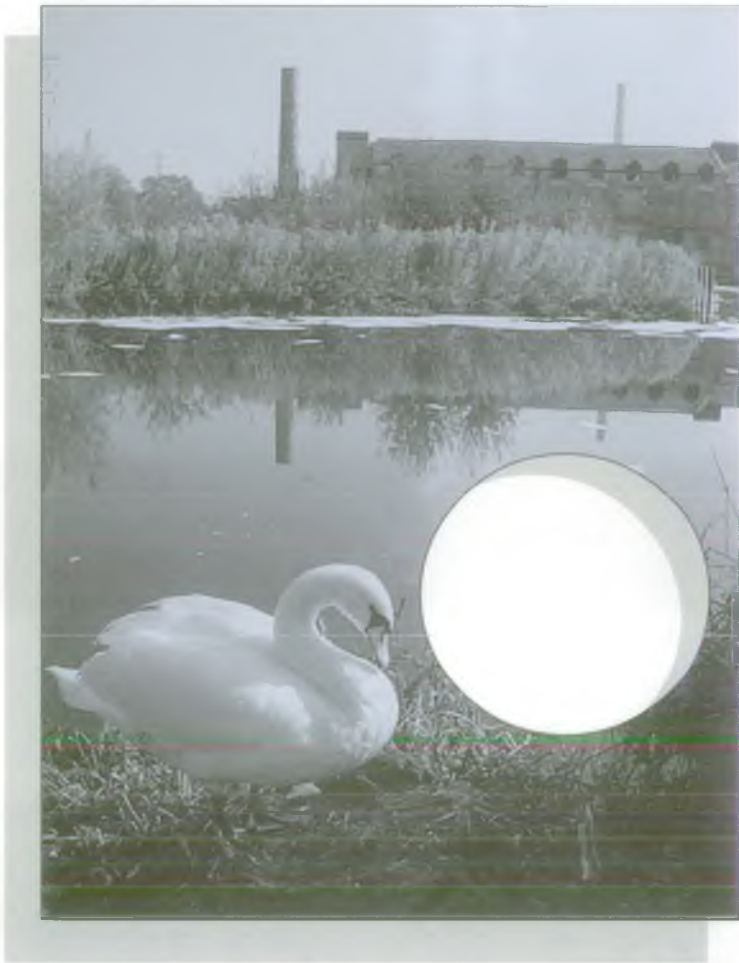


# ABSTRACTION LICENSING AND WATER RESOURCES

*A brief guide for potential abstractors*



National Rivers Authority  
Information Centre  
Head Office

Class No .....

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**NRA**

*National Rivers Authority*

*It is the responsibility of the National Rivers Authority (NRA) to ensure that water resources are managed effectively and for the benefit of everyone. The NRA fulfils this role principally through the use of a system of water abstraction licensing.*

## INTRODUCTION

Water is often taken for granted but should really be regarded as one of our most valuable resources. In general, England and Wales have enough water to meet all our needs. However, as recent experiences have shown, it is not always in the right place or at the right time. Demand for water is generally on the increase and with this increase has come growing competition for our available resources. It is the responsibility of the National Rivers Authority (NRA) to ensure that water resources are managed effectively and for the benefit of everyone. The NRA fulfils this role principally through the use of a system of water abstraction licensing. As a legal requirement under the Water Resources Act 1991, almost anyone who wants to take water from a surface or underground source must obtain a licence to do so from the NRA.

## WHY ARE LICENCES NECESSARY?

As pressure on water resources in England and Wales increases, the NRA needs to have a system in place which makes sure that water resources are safeguarded and that abstractions do not disrupt or cause long-lasting changes to the environment. Without this constraint, persistent over-abstraction could lead to shortages in water supply, increased river pollution by reducing dilution of pollutants, damage to fisheries and wildlife habitats and ultimately to the loss of rivers for our recreation and enjoyment. By licensing, we can control the level of abstraction to protect both water supply and the environment.

## HOW DOES THE LICENSING SYSTEM WORK ?

The possession of a licence gives the abstractor a legal right to take water from the stated source every year, until such time as the licence expires or the abstractor wishes to give up that right by cancelling the licence. A licence guarantees that no one else who would require a licence can take the share of water allocated to you.

Moreover, a licence indemnifies you against any effect your authorised abstraction may have on other existing rights to abstract water. However, it does not guarantee the quality of the water or that the amount of water authorised for abstraction will always be available. This will often depend on weather conditions and other factors outside the control of the NRA.

Before granting a new licence, we look at the water requirements of the applicant to assess whether they represent a proper use of water resources. We then check that no 'protected rights' will be affected (we cannot grant a licence which will derogate from an existing right except with the specific consent of the person who holds that right). We then assess the potential effect of the abstraction on river flows and groundwater resources, since the effects on amenity value, public health, land drainage, navigation, fisheries and nature conservation must all be considered before a licence is granted. This ensures that river flows are safeguarded and groundwater resources are not over-abstracted.

## ABOUT THE ABSTRACTION LICENCE

An abstraction licence will generally state:

- How much water can be taken.
- When in the year water can be taken.
- What the water will be used for.
- The land where the water can be used.
- Name and address of the licensed abstractor.
- The duration of the licence.
- The source of supply, eg aquifer, river.
- The means of abstraction, eg borehole, river intake.

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- Conditions the NRA may stipulate in order to protect other interests and the water environment.
- The means by which abstraction is to be measured and records kept.

Conditions can be placed on licences to protect the available water resource and to ensure adequate flows or levels are available to maintain environmental stability. A common condition is that the abstraction must not result in the river flow being depleted below a pre-set or 'prescribed flow'. Furthermore, when river flow falls towards this level, we may issue warnings and then restriction notices to prevent further abstraction. If a licence is for the purpose of spray irrigation then there may be times, for example during a drought, when further restrictions are placed on abstraction. Indeed, under conditions of extreme water resource shortages abstraction for spray irrigation may be banned altogether. Winter abstractions into storage lagoons would, however, normally be exempt from these restrictions.

### WHO REQUIRES A LICENCE ?

If you want to take water from a surface or underground source you must normally hold an abstraction licence. There are a number of exceptions, the more common ones being :-

- One-off abstractions of up to 5m<sup>3</sup>\*.
- One-off abstractions of up to 20m<sup>3</sup>\* with NRA consent.
- Abstraction of 20m<sup>3</sup> or less per day from an inland water, where the inland water runs through or borders the abstractors land, for domestic or agricultural purposes other than spray irrigation.
- Abstraction of 20m<sup>3</sup> or less per day from underground strata for the domestic purposes of one household.

- Abstraction to test for the presence, quantity or quality of water (with NRA consent) in underground strata.

- Water used for fire fighting

\* If the abstraction does not form part of a continuous operation(s).

### NOTES:

1. 20m<sup>3</sup> is equivalent to 20,000 litres or 4400 gallons and is approximately the capacity of two milk tankers.
2. This list is not exhaustive; please consult with the NRA Office for full details.

### HOW TO OBTAIN A LICENCE

To apply for a licence you must be the occupier or prospective occupier of the land on which the abstraction point is located. In some circumstances a right of access may be adequate.

You may be about to occupy land for which there is an existing licence to abstract water. If this is the case and you wish to continue to exercise the right to that water you will need to 'succeed' to the licence. Under certain circumstances you may only have one month from the date of occupancy in which to notify the NRA of your wish to keep the licence before it lapses. Early contact with an NRA office is therefore important.

If the licence you require is for a borehole, well or catchpit source then in most cases, you will need to



*Money raised from abstraction charges is used to fund all Water Resources costs incurred by each region of the NRA in carrying out its Water Resources Functions under the Water Resources Act 1991.*

obtain consent from the NRA to investigate and test pump the proposed source before you apply for a licence. Such consent is issued under Section 32 of the Water Resources Act 1991 and enables you and the NRA to determine how much water may be available, whether taking it has an effect on other abstractors and if it is suitable for your needs. Whatever the nature of your proposed abstraction, the first step toward obtaining a licence will be to contact the NRA office in your area. Our licensing staff will have detailed information and licence application forms and will be happy to advise and help you through the procedure (for NRA regional addresses see the reverse of this leaflet). However, for illustrative purposes the general outline of the procedure involved in obtaining a licence is shown overleaf. Please note that there are exceptions to this procedure in some cases and that once again, it is important that you contact your NRA office before you contemplate any form of abstraction.

Providing the applicant supplies the NRA with all the required information, a decision on whether to grant a licence and the conditions to which it may be subject will usually be made within 3 months. If a licence is refused, or conditions placed on it that the applicant objects to then he/she has a right of appeal to the Secretary of State for the Environment within one month of receipt of the NRA's decision.

## CHARGES

You will normally have to pay for the work the NRA does in processing your application. This is called the **Application Charge**. If a licence is granted, you will also normally pay a charge for the amount of water you are authorised to abstract, not what you actually use. This **Annual Charge** will also depend on what you use the water for, the source from which it is taken, and the season in which the water is taken. Because of the large difference from year to year in the quantities of water needed for spray irrigation, it is possible to have charges calculated partly on the quantity of water licensed for abstraction and partly on the quantity actually used. This charging

arrangement is called a Two Part Tariff and requires a special agreement. Our offices can provide further information on this and other aspects of abstraction charges.

## WHAT IS THE MONEY USED FOR?

Money raised from abstraction charges is used to fund all Water Resources costs incurred by each region of the NRA in carrying out its Water Resources Functions under the Water Resource Act 1991. The collection of income from abstraction charges is carried out purely to cover costs.

## WHAT IF MY NEEDS CHANGE ?

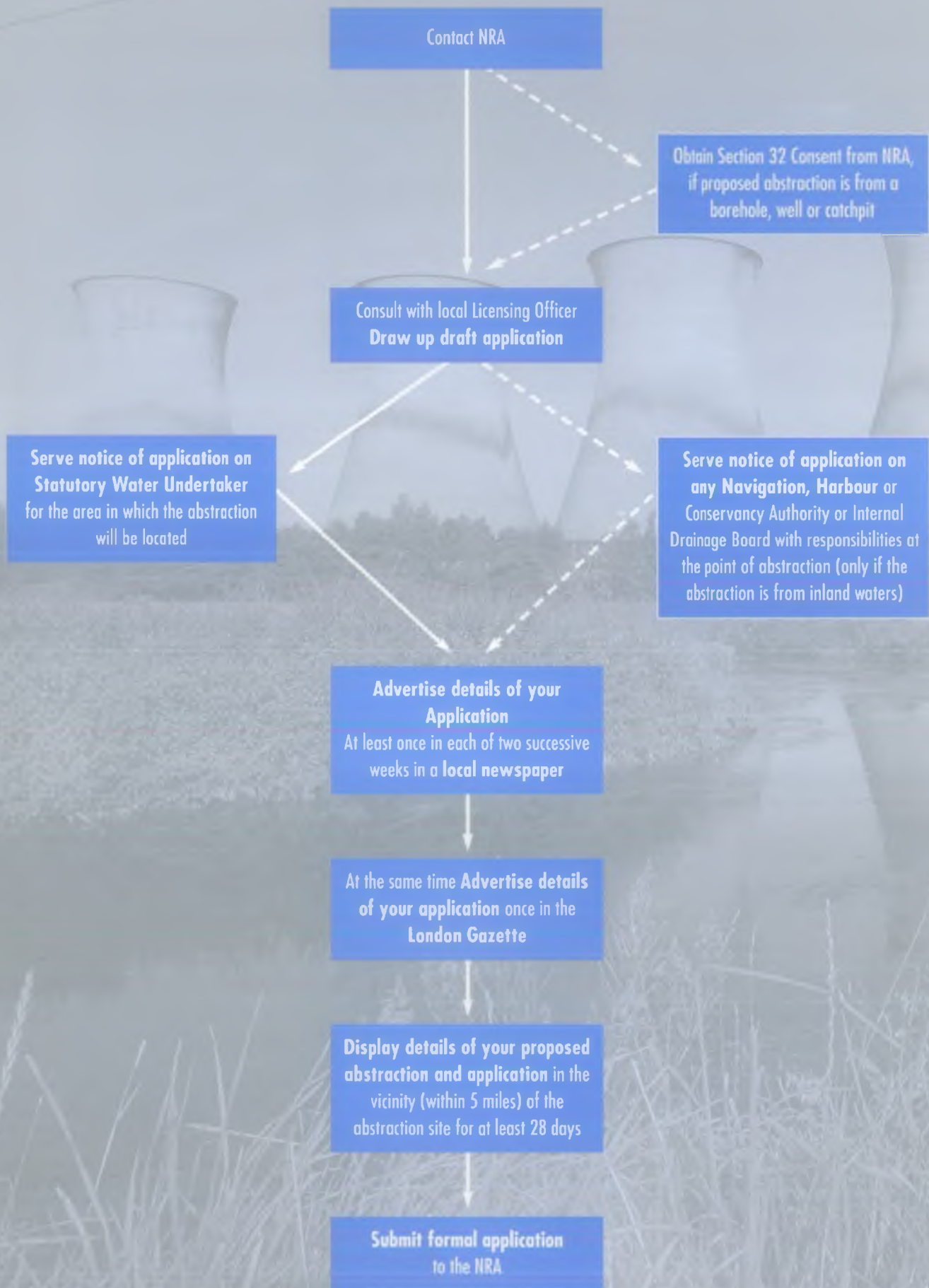
If at any time your requirements for water change, you can apply to vary your licence. Variations can have a considerable effect on a water source and are assessed as thoroughly as new licence applications. Variations such as the name on the licence or reductions in the amount of water authorised can be made without charge or the need for advertisement.

## HOW TO GET MORE INFORMATION

The addresses of the regional NRA offices are given on the reverse of this leaflet. Our licensing staff are always available and willing to answer enquiries, discuss your requirements and give you all the help you require to guide you through the licensing process.



## PROCEDURE WHEN APPLYING FOR AN ABSTRACTION LICENCE





### HEAD OFFICE

Rivers House  
Waterside Drive  
Aztec West  
Almondsbury  
Bristol  
BS12 4UD  
Tel: (0454) 624400  
Fax: (0454) 624409

### LONDON OFFICE

30-34 Albert Embankment  
London  
SE1 7TL  
Tel: (071) 8200101  
Fax: (071) 8201603

### ANGLIAN REGION

Kingfisher House  
Goldhay Way  
Orton Goldhay  
Peterborough  
PE2 5ZR  
Tel: (0733) 371811  
Fax: (0733) 231840

### NORTHUMBRIA/YORKSHIRE REGION

21 Park Square House  
Leeds  
LS1 2QG  
Tel: (0532) 440191  
Fax: (0532) 461889

### Gosforth Office

Eldon House  
Regent Centre  
Gosforth  
Newcastle Upon Tyne  
NE3 3UD  
Tel: (091) 2130266  
Fax: (091) 2845069

### NORTH WEST REGION

Richard Fairclough House  
Knutsford Road  
Warrington  
WA4 1HG  
Tel: (0925) 53999  
Fax: (0925) 415961

### SEVERN-TRENT REGION

Sapphire East  
550 Streetsbrook Road  
Solihull  
B91 1QT  
Tel: (021) 7112324  
Fax: (021) 7115824

### SOUTHERN REGION

Guildbourne House  
Chatsworth Road  
Worthing  
West Sussex  
BN11 1LD  
Tel: (0903) 820692  
Fax: (0903) 821832

### SOUTH WEST REGION

Manley House  
Kestrel Way  
Exeter  
EX2 7LQ  
Tel: (0392) 444000  
Fax: (0392) 444238

### THAMES REGION

Kings Meadow House  
Kings Meadow Road  
Reading  
RG1 8DQ  
Tel: (0734) 535000  
Fax: (0734) 500388

### WELSH REGION

Rivers House/Plas-yr-Afon  
St Mellons Business Park  
St Mellons  
Cardiff  
CF3 0LT  
Tel: (0222) 770088  
Fax: (0222) 798555

### WESSEX REGION

Rivers House  
East Quay  
Bridgwater  
Somerset  
TA6 4YS  
Tel: (0278) 457333  
Fax: (0278) 452985



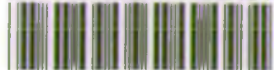
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### HEAD OFFICE

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