



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;](#)
- [notify us of the death or bankruptcy of the licence holder ;](#)
- [vary \(change/amend\) the licence in any way](#)
- **change the owner of the licence or**
- [change your contact address \(but you continue to hold the licence\).](#)

You can find our forms on [.GOV.UK](#) or alternatively contact us for advice on how to make any changes by calling our National Customer Centre on 03708 506 506

Transfer and apportionment (split)

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

‘**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.

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.

You must notify us in writing within **15 months** of the date of vesting, being either death or bankruptcy of the licence holder 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 (where appropriate this will be shown 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 the relevant [Abstraction Licensing Strategy](#) (ALS)

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 legal requirements for getting a licence.

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 six 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 will 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. To work out your charges, please refer to our [Scheme of Abstraction Charges](#) available on GOV.UK.

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.

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 have the right to appeal against our decision.

You should write to the Secretary of State for the Environment, Food and Rural Affairs, care of The Planning Inspectorate at:
The Environment Team
3A Eagle Wing,
Temple Quay House,
2 The Square,
Temple Quay,
Bristol,
BS1 6PN

Alternatively you can obtain an on-line appeal form at:

<https://www.gov.uk/government/publications/water-abstraction-and-impoundment-appeal-form>

You must serve notice of appeal within 28 days of the date of receipt of this licence (although the Secretary of State has power to allow a longer period for serving notice of appeal). See [Water Resources Act 1991, section 43](#).

Disclosure of information

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).

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:	SW/047/0051/003
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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:-

South West Water Limited (“the Licence Holder”)

Peninsula House
 Rydon Lane
 Exeter
 Devon
 EX2 7HR

Company registration number 02366665

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.

Signed G.Wilgar-Jones	Date of issue7 February 2023
Greg Wilgar-Jones Permitting Team Leader	Date effective7 February 2023
	Date of expiry31 March 2038

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

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 water known as the River Lyd at Lifton, Devon.

2. POINT OF ABSTRACTION

2.1 At National Grid Reference SX 39921 85071 marked 'A' on the maps.

3. MEANS OF ABSTRACTION

3.1 Pumps.

4. PURPOSE OF ABSTRACTION

4.1 Transfer for the purpose of filling a reservoir for subsequent abstraction for public water supply.

5. PERIOD OF ABSTRACTION

5.1 From 1 November to 31 March inclusive.

6. MAXIMUM QUANTITY OF WATER TO BE ABSTRACTED

6.1 2,000 cubic metres per hour
40,000 cubic metres per day
6,000,000 cubic metres per year

At an instantaneous rate not exceeding 556 litres per second.

6.2 The aggregate quantity of water authorised to be abstracted under this licence and under licence serial number 15/47/013/S/020 shall not exceed:

148,000 cubic metres per day

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) No abstraction shall take place unless the Licence Holder has installed a meter to measure quantities of water abstracted.
- (ii) The Licence Holder shall position and install the meter in accordance with any written directions given by the Agency.
- (iii) The Licence Holder shall calibrate, maintain, repair or replace the meter to ensure that accurate measurements are taken at all times.
- (iv) The Licence Holder shall keep all records of meter repair or replacement 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 meter specified in condition 7.1 at the same time each day when abstraction is taking place during the whole of the period during which abstraction is authorised or as otherwise approved in writing by the Agency.
- 8.2 The Licence Holder shall send a 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.
- 8.3 Each record shall be kept and be made available during all reasonable hours for inspection by the Agency for at least 6 years.

9. FURTHER CONDITIONS**9.1 From 1 November to 15 January**

No abstraction shall take place unless the rate of flow in the River Lyd as measured immediately upstream of the authorised point of abstraction at National Grid Reference SX 39921 85071, marked as point 'A' on the maps, is equal to or greater than 1,343 litres per second and the abstraction shall not cause the flow immediately downstream of the said abstraction point to fall below that rate.

From 16 January to 31 March

No abstraction shall take place unless the rate of flow in the River Lyd as measured immediately upstream of the authorised point of abstraction at National Grid Reference SX 39921 85071, marked as point 'A' on the maps, is equal to or greater than 537 litres per second and the abstraction shall not cause the flow immediately downstream of the said abstraction point to fall below that rate.

- 9.2 The quantity of water abstracted shall not exceed 50 percent of the available flow in the River Lyd in excess of the hands off flow.

- 9.3 No abstraction shall take place unless the Licence Holder has submitted to the Agency in writing and the Agency has approved in writing, a method and/or formula to establish the rate of flow of the River Lyd upstream of the point of abstraction specified in condition 9.1 above.
- 9.4 No abstraction shall take place whilst any initiated discharge or augmentation of water is being made from Roadford Reservoir centred around National Grid Reference SX 42650 91300, except that which comprises any of the quantity of the daily compensation flow release authorised under Impoundment Licence serial number 15/47/52/1/1.
- 9.5 (i) No abstraction shall take place unless the Licence Holder has installed a screen with 2 millimetre aperture size to prevent the entrapment, entrainment or impingement of fish species at the point of abstraction.
- (ii) The Licence Holder shall maintain, repair or replace the screen in accordance with the manufacturer's specifications OR to ensure that it remains effective at all times and keep records of such maintenance.
- (iii) The Licence Holder shall keep records of such maintenance for 6 years and shall make them available during all reasonable hours for inspection by the Agency.
- 9.6 The Licence Holder shall return all of the water abstracted in pursuance of this licence to Roadford Reservoir at National Grid Reference SX 43090 90560 marked 'Q' on map 2 appended to this licence.
- 9.7 The minimum value for the quantity of water authorised to be abstracted under this licence, as referred to in section 46(2A) Water Resources Act 1991, is 6,000,000 cubic metres per year.

ADDITIONAL INFORMATION

Note: the following 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 seasonal hands off flow conditions to protect the environment, including fish migration and the interests of existing downstream lawful users of water.

The licence includes condition 9.7 as a requirement under section 46(2A) of the Water Resources Act 1991. The condition allows the Agency to put forward proposals to vary the licence so as to reduce the maximum authorised quantity which may be abstracted to the figure specified within the condition, without the Agency having to pay compensation to the Licence Holder, if the reduction is necessary to protect the availability of water in this source of supply. In this case we do not anticipate that a reduction will be necessary and have therefore set the quantity to match the maximum authorised annual volume.

The method of calculating the flow the point of abstraction to comply with the relevant hands off flow must also be agreed with the Agency prior to abstraction commencing each year.

Lifton Park Gauging Station is located at NGR: SX 38896 84249

Tinhay Gauging Station is Located at NGR: SX 39787 85515

Gauged flow data is available online.

IMPORTANT NOTES

Abstraction Reform

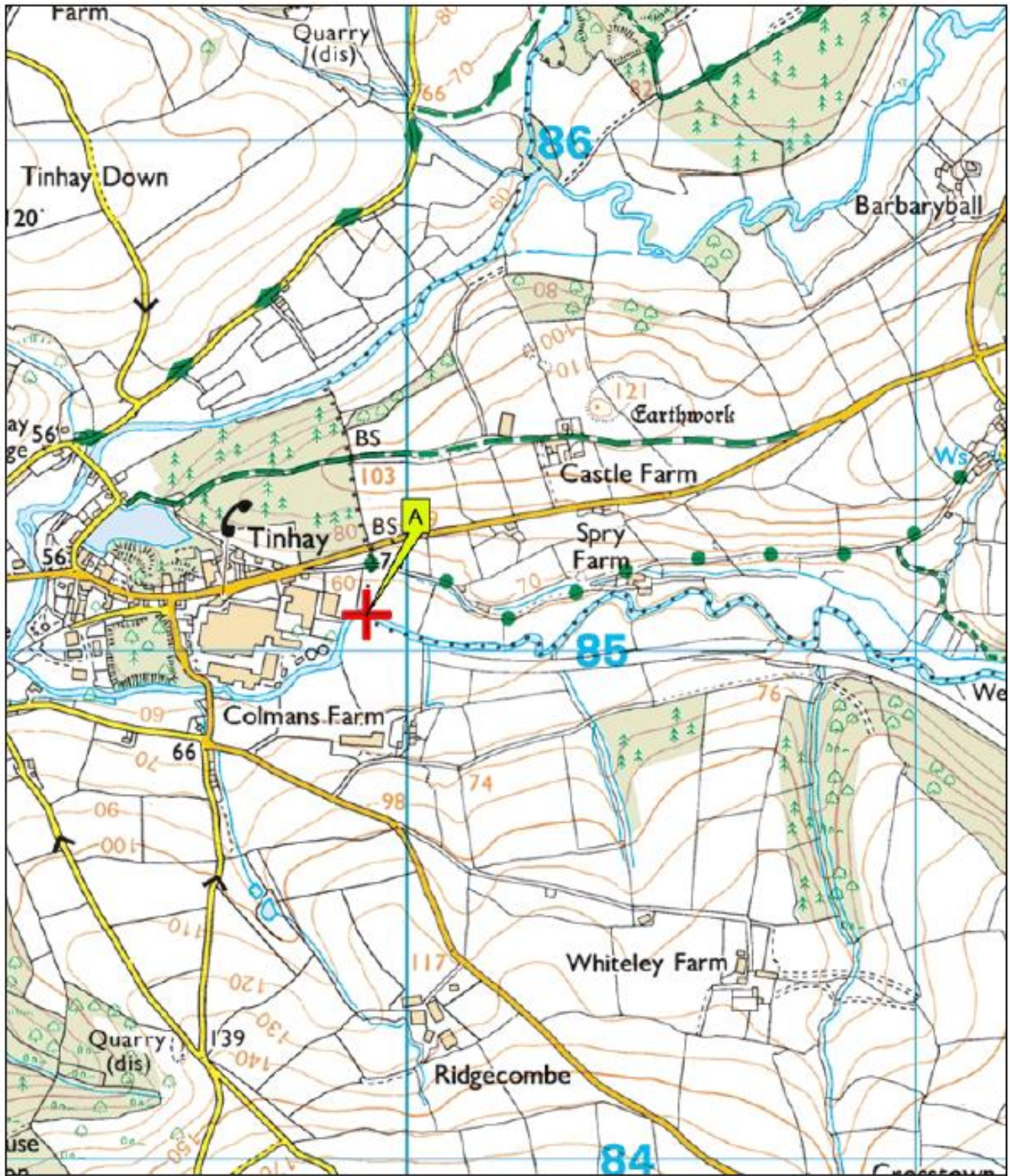
We have granted this licence in line with current legal requirements and policies on managing water resources. However, Government have consulted on reforms which may affect the duration, quantities and management of licences before your current licence expires, where appropriate. You should take account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

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.

Screening

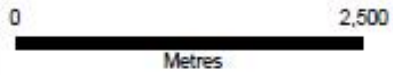
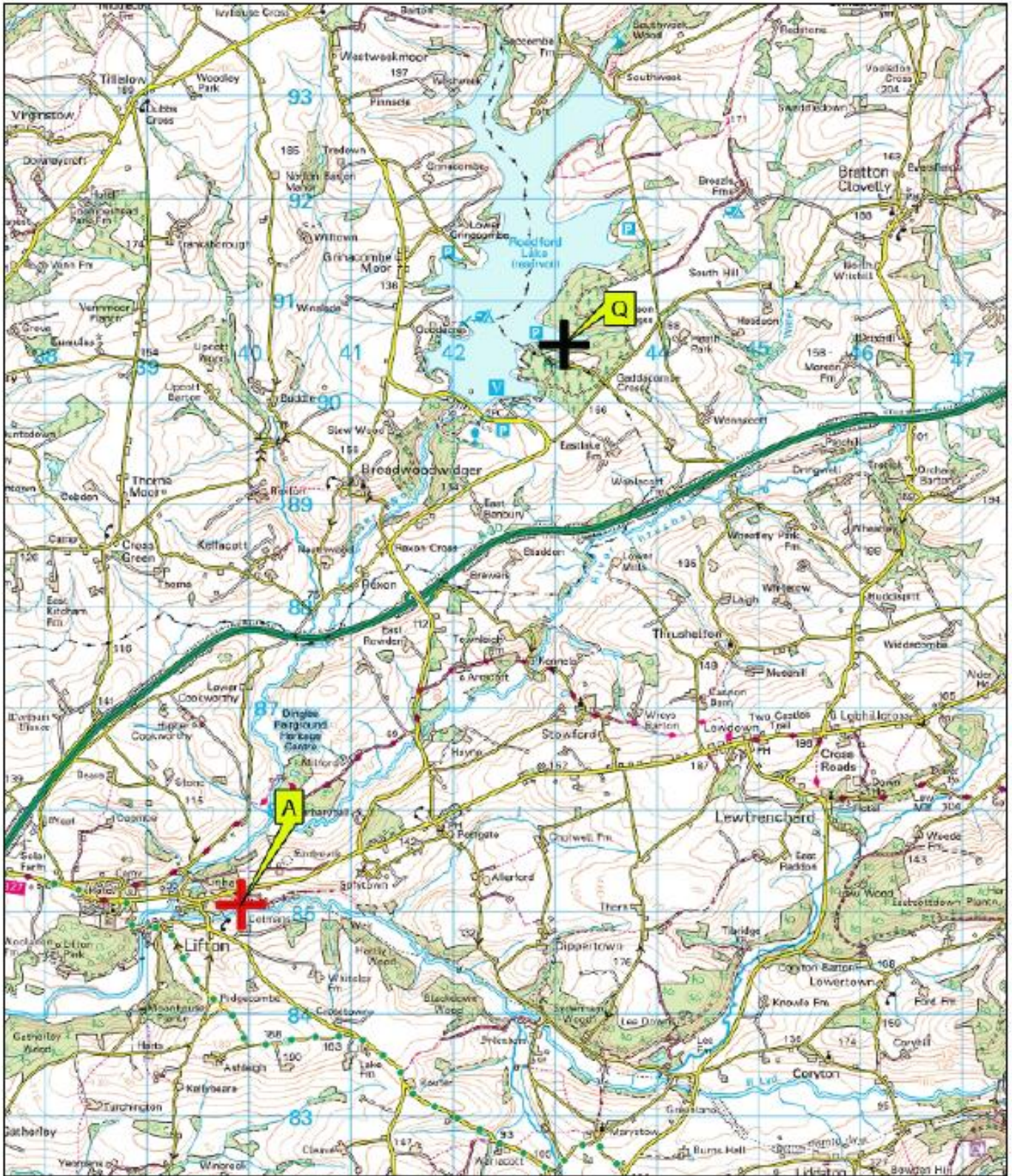
The Agency may have regard to its best practice guide, the Eel Manual: Screening at intakes and outfalls: measures to protect eel (or equivalent guidance) in agreeing where, how and what type of eel screen should be installed and together with the results of any monitoring in determining whether the eel screen is properly effective and maintained, and in judging whether it is necessary to require repair or replacement of the eel screen.



MAP ACCOMPANYING LICENCE NUMBER
SW/047/0051/003 MAP 1
 Scale 1: 10,000



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MAP ACCOMPANYING LICENCE NUMBER

SW/047/0051/003 MAP 2

Scale 1: 50,000



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Then call us on

03708 506 506 (Mon-Fri 8-6)

email

enquiries@environment-agency.gov.uk

or visit our website

www.gov.uk/environment-agency

Incident hotline 0800 80 70 60 (24hrs)

Floodline 0345 988 1188



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