
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.

Please quote the serial number in all correspondence about this licence



FULL LICENCE TO ABSTRACT WATER

The Environment Agency ("the Agency") varies this licence held by:-

Southern Water Services Limited ("the Licence Holder")

Southern House
 Yeoman Road
 Worthing
 West Sussex
 BN13 3NX
 Company registration number 02366670

This varied 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 varied licence commences from the effective date shown below and shall remain in force until the date of expiry shown below.

Signed	Date of issue of variation	15 March 2019
M. Stapley	Date effective	15 March 2019
M. Stapley	Expiry date	31 December 2027
Permitting Team Leader	Date of original issue	1 March 1982
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 Test at Nursling, Hampshire.

2. POINT OF ABSTRACTION

2.1 At National Grid Reference SU 3529 1533 marked 'A' on the map.

3. MEANS OF ABSTRACTION

3.1 A pump or pumps.

4. PURPOSE OF ABSTRACTION

4.1 Public water supply.

5. PERIOD OF ABSTRACTION

5.1 All year.

6. MAXIMUM QUANTITY OF WATER TO BE ABSTRACTED

6.1 Subject to Conditions 9.1, 9.2, 9.3 and 9.6-9.8:

3,500 cubic metres per hour

80,000 cubic metres per day

29,200,000 cubic metres per year

7. MEANS OF MEASUREMENT OF WATER ABSTRACTED

- 7.1
- (i) No abstraction shall take place unless the Licence Holder has installed a meter or meters to measure quantities of water abstracted.
 - (ii) The Licence Holder shall position and install the meter(s) in accordance with any written directions given by the Agency.
 - (iii) The Licence Holder shall maintain, repair or replace the meter(s) 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 meter(s) specified in condition 7.1 at the same time each day 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 required by condition 8.1 or summary data to the Agency within 28 calendar days of 31 March or within 28 calendar days of being so requested 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 Until 31 March 2027

Subject to 9.6 - 9.8 below, no abstraction shall take place when the combined flow in the River Test as gauged by the Agency at Testwood Bridge and at its flow gauging stations at Test Back Carrier and Conagar Bridge is equal to or less than 355,000 cubic metres per day as may be notified by the Agency. The Agency's said gauging of the flow shall be conclusive.

9.2 From 1 April 2027, for the period March to December inclusive

Subject to 9.6 - 9.8 below, no abstraction shall take place when the flow in the River Test as gauged by the Agency at Testwood Bridge is equal to or less than 265,000 cubic metres per day, or when the combined flow in the River Test as gauged by the Agency at Testwood Bridge and at its flow gauging stations at Test Back Carrier and Conagar Bridge is equal to or less than 390,000 cubic metres per day, as may be notified by the Agency. The Agency's said gauging of the flow shall be conclusive.

9.3 From 1 April 2027, for the period January to February inclusive

Subject to 9.6 - 9.8 below, no abstraction shall take place when the flow in the River Test as gauged by the Agency at Testwood Bridge is equal to or less than 233,000 cubic metres per day, or when the combined flow in the River Test as gauged by the Agency at Testwood Bridge and at its flow gauging stations at Test Back Carrier and Conagar Bridge is equal to or less than 355,000 cubic metres per day, as may be notified by the Agency. The Agency's said gauging of the flow shall be conclusive.

- 9.4 No abstraction shall take place between 1 March and 15 June inclusive in any year unless the Licence Holder has installed a 11mm vertical bar type screen, or as otherwise approved in writing by the Agency, to prevent the entrapment, entrainment or impingement of fish at the point of abstraction.

- 9.5 The Licence Holder shall maintain the fish screen in accordance with the manufacturer's specifications and keep records of such maintenance available for inspection.

- 9.6 A "**Force Majeure Event**" means unexpected threat to provision of public water supply beyond the control of the Licence Holder, arising from circumstances of natural cause or force majeure which are exceptional or could not reasonably have been foreseen, in particular extreme floods and prolonged droughts, or the result of circumstances due to accidents which could not reasonably have been foreseen.

- 9.7 The Licence Holder shall take all reasonable steps to avoid Force Majeure Events and to deal with Force Majeure Events expeditiously.

- 9.8 The following process will be followed in the event of a Force Majeure Event:

- a. In the event that the Licence Holder becomes aware of a Force Majeure Event affecting the supply network in the Western Area, the Licence Holder shall contact the Agency as a matter of urgency and notify Natural England as soon as reasonably practicable.

- b. On contacting the Agency, the Licence Holder shall provide written details of the nature of the Force Majeure Event and its implications for meeting public water supply, including the quantity of water in excess of the limits specified in condition 6.1 that the Licence Holder considers necessary to abstract, any requirement to temporarily suspend or vary licence condition 9.1, 9.2 and/or 9.3 and the likely duration for which temporary authorisation is required.
- c. If the Agency is satisfied that a Force Majeure Event is occurring and will threaten the reliable provision of public water supply, it will declare an emergency.
- d. In the event the Agency declares an emergency, the Agency will specify in writing the extent to which conditions 6.1, 9.1, 9.2 and/or 9.3 of this licence will be modified (subject to a maximum daily abstraction rate of 96 MI/d (with commensurate increase in the maximum annual volume specified in condition 6.1) and/or to allow abstraction below the Hands off Flows specified in conditions 9.1- 9.3) and those modifications will apply until the Agency declares an end to the emergency.
- e. In the event that the Licence Holder does not receive a response from the Agency to a request made under clause 9.8b above within 24 hours, the Licence Holder may continue to abstract up to a maximum daily abstraction rate of 96 MI/d (with commensurate increase in the maximum annual volume specified in condition 6.1 of the Test Surface Water Licence) or abstract below the Hands off Flow specified in condition 9.1, until such time as the Agency has responded.

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 includes a hands off flow condition to protect the environment and the interests of existing downstream lawful users of water.

IMPORTANT NOTES

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.

Gauging Stations

The gauging locations referred to in Condition 9.1, 9.2 and 9.3 are sited as follows :
Testwood Bridge: National Grid Reference SU 35595 15173
Test Back Carrier: National Grid Reference SU 35528 15918
Conagar Bridge: National Grid Reference SU 35515 15899

Western Area

The Licence Holder defines Western Area in its 2018 draft Water Resources Management Plan as comprising seven interlinked Water Resources Zones – Hampshire Southampton East, Hampshire Southampton West, Hampshire Winchester, Hampshire Rural, Hampshire Andover, Hampshire Kingsclere and the Isle of Wight

Illustrative examples of Force Majeure events capable of meeting the definition in condition 9.6

- a. act of terrorism, vandalism, act or omission by a third party affecting lawful abstractions which severely reduces the ability of the Licence Holder to discharge its supply duty;
- b. major pollution events or contamination of the Licence Holder's water supply sources or unforeseeable deficiencies in water resources arising from deterioration of raw water quality;
- c. damage (e.g. significant unforeseen failure of fixed pumps or other relevant plant or apparatus or burst in a pipeline) which severely reduces the ability of the Licence Holder to discharge its supply duty;
- d. widespread interruption to power supplies to the Licence Holder's infrastructure.
- e. an exceptional inability on the part of the Licence Holder to discharge its supply duty due to flows in the River Test falling to 355 Ml/d due to natural causes but the Agency has refused an application for a Test Surface Water Drought Permit due to a failure to meet the Exceptional Shortage of Rain ("ESOR") test under the Water Resources Act 1991 (as amended), or the Agency has indicated that it is not possible to meet the ESOR test under the Water Resources Act 1991 (as amended).

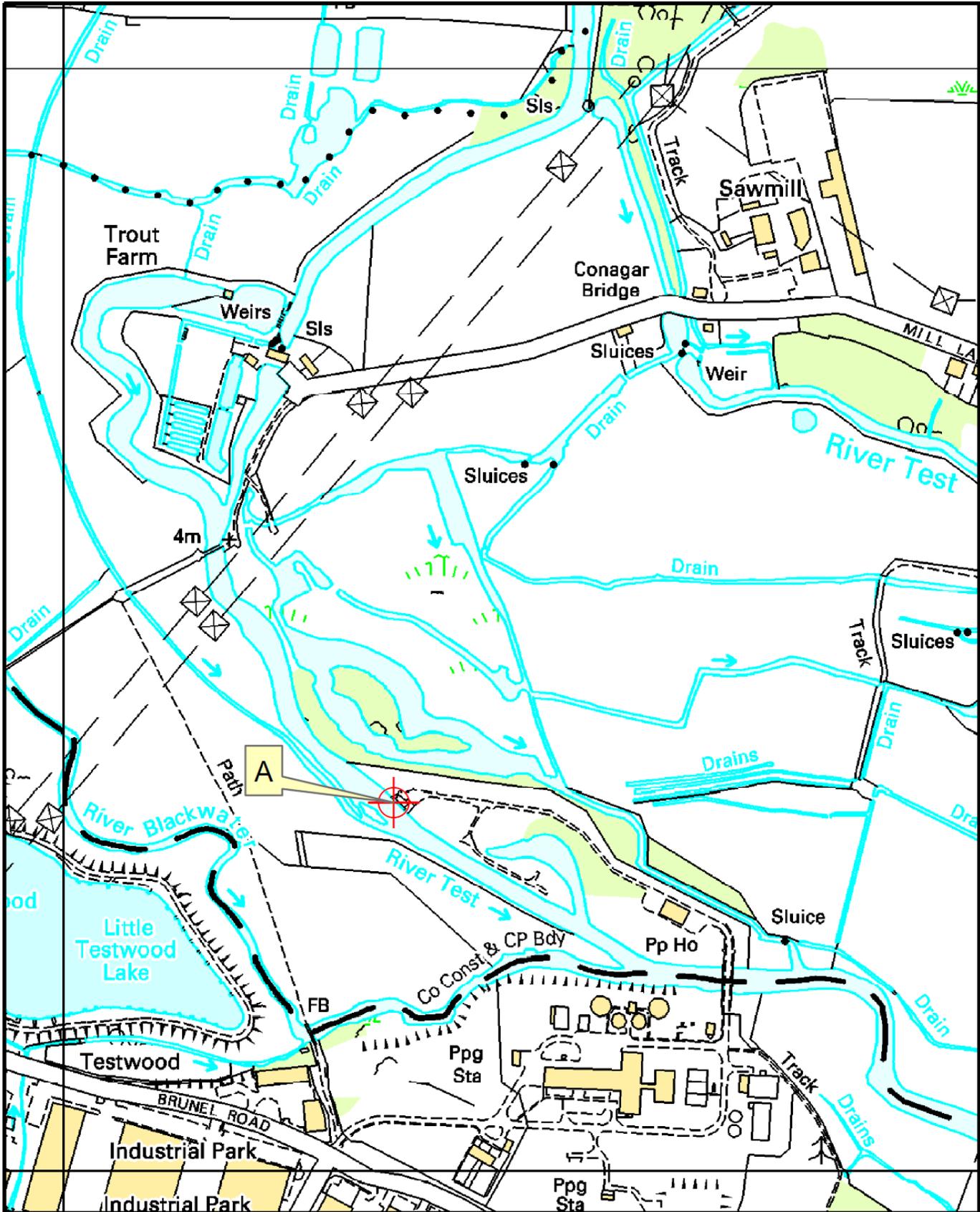
Licence Serial No:	11/42/18.16/546
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Emergency Contact Details

In the event of the Licence Holder raising a Force Majeure event, the Agency should be contacted via the 24 hour incident phone line 0800 807060 at which time an email address will be provided.

Licence History

Licence serial number	Issue date	Expiry date	Summary of changes
11/42/18.16/546	01/03/1982	N/A	Original licence issued
11/42/18.16/546	15/03/2019	31/12/2027	WRA 1991 s52 RSA variation to meet Wildlife and Countryside Act 1981 and Water Environment (Water Framework Directive) Regulations 2017 requirements. Reduction in annual and daily quantity, new HoFs introduced.



0 0.1 0.2 km



Environment Agency

MAP ACCOMPANYING LICENCE NUMBER

11/42/18.16/546

Scale: 1:4,576



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or about your environment?**

Then call us on

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