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Our ref:
Your ref:
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FOR YOUR INFORMATION

Re. Time Limited Licence Renewals in the Environment Agency's Cambridgeshire and Bedfordshire area (renewals for Cam and Ely Ouse, Upper Ouse and Bedford Ouse and North West Norfolk).

There are some changes being introduced with regard to abstraction licence applications in the future which I need to tell you about. The Environment Agency and abstractors have a good record of constructive engagement in the Environment Agency's Cambridgeshire and Bedfordshire area and so we are keen to keep you informed. The changes will apply to time limited licences, but we are also contacting non-time limited licence holders to ensure all customers are aware.

Many time-limited licence holders will have already received letters inviting them to apply to renew their licences; however, if you have not received a letter and you have a licence due for renewal by March 2015 then we will be contacting you soon. When we consider your application we will apply the usual three tests of environmental sustainability, justification of need, and efficient use of water. We need to consider the Water Framework Directive (WFD) as part of the environmental sustainability test to ensure that the ecological habitats provided by our rivers, wetlands and estuaries do not deteriorate as a result of continued abstraction. Conserving and enhancing our river flows and groundwater resources has an important role to play.

We have published Abstraction Licensing Strategies (previously known as Catchment Abstraction Management Strategies or CAMS) which set out how water resources are managed. In the Environment Agency's Cambridgeshire and Bedfordshire area these strategies are for the Cam and Ely Ouse; North West Norfolk; Old Bedford including Middle Level; and Upper and Bedford Ouse. You can read more about the status of water resources online www.gov.uk/government/organisations/environment-agency by searching for your relevant Abstraction Licensing Strategy.

The Environment Agency recognises the need to develop a proportionate approach that balances environmental protection with the needs of abstractors and the rural economy. Preventing deterioration in ecological status is one aspect of the sustainability test. There may be other local

sustainability issues that need to be addressed and they will be raised with you when you apply for your licence.

So we can ensure that continued abstraction does not cause deterioration of the ecology, time limited licences due for renewal will be determined as follows:

- 1) If you abstract **surface water from a fenland system** then your licence has been assessed as being sustainable and will be renewed on the same terms to the next CAMS common end date (2027 for the Cam & Ely Ouse including the South Level and 2025 for the Old Bedford including the Middle Level).
- 2) If you abstract **surface water from other sources, and you have a WFD compliant condition** (known as a Hands off Flow, or HoF) that protects downstream users and the environment, then your licence has been assessed as being sustainable and will be renewed on the same terms to the next CAMS common end date.
- 3) If you abstract **surface water from other sources, and you do not have a Hands off Flow condition, or your licence condition(s) has been assessed as not being WFD compliant**, we will work with you to either add a WFD compliant condition, or change your existing Hands off Flow condition to make it WFD compliant. The effective date of this change will be deferred to 31 March 2018 in lieu of our published aim to give 6 years notice. We need to make changes to licences by 31 March 2018 to meet the deadlines for achieving our environmental obligations.
- 4) If you abstract **groundwater and your time-limited licence is due for renewal in 2015**, then we will renew your licence on the same terms until 31 March 2018. We are therefore now giving you notice that we may need to change your licence conditions. In this three year period (2015-2018) we will be carrying out groundwater modelling to identify how to control abstraction to prevent deterioration of the ecology. We may then potentially apply appropriate licence changes as required from 2018.

This approach applies to all time limited licences due for renewal in 2015 (Cam and Ely Ouse including the South Level CAMS area), 2016 (Upper Ouse and Bedford Ouse CAMS area) and 2018 (North West Norfolk CAMS area). We would like to stress that the majority of time limited licences in the Cam and Ely Ouse area have already been confirmed as compliant and so can be renewed on the same terms. The focus for further work therefore falls, largely, on some time limited groundwater abstractions.

If you have a **permanent licence (either a licence of right or an in-perpetuity licence)** your licence document will not include an expiry date. The consideration of whether a permanent licence will cause deterioration is not dealt with in the same way as for time limited licences. As there is no renewals process for a permanent licence, then we would need to prove that your abstraction had caused actual deterioration in the WFD status before we could take action. As with time limited licences, preventing

deterioration in ecological status is only one aspect of environmental sustainability that we need to consider. We have been changing unsustainable permanent licences through our Restoring Sustainable Abstraction programme for many years and we cannot rule out that further changes will be needed to ensure permanent licences protect other environmental features.

If you would like to speak to someone to discuss your licence please contact our local customer contact team on 01480 483929 / 01480 483951 or e-mail ANC.enquiries@environment-agency.gov.uk

Yours faithfully,



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Cc. Trevor Bishop, Deputy Director of Water Resources, Environment Agency
Cc. David Baxter, Deputy Director of the Water Framework Directive, Environment Agency