

REMOVAL OF THE DEWATERING EXEMPTIONS

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WHAT I WILL TALK ABOUT



- History
- The Regulations
- Types of Licences
- Transition Arrangements & New Activities
- Application Process
- Transition Process
- Evidence
- Getting Tricky

DISCLAIMER



- These are my thoughts
- The madder the thought, the more it is mine
- If I misrepresent anyone or anything then I'm sorry
- What I say today may not be an Envireau Ltd company view
- What I say shouldn't be taken as advice as every site is different
- OK with that?

HISTORY



-
- All began in about 1998
 - Talked about seriously early 2000's
 - Water Act 2003 introduced it
 - "It's 6 months away"
 - 31st October 2018 ... "you have 2 months!"

THE REGULATIONS



- Government response to consultation on changes to water abstraction licensing exemptions in England and Wales: New Authorisations
- The Water Act 2003 (Commencement No. 12) Order 2017
- The Water Abstraction (Transitional Provisions) Regulations 2017

TYPES OF LICENCES

- Full Licence
 - To abstract more than 20 cubic metres of water a day
 - Protected rights
- Transfer Licence
 - Transfer water from one “source of supply” to another **without intervening use**
- Temporary Licence
 - To abstract for 28 days

TRANSITION ARRANGEMENTS & NEW ACTIVITIES



Transitional	New
<ul style="list-style-type: none">Any dewatering activity where you can demonstrate, with evidence, that dewatering has taken place within the past 7 years	<ul style="list-style-type: none">New sites where dewatering has not taken place prior to the 31/12/2017Dormant sites where dewatering has not taken place within the past 7 yearsExtensions to sites where the dewatering activity will increase above what it was previously (within the 7 year period)

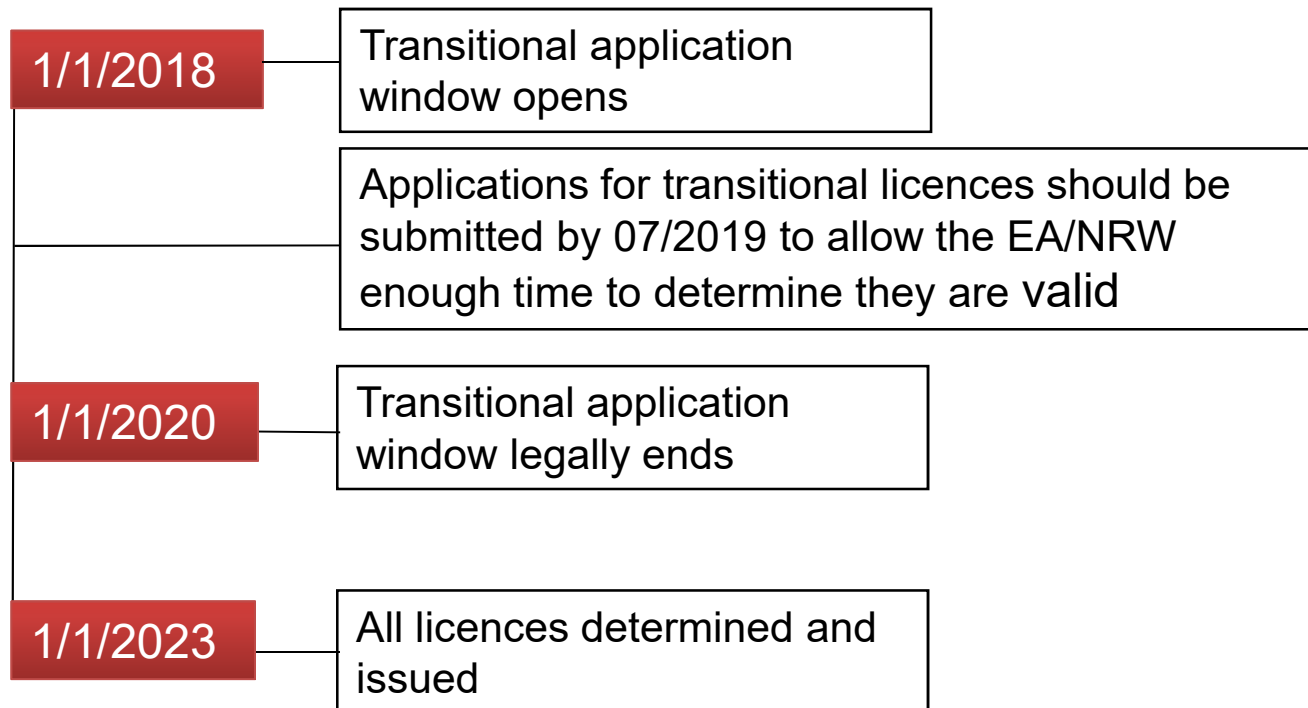
- If you have **started** a new dewatering activity since the 1st January 2017 you must apply for a licence ASAP
- If you do not have a licence you will be operating illegally
- The EA appreciate that industry would not have been able to plan for the licence application process
- In all cases, take advice

THE APPLICATION PROCESS

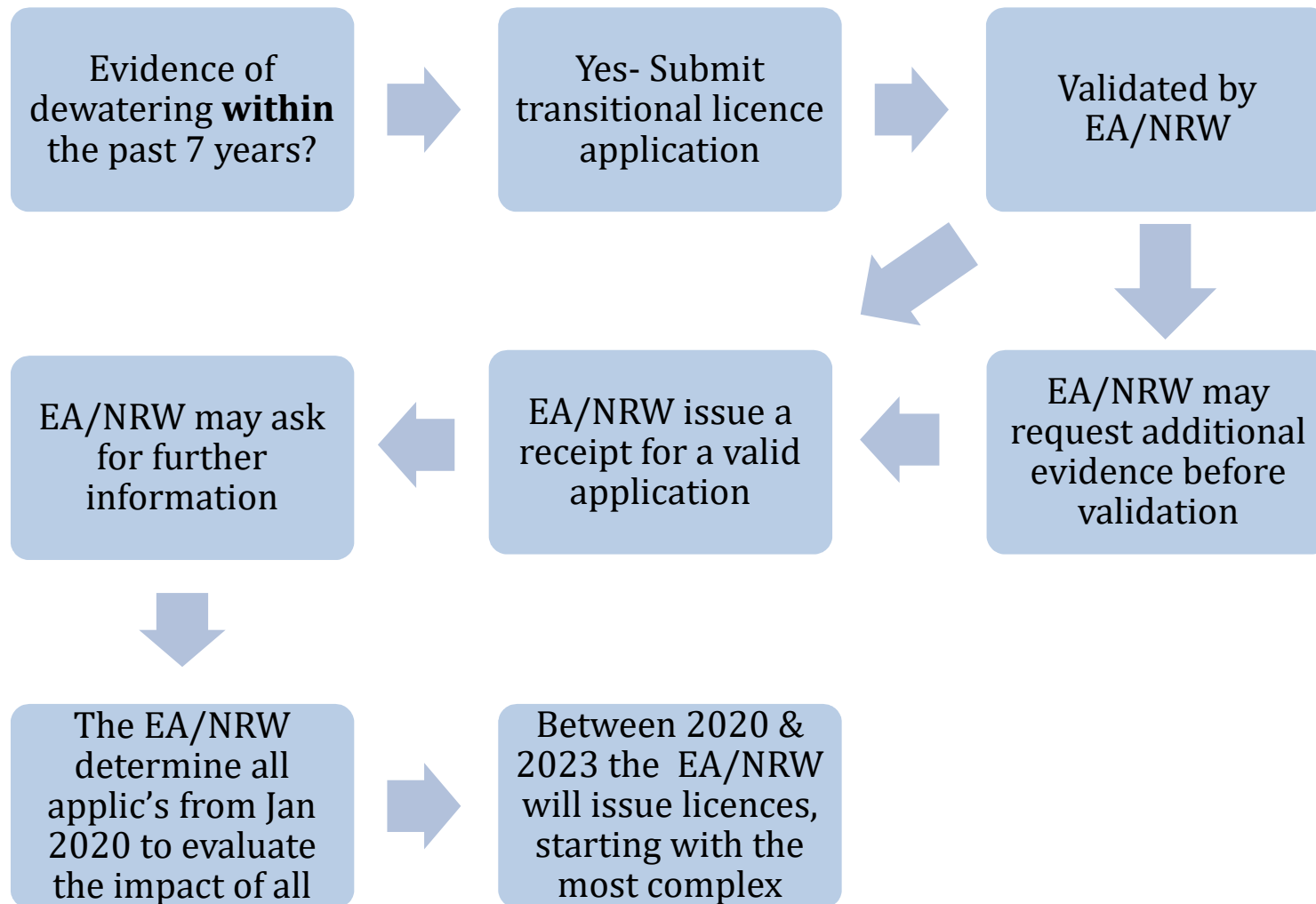


- The EA and NRW have been directed by government to take a “Light touch, risk based” approach!

TIMELINE



TRANSITION PROCESS



- EA list of evidence that can be used
 - Meter readings
 - Physical dimensions of a transfer channel (no control)
 - Physical dimensions of a transfer pipe (appropriately sized and positioned)
 - Flow rates for abstraction equipment
 - Pump of known capacity and pumping hours
 - Outputs from QA systems or Abstraction Programming Systems
 - Other justified & appropriate data

GETTING TRICKY

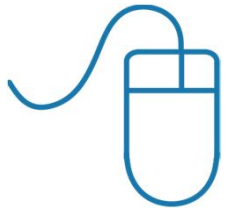
- If a site is within a water body that has been assessed as suffering from “actual serious damage” then the application is likely to be more complex
- This may result in further scrutiny to ensure the ongoing activity is not causing serious damage to the environment
- Seek advice if you think that this may effect you

NOTE

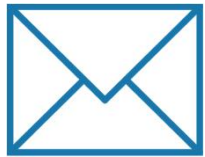
- An operator can continue to abstract water at the current rate until the EA has determined the application
- If you need to abstract more water whilst the application is being determined you will need to apply for a new licence
- You should do this in parallel with the transition application
- Seek advice if you think that this may effect you

GET IN TOUCH

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WATER



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