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Environment
Agency Wales

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 us at your local Environment Agency office.

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.



FULL LICENCE TO ABSTRACT WATER

The Environment Agency ("the Agency") grants this licence to:-

Statkraft Energy Limited ("the Licence Holder")
4th Floor
41 Moorgate
London
EC2R 6PP

Company registration number 06544123

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 subject to conditions 6.1 and 9.1.

Signed

Simon Grantham
Permitting Team leader

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

Date of issue 16 October 2012

Date effective 18 September 2012

Date of expiry 31 March 2028

Date of original issue 3 March 1966
(if this document is a reissue or revision of the licence originally granted for this abstraction)

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 waters known as Nant Y Moch Reservoir; Dinas Reservoir; Afon Castell; Nant Y Bog; Afon Llywernog and Nant Bwa Drain in the County of Ceredigion.

2. POINTS OF ABSTRACTION

2.1

National Grid Reference	Point marked on map	Site name
SN 7536 8620	Point A	Nant Y Moch Reservoir
SN 7453 8217	Point B	Dinas Reservoir
SN 7669 8119	Point C	Afon Castell
SN 7427 8187	Point D	Nant Y Bog
SN 7328 8079	Point E	Afon Llywernog
SN 7152 7993	Point F	Nant Bwa Drain

3. MEANS OF ABSTRACTION

- 3.1 Gravity feed.

4. PURPOSES OF ABSTRACTION

- 4.1 From the points marked 'C' and 'D' respectively on the map:

Transfer of water to Dinas Reservoir for the subsequent re-abstraction at the point marked 'B' on the map for generation of electricity.

- 4.2 From the points marked 'A', 'B', 'E' and 'F' respectively on the map:

Power production – hydro-electric power generation.

5. PERIOD OF ABSTRACTION

- 5.1 All year.

6. MAXIMUM QUANTITY OF WATER TO BE ABSTRACTED

- 6.1 3rd August 2009 to 31st March 2028:

Point A: 171,000,000 cubic metres a year;
 Point B: 232,500,000 cubic metres a year;
 Point C: 31,000,000 cubic metres a year,
 Point D: 1,300,000 cubic metres a year;
 Point E: 3,400,000 cubic metres per year;
 Point F: 1,300,000 cubic metres per year

- 6.2 From 1st April 2028:

223,287,340 cubic metres per year in aggregate

Note: An hour means any period of 60 consecutive minutes, a day means any period of 24 consecutive hours and a year means any 12 month period.

7. MEANS OF MEASUREMENT OF WATER ABSTRACTED

7.1 For abstraction point A (Nant Y Moch Reservoir) and point B (Dinas Reservoir):

The Licence Holder shall use a meter for each point of abstraction specified above to measure quantities of water abstracted. The Licence Holder shall provide and install the meters before any abstraction takes place. The Licence Holder shall position and install the meters in accordance with any written directions given by the Agency. The Licence Holder shall maintain the meters in such a condition, and if necessary replace them, so as to measure quantities of water abstracted accurately and efficiently. The Licence Holder shall calibrate them regularly, in accordance with the recommendations of the manufacturer or at any time required by the Agency, and shall replace them as necessary. The Licence Holder shall retain evidence of current certification for inspection by the Agency.

The Agency may have regard to its *Abstraction Metering Good Practice Manual* (or equivalent guidance) in directing any of the following: where the meters should be located or how they should be installed; whether the meters measure accurately, and/or efficiently and/or are properly maintained; whether it is necessary to require repair or replacement of the meters.

7.2 For abstraction point C (Afon Castell)

The Licence Holder shall use a broad crested weir (dimensions as submitted to the Agency 16th January 2009);

For abstraction point D (Nant Y Bog)

The Licence Holder shall use a weir (dimensions as submitted to the Agency 16th January 2009);

For abstraction point E (Afon Llywernog)

The Licence Holder shall use a weir (dimensions as submitted to the Agency 16th January 2009);

For abstraction point F (Nant Bwa Drain)

The Licence Holder shall use a thin plate weir (dimensions as submitted to the Agency 16th January 2009);

to measure quantities of water abstracted. The head of water through these structures shall be measured as agreed with the Agency.

The Licence Holder shall provide and install the weirs and staff gauge and/or logger or other device as agreed with the Agency before any abstraction takes place. The Licence Holder shall position and install the weirs, and staff gauge and/or logger or other device as agreed with the Agency so as to be capable of continuous measurement to British Standard ISO748 (or current equivalent) and in accordance with any written directions given by the Agency. The Licence Holder shall keep them installed at all times.

The Licence Holder shall maintain the weirs and staff gauge and/or logger or other device as agreed with the Agency in such a condition, and if necessary replace them, so as to measure quantities of water abstracted accurately and efficiently. The Licence Holder shall calibrate the staff gauge and/or logger or other device as agreed with the Agency regularly in accordance with the recommendations of the manufacturer or at any time when required by the Agency. The Licence Holder shall retain evidence of current certification for inspection by the Agency. The formula used to convert head to flow shall be approved in writing from time to time by the Agency.

8. RECORDS

- 8.1 Quantities of water calculated by the means specified in Condition 7 above shall be recorded by the Licence Holder at the same time each week.

A copy of the record or summary data from it shall be sent to the Agency within 28 days after 31st March each year or within 28 days of being so directed in writing by the Agency.

Each record shall be kept and be made available during all reasonable hours for inspection by the Agency for at least 7 years.

9 FURTHER CONDITIONS

- 9.1 Condition number 6.1 in the Schedule of Conditions to this licence shall expire on 31st March 2028. The expiry of condition number 6.1 shall not affect the operation of the remainder of this licence.

- 9.2 At all times after the completion and first filling of Nant y Moch Reservoir, water shall be released from the reservoir so as to maintain a uniform and continuous flow of 13,638 cubic metres per day in the Afon Rheidol. This flow shall be known as the Compensation Flow.

- 9.3 i) At all times after the completion and first filling of Dinas Reservoir, water shall be released from the reservoir so as to maintain a uniform and continuous flow of 36,368 cubic metres per day during October to March inclusive in the Afon Rheidol. This flow shall be known as the Compensation Flow.

ii) At all times after the completion and first filling of Dinas Reservoir, an additional quantity of 18,184 cubic metres per day above condition number 9.3 i) shall be released from the reservoir so as to maintain a uniform and continuous flow of 54,552 cubic metres per day during the hours between 08:00 and 20:00 each day during April to September inclusive in the Afon Rheidol. This flow shall be known as the Compensation Flow.

- 9.4 No water shall be abstracted into the Afon Castell Aqueduct unless the rate of flow in the Afon Castell immediately downstream of the authorised point of abstraction, point "C" as specified in condition 2 above, is equal to or more than 2,500.3 cubic metres per day.

- 9.5 No water shall be abstracted into the Nant-y-Bog Aqueduct unless the rate of flow in the Nant-y-Bog immediately downstream of the authorised point of abstraction, point "D" as specified in condition 2 above, is equal to or more than 218.208 cubic metres per day.

- 9.6 No water shall be abstracted into the Afon Llywernog Aqueduct unless the rate of flow in the Afon Llywernog immediately downstream of the authorised point of abstraction, point "E" as specified in condition 2 above, is equal to or more than 431.87 cubic metres per day.
- 9.7 No water shall be abstracted into the Nant Bwa Drain Aqueduct unless the rate of flow in the Nant Bwa Drain immediately downstream of the authorised point of abstraction, point "F" as specified in condition 2 above, is equal to or more than 272.76 cubic metres per day.
- 9.8
- i) At all times after the completion and first filling of Cwm Rheidol Reservoir, water shall be released from the reservoir so as to maintain a uniform and continuous flow of 159,110 cubic metres per day all year in the Afon Rheidol as apportioned below. This flow shall be known as the Compensation Flow.
 - ii) At all times after the completion and first filling of Cwm Rheidol Reservoir, the quantity of water to be discharged through the fish pass and dam shall be no less than 49,096.8 cubic metres per day.
 - iii) At all times after the completion and first filling of Cwm Rheidol Reservoir, the quantity of water to be discharged in a continuous and uniform flow through the aqueduct shall be no less than 110,013.2 cubic metres per day.
- 9.9 The minimum value, as referred to in section 46(2A) Water Resources Act 1991, is 440,500,000 cubic metres per year until 31st March 2028 and 223,287,340 cubic metres per year from 1st April 2028 and the authorised abstraction quantity in this licence can be reduced to that value.

ADDITIONAL INFORMATION

Note: the following information is provided for information only. It does not form part of the licence.

REASONS FOR CONDITIONS

Conditions 9.2 to 9.8 are to ensure that the abstraction from the Afon Rheidol and its tributaries maintains a minimum flow below the abstraction points to safeguard the downstream aquatic environment. A summary of conditions 9.2 to 9.8 are attached to this licence.

Condition 9.9 is to ensure compliance with section 46(2A) Water Resources Act 1991.

IMPORTANT NOTES

Transfers from the Dyfi catchment for subsequent re-abstraction under this licence are to be authorised under licence serial numbers 23/64/9/0003 and 23/64/11/0008.

This upwards variation is to update licence 22/63/1/0024 to reflect the abstraction originally enabled by the North Wales Hydro-Electric Power Act, 1955 and to bring all conditions relating to the abstractions into one legal document. The Compensation Flows and Hands of Flow conditions are from the North Wales Hydro-Electric Power Act, 1955.

The Licence Holder shall use water abstracted under the terms of this licence in an efficient manner. The Agency will have regard to its Guidance on Water Efficiency (or equivalent guidance) in determining whether water is being used efficiently and any measures required to meet this condition. This is in accordance with the Agency's responsibilities under the Water Resources Act 1991 to secure the proper use of water (Section 19(1)(b)).

Licence serial number	Issue date	Expiry date	Summary of changes
22/63/1/0024	3 March 1966	11 April 1991	Original licence in name of Central Electricity Generating Board.
22/63/1/0024	12 April 1991	30 June 2002	Company name change to Powergen Plc.
22/63/1/0024	01 July 2002	31 December 2008	Company name change to E.ON UK plc.
22/63/1/0024	1 December 2008	1 January 2009	Transfer from E.ON UK plc to Stratkraft Energy Ltd.
22/63/1/0024 Variation 1	3 August 2009	Base licence: N/A 31 March 2028	Time limited upwards variation.
22/63/1/0024 Variation 1	16 October 2012	Base licence: N/A 31 March 2028	Minor variation to change company address and correct administrative errors in conditions

Summary of conditions 9.2 to 9.9 with corresponding sections of the North Wales Hydro-Electric Power Act, 1955.

Map point	Name	NGR	Authorised annual quantity cubic metres per day	Compensation flow cubic metres per day	Time restrictions	Hands of flow cubic metres per day	Licence condition	1955 Act Works No.	Section of 1955 Act
Point A	Nant Y Moch Reservoir	SN 7536 8620	171,000,000	13,638			9.2	5	18 (2) (i)
Point B	Dinas Reservoir	SN 7453 8217	232,500,000	36,368	October to March inclusive		9.3 i)	21	18 (2) (ii)
Point B	Dinas Reservoir	SN 7453 8217	As above	54,552	April to September between 8am and 8pm inclusive		9.3 ii)	21	18 (2) (ii)
Point C	Afon Castell	SN 7669 8119	31,000,000			2,500.3	9.4	23	19 (2)
Point D	Nant Y Bog	SN 7427 8187	1,300,000			218.208	9.5	24	19 (2)
Point E	Afon Llywernog	SN 7328 8079	3,400,000			431.87	9.6	26	19 (2)
Point F	Nant Bwa Drain	SN 7152 7993	1,300,000			272.76	9.7	27	19 (2)
	Cwm Rheidol Reservoir Overall	SN 6942 7947		159,110			9.8 i)	28	18 (1) (b)
	Cwm Rheidol Reservoir through fish pass and dam			49,096.8			9.8 ii)	28	18 (3) (c)
	Cwm Rheidol Reservoir through aqueduct			110,013.2			9.8 iii)	29	18 (3) (d)



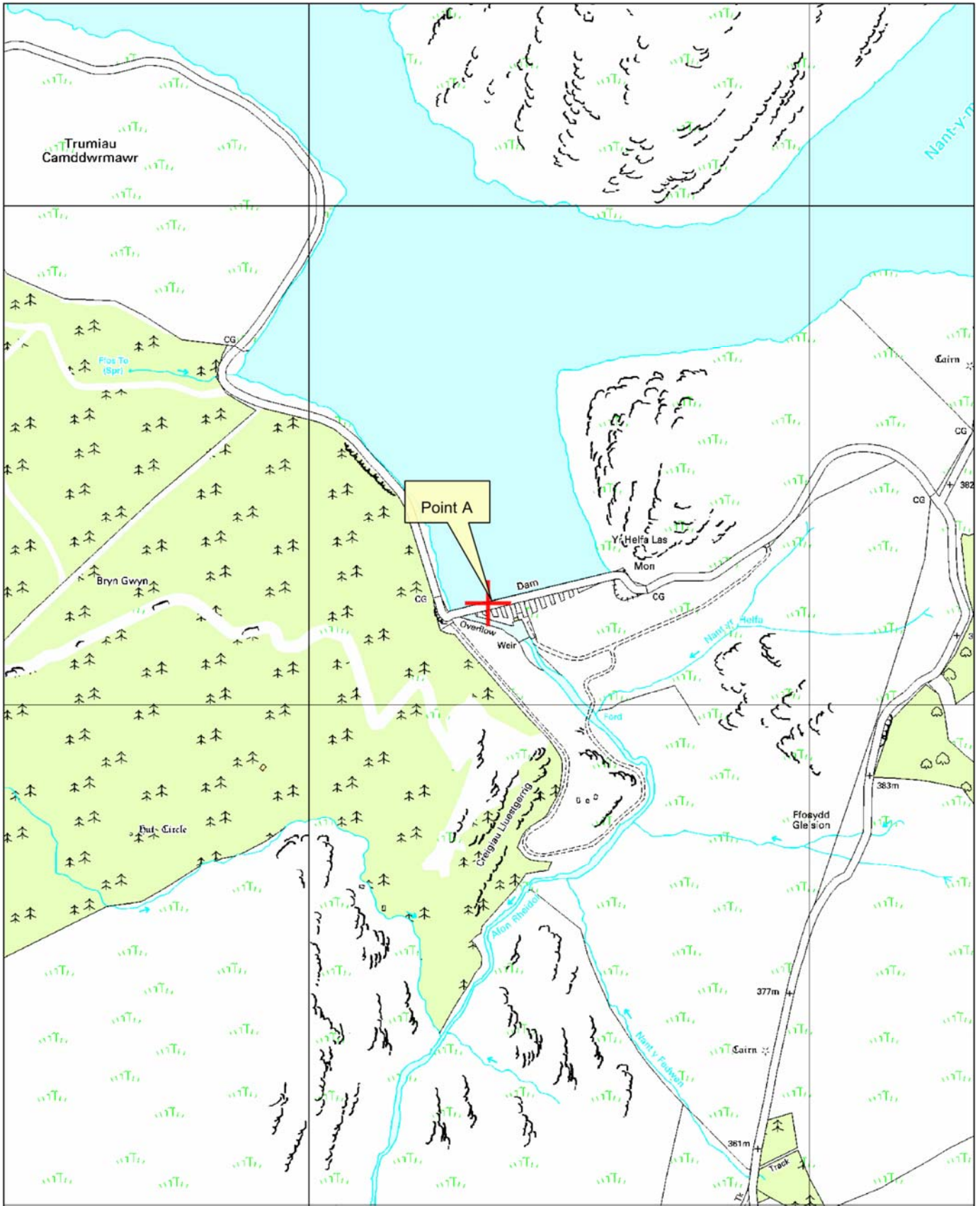
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MAP ACCOMPANYING LICENCE NUMBER / MAP I GYFEILIO TRWYDDED RHIF
22/63/1/0024 Variation 1 - Map 1

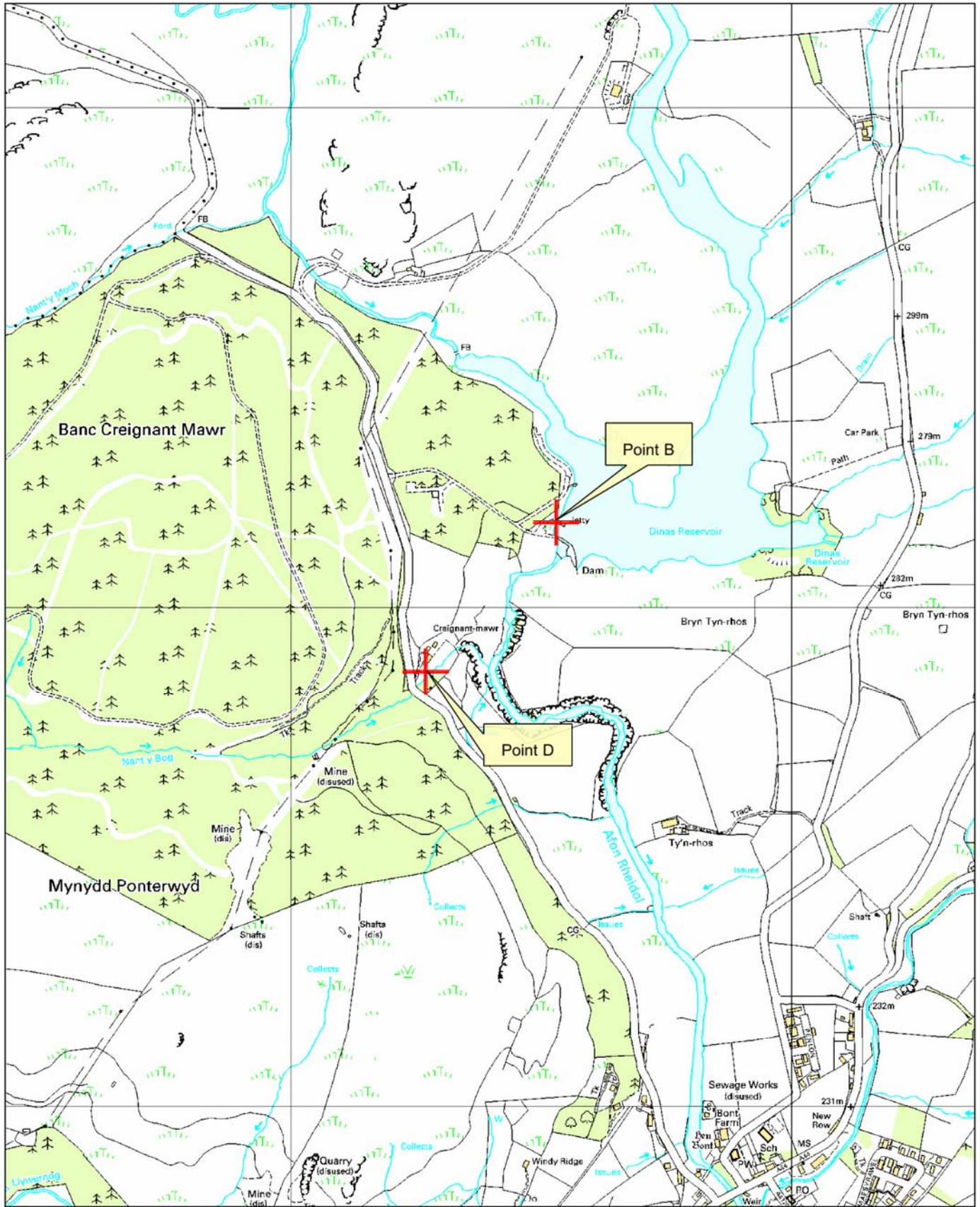
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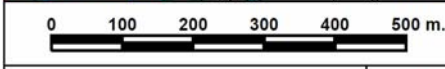
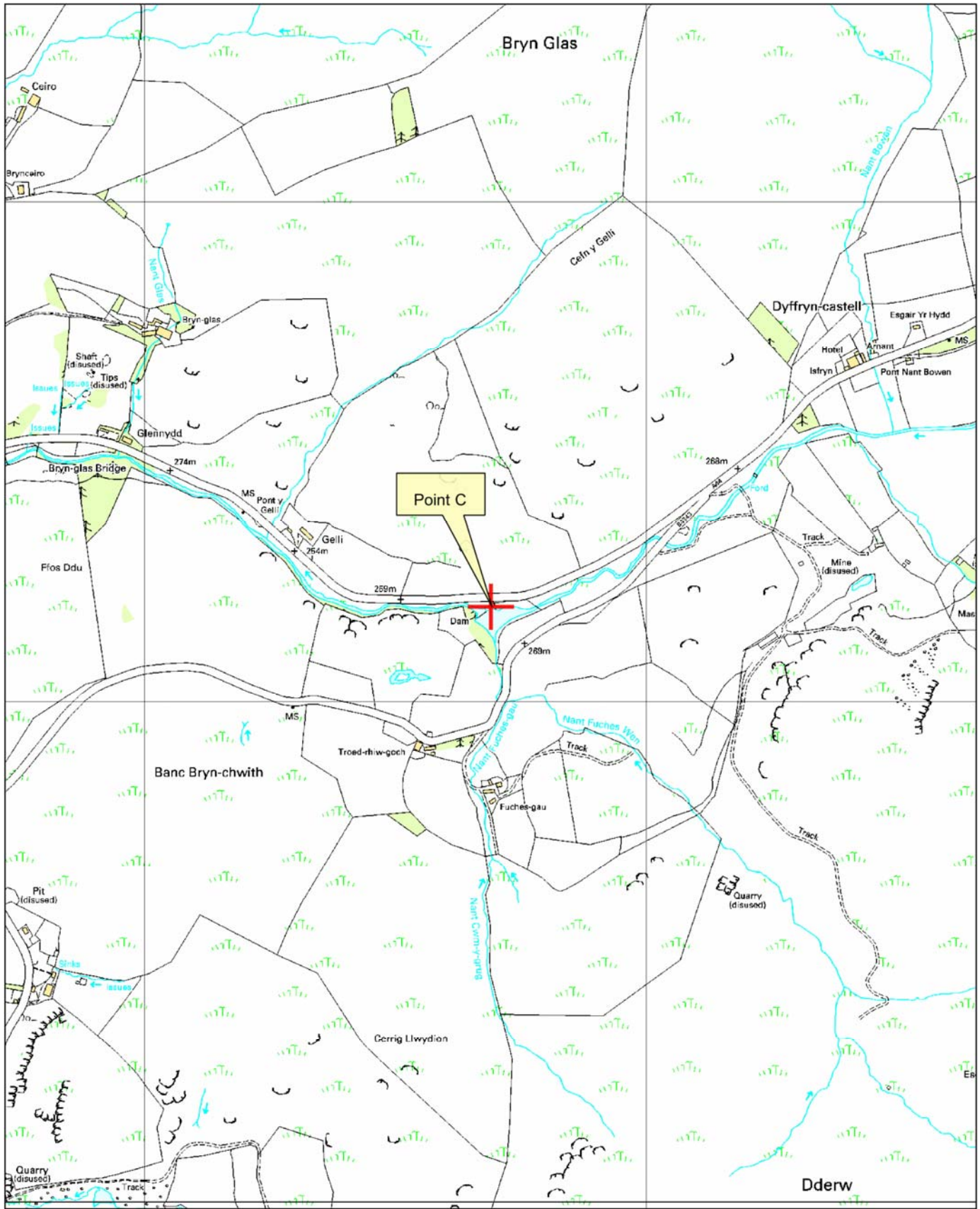
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MAP ACCOMPANYING LICENCE NUMBER / MAP I GYFELIO TRWYDDED RHIF
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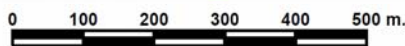
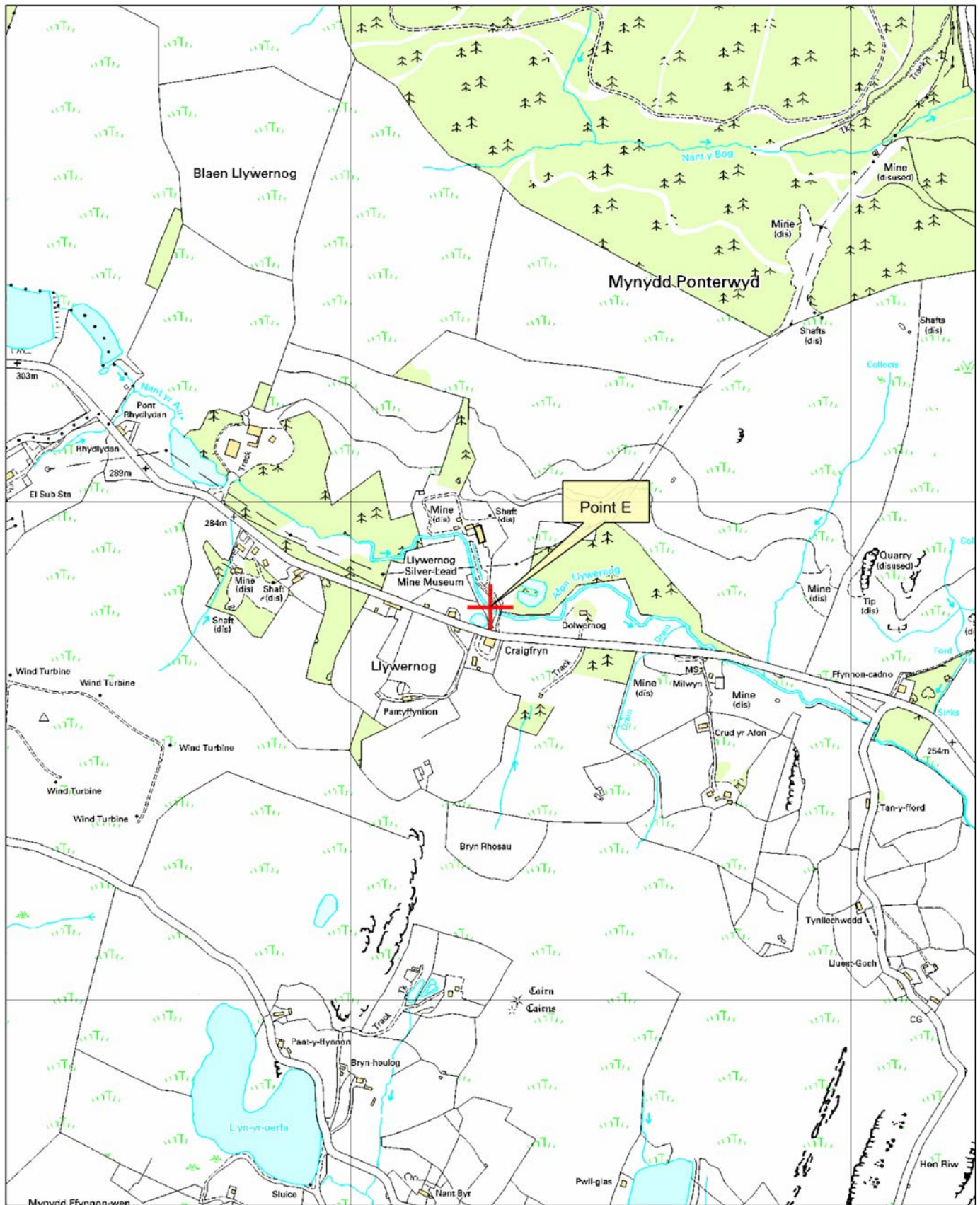


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22/63/1/0024 Variation 1 - Map 4

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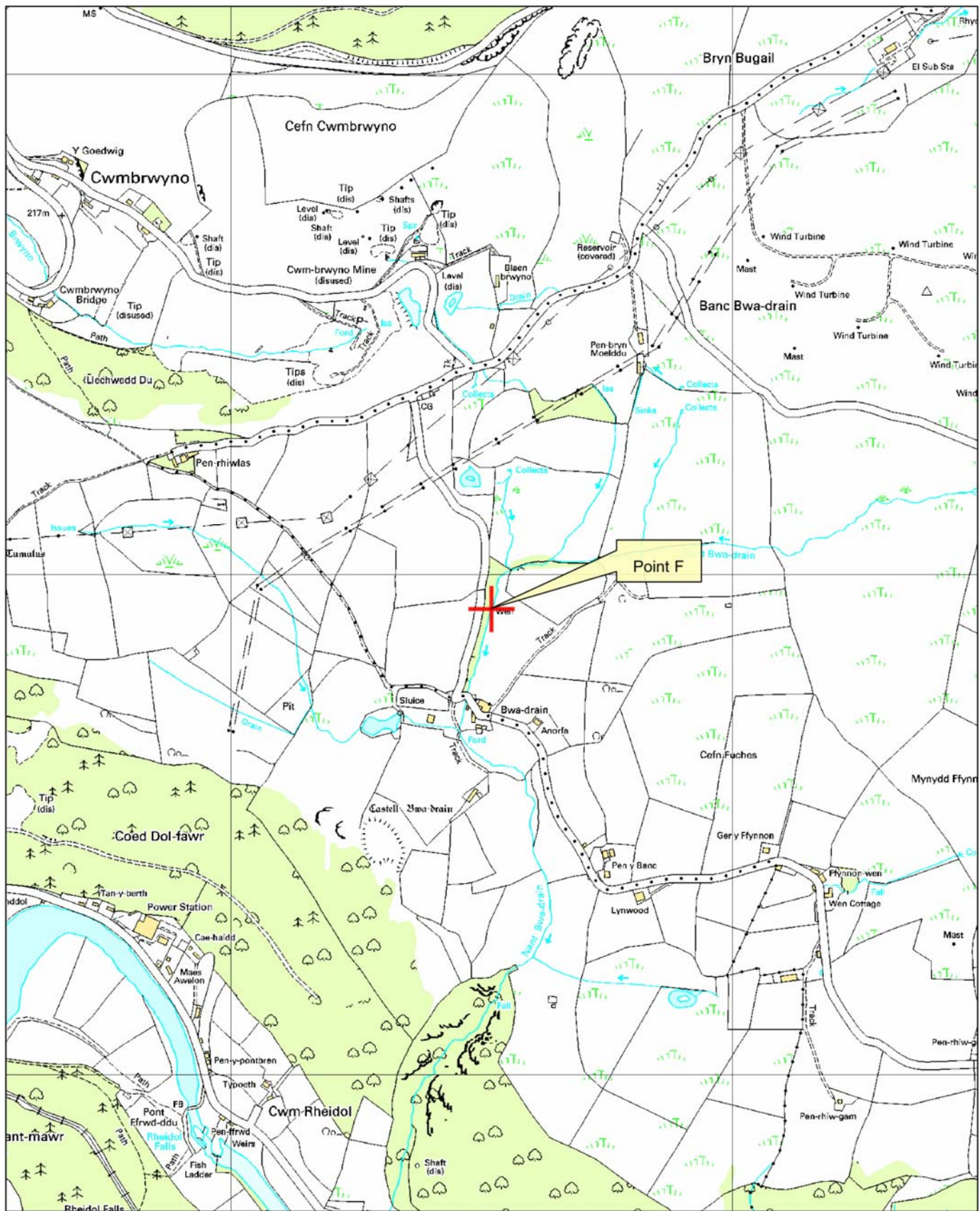


MAP ACCOMPANYING LICENCE NUMBER / MAP I GYFELIO TRWYDDED RHIF
22/63/1/0024 Variation 1 - Map 5

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22/63/1/0024 Variation 1 - Map 6

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